

AGENDA
COMMUNICATIONS AND LEGISLATIVE LIAISON COMMITTEE MEETING
WITH BOARD OF DIRECTORS*
ORANGE COUNTY WATER DISTRICT
18700 Ward Street, Fountain Valley, CA (714) 378-3200
June 6, 2024 12:00 p.m.- Conference Room C-2

*The OCWD Communications and Legislative Liaison Committee meeting is noticed as a joint meeting with the Board of Directors for the purpose of strict compliance with the Brown Act and it provides an opportunity for all Directors to hear presentations and participate in discussions. Directors receive no additional compensation or stipend as a result of simultaneously convening this meeting. Items recommended for approval at this meeting will be placed on the **June 19, 2024** Board meeting Agenda for approval.

This meeting will be held in person. As a convenience for the public, the meeting may also be accessed by Zoom Webinar and will be available by either computer or telephone audio as indicated below. Because this is an in-person meeting and the Zoom component is not required, but rather is being offered as a convenience, if there are any technical issues during the meeting, this meeting will continue and will not be suspended.

Computer Audio: You can join the Zoom meeting by clicking on the following link:
<https://ocwd.zoom.us/j/99465334409>

Telephone Audio: (213) 338 8477

Webinar ID: 994 6533 4409

Teleconference Sites: 10382 Bonnie Drive, Garden Grove 19 Cannery, Buena Park 1454 Madison Street, Tustin 400 West Civic Center Drive, Santa Ana 20 Civic Center Plaza, Santa Ana 3355 Las Vegas Blvd. South, Las Vegas The Prince Park Tower Tokyo – 4-8-1 Shibakoen Minato, Tokyo * Members of the public may attend and participate at all locations.
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ROLL CALL

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

RECOMMENDATION: Adopt resolution determining need to take immediate action on item(s) and that the need for action came to the attention of the District subsequent to the posting of the Agenda (requires two-thirds vote of the Board members present, or, if less than two-thirds of the members are present, a unanimous vote of those members present.)

VISITOR PARTICIPATION

Time has been reserved at this point in the agenda for persons wishing to comment for up to three minutes to the Board of Directors on any item that is not listed on the agenda, but within the subject matter jurisdiction of the District. By law, the Board of Directors is prohibited from taking action on such public comments. As appropriate, matters raised in these public comments will be referred to District staff or placed on the agenda of an upcoming Board meeting.

At this time, members of the public may also offer public comment for up to three minutes on any item on the Consent Calendar. While members of the public may not remove an item from the Consent Calendar for separate discussion, a Director may do so at the request of a member of the public.

CONSENT CALENDAR (ITEM NO. 1)

All matters on the Consent Calendar are to be approved by one motion, without separate discussion on these items, unless a Board member or District staff request that specific items be removed from the Consent Calendar for separate consideration.

- 1. MINUTES OF COMMUNICATIONS AND LEGISLATIVE LIAISON COMMITTEE MEETING HELD MAY 2, 2024

RECOMMENDATION: Approve minutes as presented

MATTERS FOR CONSIDERATION

- 2. STATE LEGISLATIVE UPDATE

RECOMMENDATION: Agendize for June 19 Board meeting: Take the following positions:

Bill Number/Short Title/Author	Position Recommendation for Consideration:
AB 2079 Bennett (D-Oxnard) Groundwater extraction: large-diameter, high-capacity wells: permits. Bennett (D-Ventura).	Oppose Unless Amended
SB 1147 Portantino (D-Glendale) Drinking water: bottled water: microplastics levels.	Watch

- 3. FEDERAL LEGISLATIVE UPDATE

RECOMMENDATION: Agendize for June 19 Board meeting: Take action as appropriate

INFORMATIONAL ITEMS

- 4. CHILDREN'S WATER EDUCATION FESTIVAL UPDATE
- 5. WATER SUMMIT UPDATE
- 6. PUBLIC AFFAIRS OUTREACH REPORT (MAY)

CHAIR DIRECTION AS TO WHICH ITEMS IF ANY TO BE AGENDIZED AS A MATTER FOR CONSIDERATION AT THE JUNE 19 BOARD MEETING

DIRECTOR'S ANNOUNCEMENTS/REPORTS

GENERAL MANAGER'S ANNOUNCEMENT/REPORT

ADJOURNMENT

COMMUNICATION AND LEGISLATIVE LIAISON COMMITTEE MEMBERS

Denis Bilodeau - Chair
Van Tran - Vice Chair
Roger Yoh
Bruce Whitaker
Steve Sheldon

Valerie Amezcua
Natalie Meeks
Dina Nguyen
Erik Weigand
Cathy Green

Agenda Posting: In accordance with the requirements of California Government Code Section 54954.2, this agenda is posted in the window of the guard shack at the main entrance of the Orange County Water District, 18700 Ward Street, Fountain Valley, CA and on the OCWD website: www.ocwd.com not less than 72 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the Assistant District Secretary. Backup material for the Agenda is available at the District offices for public review and can be viewed online at the District's website: www.ocwd.com.

Accommodations to the Disabled: Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the District Secretary at (714) 378-3234, by email at cfuller@ocwd.com by fax at (714) 378-3373. Notification 24 hours prior to the meeting will enable District staff to make reasonable arrangements to assure accessibility to the meeting.

Availability of Agenda Material: As a general rule, agenda reports or other written documentation that has been prepared or organized with respect to each item of business listed on the agenda can be reviewed at www.ocwd.com. Copies of these materials and other disclosable public records distributed to all or a majority of the members of the Board of Directors in connection with an Open Session agenda item are also on file with and available for inspection at the Office of the District Secretary, 18700 Ward Street, Fountain Valley, California, during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday. If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Orange County Water District office.

MINUTES OF BOARD OF DIRECTORS MEETING
WITH COMMUNICATIONS AND LEGISLATIVE LIAISON COMMITTEE
ORANGE COUNTY WATER DISTRICT
May 2, 2024, 12:00 p.m.

Director Bilodeau called the Communications and Legislative Liaison Committee meeting to order at 12:00 p.m. in the District Conference Room C-2. Public access was also provided via Zoom webinar. The Secretary called the roll and reported a quorum as follows:

Committee Members

Denis Bilodeau
Van Tran
Roger Yoh
Bruce Whitaker
Steve Sheldon (absent)

OCWD Staff

John Kennedy – General Manager
Chris Olsen – Executive Director
Crystal Nettles – Principal Communications Specialist
Alicia Harasty – Legislative Affairs Liaison
Dani Berch - Communications Specialist
Leticia Villarreal – Assistant District Secretary

Alternates

Valerie Amezcua
Natalie Meeks (absent)
Dina Nguyen (absent)
Erik Weigand
Cathy Green

CONSENT CALENDAR

The Consent Calendar was approved upon motion by Director Whitaker, seconded by Director Tran and carried [4-0] as follows:

Ayes – Bilodeau, Tran, Whitaker, Amezcua

1. Minutes of Previous Meeting

The minutes of the April 4, 2024 Communications/Legislative Liaison Committee meetings are approved as presented.

MATTERS FOR CONSIDERATION

2. State Legislative Update

OCWD Consultants provided an update on efforts to gain PFAS funding and additional information on AB 2515 (Papan) which was deferred back to Committee.

Bill Number/Short Title/Author	Position Recommendation for Consideration:
AB 2515 Papan (D-San Mateo) Menstrual products: perfluoroalkyl and polyfluoroalkyl substances (PFAS)	Informational

3. Federal Legislative Update

Federal Consultants reported on updates and progress towards exemption for water entities from PFAS liability, PFAS maximum contaminant level (MCL) compliance periods, PFAS destruction technology guidance and funding for PFAS cleanup.

Upon motion by Director Yoh, seconded by Director Whitaker and carried [5-0], the Committee recommended that the Board at its May 15 Board meeting: Take the following position:

Bill Number/Author	Short Title	Recommendation
H.R. 7944 (Curtis – R-UT)	Water Systems PFAS Liability Protection Act	Support

Ayes: Bilodeau, Tran, Yoh, Whitaker, Amezcua

INFORMATIONAL ITEMS

4. Water Summit Update

Principal Communications Specialist Crystal Nettles shared that this year’s Water Summit will be the 16th year and the theme Liquid Logic: The Fusion of Finance, Tech and Water was approved at the April Summit Committee meeting. She informed the Committee that the Planning Committee will continue to meet monthly to discuss the program and speakers and updates to the Com/Leg Committee will continue monthly.

5. Public Affairs Outreach Report (April)

Director of Public Affairs Gina Ayala provided an overview of outreach for April 2024.

April Highlights:

- 20 tours with 300 tour guests and 8 speaker’s bureau engagements were held.
- The GWRS dedication event was selected to receive an EPIC award from the California Association of Public Information Officers (CAPIO).
- OC Supervisor Doug Chaffee received a briefing. Senate candidate Steve Garvey received a tour and briefing.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:52 p.m.

 Denis Bilodeau, Chair

AGENDA ITEM SUBMITTAL

Meeting Date: June 6, 2024

To: Communications/Leg. Liaison Cte.
Board of Directors

From: John Kennedy

Staff Contact: G. Ayala/A. Harasty

Budgeted: N/A

Budgeted Amount: N/A

Cost Estimate: N/A

Funding Source: N/A

Program/Line-Item No.: N/A

General Counsel Approval: N/A

Engineers/Feasibility Report: N/A

CEQA Compliance: N/A

Subject: STATE LEGISLATIVE UPDATE

SUMMARY

Orange County Water District (OCWD; the District) staff and consultants will provide recommendations on bill positions that impact OCWD and efforts to gain PFAS funding.

Attachments:

- Joe A. Gonsalves and Son – Edelstein Gilbert Robson & Smith June 2024 State Legislative Update
- State Bill Matrix
- AB 2079 Bennett (D-Oxnard) Groundwater Extraction Large Diameter High Capacity Wells Permits
- SB 1147 Portantino (D-Glendale) Drinking water: bottled water: microplastics levels.

RECOMMENDATION

Agendize for June 19 Board meeting: Take the following positions:

Bill Number/Short Title/Author	Position Recommendation for Consideration:
AB 2079 Bennett (D-Oxnard) Groundwater extraction: large-diameter, high-capacity wells: permits. Bennett (D-Ventura).	Oppose Unless Amended
SB 1147 Portantino (D-Glendale) Drinking water: bottled water: microplastics levels.	Watch

DISCUSSION/ANALYSIS

AB 2079 Bennett (D-Oxnard) Groundwater extraction: large-diameter, high-capacity wells: permits. Bennett (D-Ventura)

In April, OCWD took an “oppose” position on AB 2079 as the current language could pose a problem for OCWD in the future. Long term, the subsidence threshold in AB 2079, **<0.5 foot since 2015**, could become an impediment because over time that threshold could eventually be reached. The greatest cumulative subsidence from 2015 to 2023 in OCWD

is a small area in Tustin with **0.2 foot**. The legislation provides an exception to this if annual subsidence is <0.1 foot over a consecutive four-year period, which may be difficult to meet because OCWD's basin is prone to "elastic" (reversible) subsidence during several-year drought periods. The proposed legislation does not exempt "elastic" subsidence or non-groundwater-related (petroleum or tectonic) land surface decline.

The bill has been amended to alleviate most of OCWD's concerns, however, staff recommend a further amendment to make sure that the subsidence threshold does not start in 2015 and continue on into perpetuity, but instead add language to say in the last 10 years or from 2015.

The specific amendment would be the following:

13807.3 (b) (1) A local enforcement agency shall not approve a permit for a large-diameter, high-capacity well if that well is proposed to be located within one-quarter mile of an area that has subsided greater than 0.5 feet in total since January 1, 2015, or in the preceding ten years, as reported and defined by the department based upon provided InSAR subsidence data report posted on the Natural Resources Agency open data portal and department internet websites.

13807.4 (d) (2) The well being replaced shall be abandoned destroyed in accordance with Part III Section 23 of the California Well Standards prior to initial operation of the ~~replacing~~ *replacement* well.

SB 1147 Portantino (D-Glendale): Drinking water: bottled water: microplastics levels

In April OCWD took an "oppose unless amended" position on SB 1147. The bill was subsequently amended to remove the items OCWD had requested, including the previously proposed compliance dates for OEHHA to develop and deliver to the State Water Board a public health goal for microplastics in drinking water, including bottled water, and for the State Water Board to review the public health goal and adopt a primary drinking water standard for microplastics.

The amended version of the bill addresses OCWD's concern that data is not currently available to inform a public health goal and a drinking water standard within the specified timeframes. Therefore, OCWD staff recommend taking a "watch" position on SB 1147.

ACTIVITIES

May 14 Assembly Member Dixon met via zoom with President Cathy Green, John Kennedy and key OCWD staff to discuss the use of sand behind Prado Dam to sustain Orange County beaches; a future in-person meeting will be coordinated by Dixon's staff in July to further discuss ideas and add UCI, USACE and other participants. OCWD staff will aid with the agenda and suggested guest list.

April 16 Supervisor Chaffee Briefing

- March 26 Assembly Member Dixon met with President Cathy Green, John Kennedy and Alicia Harasty regarding OCWD and its state priorities
- March 8 Assembly Member Valencia met with President Cathy Green, John Kennedy and Alicia Harasty regarding OCWD and its state priorities
- March 15 Assembly Member Tri Ta met with President Cathy Green, John Kennedy and Alicia Harasty regarding OCWD and its state priorities
- January 31 Senator Janet Nguyen's staff, Joe Pena, was briefed by Alicia Harasty
- January 29 Senator Kelly Seyarto's staff, Madison Marks-Noble, was briefed by Alicia Harasty
- January 26 Assembly Member Cottie Petrie-Norris met with President Cathy Green, John Kennedy and Alicia Harasty regarding OCWD and its state priorities
- January 25 OCWD President Green, senior staff and lobbyists had a productive meeting with the Chair of the State Water Resources Control Board
- January 24 Assembly Member Tri Ta's staff, Colin Edwards, Assembly Member Dixon's staff, Kristin Vallandi, Senator Umberg's staff, Fidel Vasquez, was briefed by Alicia Harasty
- January 23 Assembly Member Petrie-Norris's staff, Michael Tou, was briefed by Alicia Harasty
- January 16 The following Sacramento staff to the Orange County delegation were briefed by Alicia Harasty: Jessica Matlock, Office of Senator Newman; Hannah Skaggs, Office of Assembly Member Dixon; Christopher Aguilera, Office of Assembly Member Quirk-Silva; Katherine Moore, Senate Committee on Natural Resources and Water/Senator Min key contact; Victoria Harris, Office of Assembly Member Petrie-Norris; Christian Lopez, Office of Senator Seyarto; Ted Blanchard, Office of Senator Nguyen; Katie Guthrie, Office of Assembly Member Valencia



EDELSTEIN GILBERT ROBSON & SMITH^{LLC}



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TO: ORANGE COUNTY WATER DISTRICT

FROM: JOE A. GONSALVES AND SON
EDELSTEIN GILBERT ROBSON & SMITH^{LLC}

SUBJECT: LEGISLATIVE UPDATE

DATE: May 21, 2024

This week marks the half-way point of the legislative session. Last week marked the passage of the deadline for fiscal bills to pass out of the Appropriations Committee in their respective houses and be referred to the floor. Similarly, all bills introduced this year must pass out of their house of origin by the end of this week in order to stay alive. Bills that move forward will move to the second house and begin working their way through policy committees in June.

These deadlines are bottlenecks where controversial legislation can die. We have been reporting on legislation related to PFAS throughout the year. The status of

SB 903 (Skinner) – PFAS

SB 903 would the distribution or sale of a product containing intentionally added PFAS beginning January 2030 unless the use of PFAS is unavoidable. The bill is sponsored by the California Association of Sanitation Agencies (CASA) and faces significant opposition from chemical companies, businesses, and producers of household products.

Implementing SB 903 would have been incredibly expensive. The cost for the state to implement the bill was estimated to be over \$10 million annually. Given that, it was not surprising that SB 903 was held in the Senate Appropriations Committee.

AB 2515 (Papan) – Menstrual Products

AB 2515 expands an existing ban on cosmetic products that contain intentionally added PFAS to cover menstrual products containing PFAS. The bill grants DTSC authority to enforce its provisions.

While the estimated cost of AB 2515 was not as high as the estimate for SB 903, it was still significant. Despite the potential \$1.5 million annual price tag, AB 1515 passed and is currently pending on the Assembly Floor.

AB 2761 (Hart) – Plastic Packaging

AB 2761 would prohibit the manufacturing, selling, or distribution of plastic packaging containing PFAS, PVC, and PVDC beginning January 1, 2026. The bill is sponsored by

Californians Against Waste, Clean Water Action, the Natural Resources Defense Council, and Breast Cancer Prevention Partners. It is opposed by many of the same stakeholders who are opposed to SB 903.

While AB 2761 is expected to increase costs for trial courts who will have to adjudicate claims under the bill.

SB 1266 (Limon) – Children’s Products

SB 1266 would expand an existing ban on bisphenol-A in children’s products to PFAS beginning January 1, 2026. Unlike the other bills listed here, SB 1266 had no listed opposition when it was last heard.

SB 1266 had minor costs to the state and passed off the Senate Floor unanimously. It is currently pending in the Assembly.

May Revise

The Governor released his May Revision of his Proposed Budget on May 10.

Not surprisingly, revenues have continued to fall short of projects. Consequently, while the Governor and the Legislature agreed to adopt \$17.3 billion last month in early action budget solutions, the state is still facing a \$27.6 billion shortfall.

The Governor is proposing to close this shortfall using various reductions, fund shifts, internal borrowing, and delays. Among these is a \$29 million cut to PFAS support originally appropriated in the 2021 budget.

Climate Bonds

The Governor did not explicitly call for a climate bond when presenting his May Revision to the public.

While work continues in the Assembly and Senate, it remains unclear whether a climate bond will be enough of a priority to be placed on the ballot. As we have previously reported, a climate bond is competing with other potential bonds for education and housing.

The Governor’s comments earlier this month when releasing the May Revise seemed to indicate that he is engaged and working on the education bond. Whether or not there is a climate bond on the ballot in November will likely come down to whether champions in the Legislature are willing to jettison their housing bond proposal and whether the Governor is willing to maximize the amount of new debt the state takes on.

The Legislature and the Governor have until the end of June to make this decision.

MEASURE	AUTHOR	TOPIC	LOCATION	SUMMARY	POSITION
AB 30	Ward	Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program.	9/1/2023 – Signed/Chaptered by Governor	Current law establishes the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program in the Department of Water Resources. Current law requires the department, upon an appropriation for purposes of the program, to research climate forecasting and the causes and impacts that climate change has on atmospheric rivers, to operate reservoirs in a manner that improves flood protection, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. This bill would rename that program the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency (AR/FIRO) Program. The bill would require the department to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.	Support
AB 460	Bauer-Kahan	State Water Resources Control Board: interim relief.	7/14/2023 – Senate 2 Year.	The State Water Resources Control Board and the California regional water quality control boards are required to set forth water quality objectives in state and regional water quality control plans. Current law establishes the Water Rights Fund, which consists of various fees and penalties. The moneys in the Water Rights Fund are available upon appropriation by the Legislature for the administration of the board's water rights program. Current law requires that the owner of any dam allow sufficient water at all times to pass through a fishway, or in the absence of a fishway, allow sufficient water to pass over, around, or through the dam, to keep in good condition any fish that may be planted or exist below the dam, as specified. This bill would authorize the board to issue, on its own motion or upon the petition of an interested party, an interim relief order in appropriate circumstances to implement or enforce these and related provisions of law. The bill would provide that a person or entity that violates any interim relief order issued by the board would be liable to the board for a civil penalty in an amount not to exceed the sum of \$10,000 for each day in which a violation occurs and \$5,000 for each acre-foot of water diverted in violation of the interim relief order. The bill would require these funds to be deposited in the Water Rights Fund	Oppose
AB 557	Hart	Open Meetings: Local Agencies:	10/9/2023 – Signed/Chaptered by	Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with specified teleconferencing requirements in specified circumstances	Support

		Teleconferences.	Governor	<p>when a declared state of emergency is in effect, or in other situations related to public health, as specified. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, existing law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. Current law requires a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option. Current law prohibits a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. This bill would extend the above-described abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely.</p>	
AB 817	Pacheco	Open meetings: teleconferencing: subsidiary body.	5/01/2024 – Senate Local Government Committee.	<p>Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. In order to use teleconferencing pursuant to the Ralph M. Brown Act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.</p>	Support

AB 1337	Wicks	State Water Resources Control Board: water shortage enforcement.	7/14/2023 – Senate 2 Year.	Would authorize the State Water Resources Control Board to adopt regulations for various water conservation purposes, including, but not limited to, to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, and to implement these regulations through orders curtailing the diversion or use of water under any claim of right. The bill would require the board to provide notice and an opportunity to be heard before issuing an order, except where an opportunity to be heard before the issuance of an order would be impractical given the likelihood of harm to the purposes of the various water conservation regulations. The bill would provide that a person or entity may be civilly liable for a violation of any regulation or order issued by the board pursuant to these provisions in an amount not to exceed \$1,000 for each day in which the violation has occurred and \$2,500 for each acre-foot of water diverted or used in violation of the applicable requirement. The bill would authorize the imposition of this civil liability by the superior court, as specified, or administratively by the board. The bill would provide that a regulation or order issued by the board pursuant to these provisions, or by emergency regulation, is exempt from the California Environmental Quality Act (CEQA).	Oppose
AB 1567	Garcia	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2023.	5/22/2024 – Senate Natural Resources & Water Committee.	The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide primary election, authorizes the issuance of bonds in the amount of \$4,100,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. Article XVI of the California Constitution requires measures authorizing general obligation bonds to specify the single object or work to be funded by the bonds and further requires a bond act to be approved by a 2/3 vote of each house of the Legislature and a majority of the voters. This bill would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2023, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,105,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation,	Watch & work with associations to include funding for 1. PFAS Cleanup. 2. Projects to protect groundwater from sea water intrusion.

				flood protection, extreme heat mitigation, and workforce development programs. This bill contains other related provisions.	
AB 2079	Bennett	Groundwater extraction: large-diameter, high-capacity wells: permits.	5/21/2024 – Senate Rules Committee for Assignment.	The bill would require a groundwater sustainability agency with oversight for the area of the basin where the local enforcement agency has well permitting jurisdiction to provide specified information to the local enforcement agency, including, but not limited to, the name of the applicable groundwater sustainability agency, the agency manager and contact information, and the applicable sustainable management criteria related to groundwater levels, including the groundwater level measurable objectives and minimum thresholds.	Oppose
AB 2515	Papan	Menstrual products: perfluoroalkyl and polyfluoroalkyl substances (PFAS).	5/23/2024 – Senate Rules Committee for Assignment.	Current law, beginning January 1, 2025, prohibits a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS), as defined. This bill would similarly prohibit any person from manufacturing, distributing, selling, or offering for sale in the state any menstrual products that contain regulated PFAS,	Watch
AB 2626	Dixon	Advanced Clean Fleets regulations: local governments.	4/25/2024 – Assembly – Dead.	This bill would extend the compliance dates for local government set forth in the Advanced Clean Fleets Regulation by 10 years. The bill would prohibit the state board from taking enforcement action against a local government for violating the Advanced Clean Fleets Regulation if the alleged violation occurs before January 1, 2025	Support
AB 2761	Hart	Product safety: plastic packaging: Reducing Toxics in Packaging Act.	5/22/2024 – Senate Rules Committee for Assignment.	This bill would enact the Reducing Toxics in Packaging Act, which would prohibit, beginning January 1, 2026, a person from manufacturing, selling, offering for sale, or distributing in the state plastic packaging that contains certain chemicals, as specified.	Support
SB 23	Caballero	Water supply and flood risk reduction projects: expedited permitting.	1/18/2024 – Senate – Dead.	Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, except under specified conditions, including requiring the entity to send written notification to the Department of Fish and Wildlife regarding the activity in the manner prescribed by the department. This bill would require a project proponent, if already required to submit a notification to the department, to complete and submit environmental documentation to the department for the activity in the notification.	Support

SB 366	Caballero	The California Water Plan: long-term supply targets.	7/14/2023 – Assembly 2-year.	Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as the California Water Plan. Current law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. Current law requires the department to establish an advisory committee to assist the department in updating the plan. This bill would require the department to instead establish a stakeholder advisory committee, to expand the membership of the committee to include tribes and environmental justice interests, to prohibit a member of the committee from serving longer than the development of 2 updates, and to require the committee to meet a minimum of 4 times annually. The bill would require the department, in coordination with the California Water Commission, the State Water Resources Control Board, other state and federal agencies as appropriate, and the stakeholder advisory committee to develop a comprehensive plan for addressing the state’s water needs and meeting specified water supply targets established by the bill for purposes of “The California Water Plan.”	Support
SB 389	Allen	State Water Resources Control Board: determination of water right.	10/8/2023 – Signed/Chaptered by Governor	Current law provides that it is the intent of the Legislature that the state take vigorous action to enforce the terms and conditions of permits, licenses, certifications, and registrations to appropriate water, to enforce state board orders and decisions, and to prevent the unlawful diversion of water. This bill would authorize the State Water Resources Control Board to investigate the diversion and use of water from a stream system to determine whether the diversion and use are based upon appropriation, riparian right, or other basis of right, as specified.	Neutral
SB 411	Portantino	Open meetings: teleconferences: bodies with appointed membership.	10/9/2023 – Signed/Chaptered by Governor	Current law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a	Watch

				<p>physical location from which the public may attend or comment. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a legislative body to use alternate teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. The bill would alternatively define “legislative body” for this purpose to mean a board, commission, or advisory body of a local agency, the membership of which board, commission, or advisory body is appointed and which board, commission, or advisory body is otherwise subject to the Ralph M. Brown Act.</p>	
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SB 638	Eggman	Climate Resiliency and Flood Protection Bond Act of 2024.	7/11/2023- Assembly Water, Parks & Wildlife Committee. Hearing postponed by committee.	Would enact the Climate Resiliency and Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,000,000,000 pursuant to the State General Obligation Bond Law, for flood protection and climate resiliency projects.	Watch and work with associations to include funding for 1. PFAS Cleanup. 2. Projects to protect groundwater from sea water intrusion.
SB 745	Cortese	The Drought-Resistant Buildings Act.	10/13/2023 – Signed/Chaptered by Governor	Would require the California Building Standards Commission to develop and propose mandatory building standards to reduce the designed potable water demand of new buildings by 25% from current mandatory design requirements and to minimize the use of potable water for nonpotable uses. The bill would require the commission to adopt mandatory building standards that require new buildings to be designed to capture graywater and use alternative water sources for nonpotable building and landscaping water uses, as specified.	Oppose unless amended to exempt areas from the dual plumbing requirement

					that already recycle indoor water use.
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SB 867	Allen	Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023.	7/6/2023-Assembly Natural Resources Committee. Hearing postponed by committee.	Would enact the Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023, which, if approved by the voters, would authorize the issuance of bonds in an unspecified amount pursuant to the State General Obligation Bond Law to finance projects for drought and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, and park creation and outdoor access programs.	Watch and work with associations to include funding for 1. PFAS Cleanup. 2. Projects to protect groundwater from sea water intrusion.
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SB 903	Skinner	Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances.	5/16/2024 – Senate Appropriations Committee, Held in Committee.	Would, beginning January 1, 2032, prohibit a person from distributing, selling, or offering for sale a product that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS), as defined, unless the Department of Toxic Substances Control has made a determination that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is previously used.	Support (Sponsored by CA Association of Sanitation Agencies)
SB 1147	Portantino	Drinking water: bottled water: microplastics levels.	5/20/2024 – Assembly Desk.	This bill would require, among other things, the Office of Environmental Health Hazard Assessment (OEHHA) to study the health impacts of microplastics in drinking water, including bottled water, in order to evaluate and identify safe and unsafe levels of microplastics in those types of water, and, on or before January 1, 2026, to develop and deliver to the state board, among other things, public health standards and goals for a safe level of microplastics in those waters.	Oppose Unless Amended

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AMENDED IN ASSEMBLY APRIL 25, 2024

AMENDED IN ASSEMBLY APRIL 16, 2024

AMENDED IN ASSEMBLY MARCH 21, 2024

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 2079

Introduced by Assembly Member Bennett

February 5, 2024

An act to add Article 5 (commencing with Section 13807) to Chapter 10 of Division 7 of the Water Code, relating to groundwater.

LEGISLATIVE COUNSEL'S DIGEST

AB 2079, as amended, Bennett. Groundwater extraction: large-diameter, high-capacity water wells: permits.

Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Existing law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin and imposes specified duties upon that agency or combination of agencies, as provided.

Existing law requires the State Water Resources Control Board to adopt a model water well, cathodic protection well, and monitoring well drilling and abandonment ordinance implementing certain standards for water well construction, maintenance, and abandonment and requires each county, city, or water agency, where appropriate, to adopt a water well, cathodic protection well, and monitoring well drilling and

abandonment ordinance that meets or exceeds certain standards. Under existing law, if a county, city, or water agency, where appropriate, fails to adopt an ordinance establishing water well, cathodic protection well, and monitoring well drilling and abandonment standards, the model ordinance adopted by the state board is required to take effect, and is required to be enforced by the county or city and have the same force and effect as if adopted as a county or city ordinance.

This bill would require a local enforcement agency, as defined, to perform specified activities at least 30 days before determining whether to approve a permit for a new large-diameter, high-capacity well, as defined. By imposing additional requirements on a local enforcement agency, the bill would impose a state-mandated local program. The bill would require, ~~upon notice, a groundwater sustainability agency with oversight for the area of the basin where the proposed large-diameter, high-capacity well is to be located~~ *if the proposed large-diameter, high-capacity well is to be located in an area subject to management by a groundwater sustainability agency, the applicable groundwater sustainability agency, upon notice of a permit application*, to provide specified information to the local enforcement agency, including, but not limited to, the name of the applicable groundwater sustainability agency, the agency manager and contact information, and the applicable sustainable management criteria related to groundwater levels, including the groundwater level measurable objectives and minimum thresholds. The bill would require a local enforcement agency, before approving a permit for a large-diameter, high capacity well, to provide specified information to the applicant. The bill would prescribe certain standards a local enforcement agency would be required to follow in the approval or denial of the permit, including the location of the proposed large-diameter, high capacity well and specified geological and water supply considerations. The bill would provide exemptions for its provisions for specified water wells. The bill would provide that its provisions apply only to applications for permits for the construction, maintenance, abandonment, or destruction of water wells in basins identified in the Department of Water Resources Bulletin 118.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The groundwater extraction from large-diameter,
4 high-capacity wells can interfere with nearby drinking water wells
5 and result in impacts to critical infrastructure from subsidence.

6 (b) It is in the public interest to ensure that the permitting of
7 new wells extracting groundwater will be conducted to minimize
8 the impacts to drinking water wells and subsidence.

9 (c) Sustainable groundwater management in many parts of the
10 state requires coordination between local agencies permitting water
11 wells and groundwater sustainability agencies managing
12 groundwater basins.

13 (d) People, businesses, and industries seeking to construct or
14 operate water wells should be adequately informed about
15 groundwater conditions and groundwater management programs
16 that may affect the current or future use and operation of their
17 wells.

18 (e) Applicants seeking, and agencies permitting, the construction
19 and operation of water wells should take into account the reliability
20 and sustainability of the groundwater sources intended to be used
21 to avoid unexpected or unplanned well dewatering or loss of well
22 production capacity, which could lead to higher rates of
23 unexpected, unplanned, or premature well abandonment and
24 dereliction that could pose additional threats to groundwater
25 quality.

26 (f) Agencies issuing permits for the construction and operation
27 of water wells should consider the potential for those wells to cause
28 or contribute to land subsidence, which can have impacts on water
29 quality by adversely affecting the concentration of naturally or
30 artificially occurring chemical constituents of concern and posing
31 other serious public health and economic problems.

32 SEC. 2. Article 5 (commencing with Section 13807) is added
33 to Chapter 10 of Division 7 of the Water Code, to read:

Article 5. Well Sustainability

1
2
3 13807. This article shall apply only to applications for permits
4 for the construction, maintenance, abandonment, or destruction of
5 water wells in basins identified in the Department of Water
6 Resources Bulletin 118.

7 13807.1. The following definitions shall apply to this article:

8 (a) "Community water system" has the same meaning as
9 provided in Section 116275 of the Health and Safety Code.

10 (b) "Domestic well" has the same meaning as provided in
11 Section 116681 of the Health and Safety Code.

12 (c) "Large-diameter, high-capacity well" means any water well
13 with a diameter of more than eight inches and intended to produce
14 greater than two acre-feet annually.

15 (d) "Local enforcement agency" means any city, county, or
16 water agency that has adopted and is administering an ordinance
17 for the construction, maintenance, abandonment, or destruction of
18 a water well pursuant to this chapter.

19 (e) "Public water system" has the same meaning as defined in
20 Section 116275 of the Health and Safety Code.

21 (f) "State small water system" has the same meaning as provided
22 in Section 116275 of the Health and Safety Code.

23 (g) "*Urban retail water supplier*" has the same meaning as
24 provided in Section 10608.12.

25 13807.2. (a) A local enforcement agency shall perform all of
26 the following activities at least 30 days before determining whether
27 to approve a permit for a new large-diameter, high-capacity well:

28 (1) Provide electronic notice to the general public by posting
29 notice of receipt of the application and the contents of the
30 application on the local enforcement agency's internet website.

31 (2) Provide notice to all groundwater sustainability agencies
32 managing within a 10-mile radius of a proposed well, including
33 those in adjacent basins or counties, as applicable.

34 (3) Provide notice to all other local enforcement agencies, if
35 any, administering well permitting programs within the basin in
36 which the activities covered in the application would occur.

37 (4) Provide written notice through the United States Postal
38 Service to the registered owners or agents of all parcels within a
39 one-mile radius of the site where the activities covered in the

1 application would occur and any relevant information on the well
2 permitting process.

3 (5) Provide notice to the state board if the well is to be located
4 within a groundwater basin that is designated as a probationary
5 basin.

6 ~~(b) Upon notice, a groundwater sustainability agency with~~
7 ~~oversight for the area of the basin where the proposed~~
8 ~~large-diameter, high-capacity well is to be located shall~~ *If the*
9 *proposed large-diameter, high-capacity well is to be located in an*
10 *area subject to management by a groundwater sustainability*
11 *agency, the applicable groundwater sustainability agency shall,*
12 *upon notice of a permit application, provide all of the following*
13 *information to the local enforcement agency:*

14 (1) The name of the applicable groundwater sustainability plan
15 being implemented and where an electronic copy of the plan may
16 be accessed.

17 (2) The name of the applicable groundwater sustainability
18 agency, the agency manager and contact information, and the
19 applicable sustainable management criteria related to groundwater
20 levels, including the groundwater level measurable objectives and
21 minimum thresholds.

22 (3) The estimated depth to the groundwater level based on the
23 most recent monitoring conducted by the groundwater
24 sustainability agency for the area of the basin where the proposed
25 activities covered by the application would occur.

26 (4) Any fees, allocation, metering, spacing determinations, or
27 other regulations or ordinances that the groundwater sustainability
28 agency has adopted.

29 (5) Any updates to the information provided pursuant to this
30 subdivision as necessary within 30 days, should changes occur.

31 (6) Notice of an inadequate determination, if applicable, by the
32 department of the groundwater sustainability plan and the status
33 of any action of the state board resulting from the department
34 determination.

35 (c) Before approving any well permit for a large-diameter,
36 high-capacity well, a local enforcement agency shall provide all
37 of the following ~~information~~ to the applicant:

38 (1) The basin name, number, and priority as assigned by the
39 department in its most recent Bulletin 118.

1 (2) The name of all groundwater sustainability agencies, if any,
2 managing the basin in which the activities covered in the
3 application would occur.

4 (3) Information on regulations or ordinances adopted by the
5 groundwater sustainability agency relevant to the construction and
6 operation of the proposed ~~well~~. *well, if applicable.*

7 (4) ~~Notice~~ *If applicable, notice* to the applicant that the approval
8 of the application and granting of any associated permit is subject
9 to the regulatory authority of any groundwater sustainability agency
10 managing the portion of the basin in which the activities covered
11 in the application would occur. The notice shall specifically inform
12 the applicant that in addition to any regulatory authority already
13 being exercised, a groundwater sustainability agency or the state
14 board for a probationary groundwater basin may exercise authority
15 to limit groundwater extraction, the imposition of fees, and
16 metering.

17 13807.3. (a) A local enforcement agency shall not approve a
18 permit for a large-diameter, high-capacity well if that well is
19 proposed to be located within one-quarter mile of a well used for
20 supplying domestic water to one or more persons or to a
21 community.

22 (b) (1) A local enforcement agency shall not approve a permit
23 for a large-diameter, high-capacity well if that well is proposed to
24 be located within one-quarter mile of an area that has subsided
25 greater than 0.5 feet in total since January 1, 2015, as reported and
26 defined by the department based upon provided InSAR subsidence
27 data report posted on the Natural Resources Agency open data
28 portal and department internet websites.

29 (2) A local enforcement agency may approve a permit for a
30 large-diameter, high-capacity well if the area identified in
31 paragraph (1) has not had subsidence of more than 0.1 feet over
32 the preceding four years, is consistent with the local groundwater
33 sustainability plan, and is screened above geologic units known
34 to be susceptible to compaction.

35 (c) For areas subject to the Sustainable Groundwater
36 Management Act (Part 2.74 (commencing with Section 10720) of
37 Division 6), a local enforcement agency shall not approve a permit
38 for any well unless that well is screened below the minimum
39 thresholds applicable to that portion of the basin as established by

1 the groundwater sustainability agency pursuant to paragraph (2)
2 of subdivision (b) of Section 13807.2.

3 (d) To ensure the reliability and long-term operation of water
4 wells within its jurisdiction, a local enforcement agency may
5 determine not to approve an application or grant a permit based
6 on criteria that are more stringent than those provided in this
7 section.

8 13807.4. This article does not apply to applications or permits
9 for any of the ~~following water wells~~: *following*:

10 (a) ~~Wells~~ *Water wells* that will draw less than two acre-feet per
11 year.

12 (b) ~~Wells~~ *Water wells* that will be located on a parcel of five
13 acres or fewer that is in an area that has been zoned by the local
14 land use authority for rural residential use.

15 (c) Drinking water wells of ~~a public water system~~, *an urban*
16 *retail water supplier*, state small water system, or a community
17 water system.

18 (d) Large-diameter, high-capacity wells for the replacement or
19 reconstruction of an existing large-diameter, high-capacity well
20 that meets all of the following conditions:

21 (1) The replacing or reconstructed well shall not have a larger
22 diameter or be used to pump more water annually than the previous
23 well.

24 (2) The well being replaced shall be abandoned prior to initial
25 operation of the ~~replacing~~ *replacement* well.

26 (3) The ~~replacing~~ *replacement* well is in substantially the same
27 location as the well it is replacing or is to be moved to a location
28 that would lessen impacts to domestic wells and wells that provide
29 water for state small water systems or community water systems.

30 (e) *Water wells associated with, or part of, a conjunctive use*
31 *or water banking program, or a project that has approved*
32 *environmental documents consistent with the California*
33 *Environmental Quality Act (Division 13 (commencing with Section*
34 *21000) of the Public Resources Code).*

35 (f) *Water wells that are part of a groundwater remediation or*
36 *protection project that aims to address groundwater contamination,*
37 *water quality, or seawater intrusion.*

38 SEC. 3. No reimbursement is required by this act pursuant to
39 Section 6 of Article XIII B of the California Constitution because
40 a local agency or school district has the authority to levy service

- 1 charges, fees, or assessments sufficient to pay for the program or
- 2 level of service mandated by this act, within the meaning of Section
- 3 17556 of the Government Code.

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AMENDED IN SENATE APRIL 10, 2024

SENATE BILL

No. 1147

Introduced by Senator Portantino

(Coauthor: Senator Blakespear)

(Coauthors: Assembly Members Gipson, Low, and Rendon)

February 14, 2024

An act to add ~~Section~~ *Sections 111087 and 116376.2* to the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1147, as amended, Portantino. Drinking water: bottled water: microplastics levels.

~~Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law requires the state board to adopt a definition of microplastics in drinking water and to adopt a standard methodology to be used in the testing of drinking water for microplastics and requirements for 4 years of testing and reporting of microplastics in drinking water, including public disclosure of those results.~~

Existing law, the Sherman Food, Drug, and Cosmetic Law, regulates, among other things, the manufacture, production, processing, and packing of any food, drug, device, or cosmetic, and is administered by the State Department of Public Health. The law prescribes various quality and labeling standards for bottled water and vended water, and limits the levels of certain contaminants that may be contained in those water products. Existing law makes a violation of the law or regulation adopted pursuant to the law a crime. Existing law requires, as a condition of licensure, a water-bottling plant, as defined, to annually

prepare a water-bottling plant report, as specified, and to make the report available to each customer, upon request.

This bill would ~~require, among other things,~~ require, upon adoption by the State Water Resources Control Board of a primary drinking water standard for microplastics, any water-bottling plant that produces bottled water that is sold in this state to provide the State Department of Public Health's Food and Drug Branch an annual report on the levels of microplastics found in the source water used for bottling and in the final bottled water product that is offered for sale, as provided. The bill would require this report to be included with the annual water-bottling plant report and, upon request, be made available to each consumer. By expanding requirements on water-bottling plants, the violation of which would be a crime, the bill would impose a state-mandated local program.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law requires the state board to adopt a definition of microplastics in drinking water and to adopt a standard methodology to be used in the testing of drinking water for microplastics and requirements for 4 years of testing and reporting of microplastics in drinking water, including public disclosure of those results.

*This bill would require the Office of Environmental Health Hazard Assessment (OEHHA) to study the health impacts of microplastics in drinking water, including bottled water, ~~in order to evaluate and identify safe and unsafe levels~~ a level of microplastics in those types of water, and, ~~on or before January 1, 2026,~~ water that is not anticipated to cause or contribute to adverse health effects or that does not pose any significant risk to health. The bill would require OEHHA, after the state board adopts a standard methodology and requirements for the testing and reporting of microplastics in drinking water, and upon the request of the state board, to develop and deliver to the state board, ~~among other things,~~ board a public health standards and goals goal for a safe level of microplastics in those waters: *types of waters, as provided.* The bill would require the state board, ~~on or before January 1, 2028,~~ to adopt and implement those board to review the public health standards and goals goal developed and delivered by OEHHA, and to provide those public health standards and goals to local water agencies, along with other specified information provided by OEHHA. The bill would also require the state board to establish testing and reporting requirements*

~~for an annual testing of microplastics in bottled water sold in or into this state, as specified.~~ *adopt a primary drinking water standard for microplastics, as specified.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 111087 is added to the Health and Safety*
2 *Code, to read:*

3 *111087. (a) Upon adoption by the State Water Resources*
4 *Control Board of a primary drinking water standard for*
5 *microplastics, any water-bottling plant that produces bottled water*
6 *that is sold in this state shall provide the State Department of*
7 *Public Health’s Food and Drug Branch an annual report on the*
8 *levels of microplastics found in the source water used for bottling*
9 *and in the final bottled water product that is offered for sale.*

10 *(b) The report required by this section and any related testing*
11 *shall be conducted in accordance with Section 116376, including,*
12 *but not limited to, the use of methods outlined in the State Water*
13 *Resources Control Board’s Division of Drinking Water’s August*
14 *9, 2022, publication entitled “Policy Handbook Establishing a*
15 *Standard Method of Testing and Reporting of Microplastics in*
16 *Drinking Water,” and any subsequent document published or*
17 *released by the state board pursuant to the requirements of Section*
18 *116376, or that is related to the publication, including, but not*
19 *limited to, an update to the publication.*

20 *(c) The report required by this section shall be included with*
21 *the bottled water report pursuant to Section 111071, and shall,*
22 *upon request, be made available to each consumer.*

23 ~~SECTION 1.~~

24 *SEC. 2. Section 116376.2 is added to the Health and Safety*
25 *Code, to read:*

1 116376.2. (a) (1) The Office of Environmental Health Hazard
2 and Assessment shall ~~study~~ *prioritize studying* the health impacts
3 of microplastics in drinking water, including bottled water, to
4 evaluate and identify ~~safe and unsafe levels~~ *a level* of microplastics
5 in those types of ~~water~~ *water that is not anticipated to cause or*
6 *contribute to adverse health effects, or that does not pose any*
7 *significant risk to health.*

8 (2) ~~The office, on or before January 1, 2026,~~ *After the state*
9 *board adopts a standard methodology and requirements for the*
10 *testing and reporting of microplastics in drinking water, and upon*
11 *the request of the state board, the office shall develop and deliver*
12 *to the state board a public health standards and goals goal for a*
13 *safe level of microplastics in drinking water, including bottled*
14 *water, and develop and deliver to the state board definitions for*
15 *the terms “safe level of microplastics” and “unsafe level of*
16 *microplastics.” using the criteria set forth in subdivision (c) of*
17 *Section 116365.*

18 (b) ~~(1) The state board, on or before January 1, 2028,~~ *board*
19 *shall adopt and implement review* the public health standards and
20 *goals for a safe level of microplastics in drinking water, including*
21 *bottled water, developed and delivered by the Office of*
22 *Environmental Health Hazard and Assessment pursuant to*
23 *subdivision (a): goal developed pursuant to subdivision (a) and,*
24 *pursuant to subdivision (a) of Section 116365, adopt a primary*
25 *drinking water standard for microplastics.*

26 (2) ~~The state board shall provide to local water agencies those~~
27 ~~public health standards and goals and the definitions for “safe level~~
28 ~~of microplastics” and “unsafe level of microplastics” developed~~
29 ~~and delivered by the Office of Environmental Health Hazard and~~
30 ~~Assessment pursuant to subdivision (a).~~

31 (c) ~~The state board shall establish testing and reporting~~
32 ~~requirements for an annual testing of microplastics in bottled water~~
33 ~~sold in or into this state. The testing and reporting requirements~~
34 ~~shall apply whether the water is bottled in or outside of the state.~~
35 ~~The testing requirement shall include methodologies to test for~~
36 ~~various types of materials within water samples that are sufficient~~
37 ~~to determine whether the material of the plastic bottle affects the~~
38 ~~level of microplastics in the bottled water.~~

39 *SEC. 3. No reimbursement is required by this act pursuant to*
40 *Section 6 of Article XIII B of the California Constitution because*

1 *the only costs that may be incurred by a local agency or school*
2 *district will be incurred because this act creates a new crime or*
3 *infraction, eliminates a crime or infraction, or changes the penalty*
4 *for a crime or infraction, within the meaning of Section 17556 of*
5 *the Government Code, or changes the definition of a crime within*
6 *the meaning of Section 6 of Article XIII B of the California*
7 *Constitution.*

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AGENDA ITEM SUBMITTAL

Meeting Date: June 6, 2024

To: Communications/Leg. Liaison Cte.
Board of Directors

From: John Kennedy

Staff Contact: G. Ayala/A. Harasty

Budgeted: N/A

Budgeted Amount: N/A

Cost Estimate: N/A

Funding Source: N/A

Program/Line-Item No.: N/A

General Counsel Approval: N/A

Engineers/Feasibility Report: N/A

CEQA Compliance: N/A

Subject: FEDERAL LEGISLATIVE UPDATE

SUMMARY

The Orange County Water District (OCWD) federal advocate and staff will provide an update on progress towards an exemption for water entities from PFAS liability and the recent OCWD visit to Washington D.C.

Attachments:

- ENS Resources June Update
- Federal Bill Matrix
- Support letter for H.R. 7944 (Curtis R-UT) Water Systems PFAS Liability Protection Act

RECOMMENDATION

Agendize for June 19 Board meeting: Take action as appropriate.

PFAS Funding & Liability Protection

- In May, Congressmember Young Kim announced that she submitted a \$5 million request to the Appropriations committee on behalf of OCWD for another PFAS cleanup grant. Also, Congressmember Correa is supporting funding of \$5 million for PFAS cleanup for the city of Santa Ana.
- In May, consistent with the OCWD 2024 legislative platform, OCWD sent a support letter for H.R. 7944 (Curtis R-UT) Water Systems PFAS Liability Protection Act. Please see attached the support letter for H.R. 7944.

ACTIVITIES

May 21/22 Cathy Green, John Kennedy and Alicia Harasty met with Congressmembers Correa and Kim in Washington D.C. to discuss key topics of interest to OCWD. Key committee staff and staff to the USACE and EPA were also briefed in their Washington D.C. offices.

- February 26 OCWD and ACWA President, Cathy Green, led the ACWA Washington D.C. conference and clearly conveyed the impact of PFAS cleanup costs to OCWD, advocated for funding and an exemption from CERCLA liability, among other topics
- January 25 Staff of U.S. Senator Laphonza Butler, Chesna Foord, toured the GWRS and was briefed by Alicia Harasty



TO: Alicia Dunkin
FROM: Eric Sapirstein
DATE: May 28, 2024
SUBJECT: Washington Update

Ove the past month, Congress continued to focus attention on renewing the Water Resources Development Act of 2024, allocating fiscal year 2025 spending levels to the Committee on Appropriations subcommittees, and reviewing options for PFAS liability protection legislation. During this period, Orange County Water District's (OCWD) Board President and General Manager visited Washington to meet with the congressional delegation, Committee on Environment and Public Works, U.S. Army Corps of Engineers, and U.S. Environmental Protection Agency, Association of Metropolitan Water Agencies, and Association of California Water Agencies officials. In each of these meetings, OCWD provided a general update on its programs and projects that are delivering sustainable drinking water supplies. The meetings allowed for an in depth discussion on the importance of a PFAS liability exemption and funding to assist OCWD in its priority to remediate contamination of its groundwater basin.

The following summarizes OCWD's meetings and other policy activities.

- ***PFAS Liability Exemption Legislation Status***

OCWD met with senior Senate Committee on Environment and Public Works Republican staff. OCWD discussed the status of legislative proposals to extend PFAS liability protections to passive receivers like OCWD that deliver critical public health services. Similar meetings were held with the U.S. Environmental Protection Agency's Office of Water and Association of Metropolitan Water Agencies.

In discussions with Senate staff, OCWD was informed that efforts to provide liability protection to the water sector (and other passive receivers) continue to be a priority. According to staff, a Democratic committee response to a proposed Republican approach to provide exemptions from CERCLA liability is expected in the coming weeks. Staff noted that addressing liability needs of all passive receivers, and avoid a piecemeal approach, remains the priority for Ranking

Member Shelly Moore Capito(R-WV). Absent such a comprehensive liability exemption, staff questioned the feasibility of the committee approving legislation for Senate floor consideration. As to timing, staff suggested that any Senate bill debate would be unlikely until the Lame Duck Session. However, they emphasized that they are hopeful that the committee will reach a bipartisan agreement to protect the water sector and other passive receivers.

In a separate discussion with Senator Alex Padilla's staff, the staff were provided with examples of liability imposed upon public water agencies under CERCLA prior to the PFAS designation rule. This served to demonstrate the real world impacts of CERCLA on passive receivers. Staff were informed that the concerns over threats of liability is real, and it is critical that the water sector be exempted from CERCLA liability. Staff acknowledged this circumstance and noted that the Committee on Environment and Public Works staff are continuing to work on language that might provide liability protection for the water sector.

In a meeting with USEPA staff, a review was provided on the financial impact of PFAS contamination clean-ups and the impact upon ratepayers. Staff were informed about the number of wells contaminated by PFAS and the likelihood of additional wells being impacted because of the recently finalized drinking water standard. Staff were informed that it is vital to provide for liability protection to water agencies due to the potential for litigation associated with the management and disposal of treatment residuals, among other reasons. Even if litigation was unsuccessful, the costs of defending would be extensive. USEPA staff highlighted the agency's decision not to pursue water agencies, relying upon its discretionary enforcement authority. However, the agency staff demurred on the matter of third party litigation concerns.

In meeting with OCWD's congressional Members and their staff, an extensive review of the PFAS contamination of the groundwater basin, measures implemented to protect against further contamination of the basin and the importance of securing liability protection against CERCLA liability was presented. Each office acknowledged the challenges and costs associated with PFAS threats. On the issue of liability protection, the offices understood, and appeared to support, the need to protect passive receivers and their ratepayers. They were requested to support a House bill that would exempt the water sector from CERCLA PFAS liability.

Last, a discussion with the Association of Metropolitan Water Agencies (AMWA) was convened to review AMWA's effort to advance PFAS liability exemption legislation. A discussion on OCWD's research into ion exchange was also provided illustrating OCWD's contribution to improve the knowledge base on the kinds of technologies that should be deployed at sites to remediate PFAS contamination. AMWA leadership noted that they continue to work with the Senate committee to advance a liability exemption and are hopeful that a proposed approach will be released within the next several weeks for review by stakeholders. They cautioned that any substantive legislative decision making is unlikely before the Lame Duck Session

Impact to OCWD

Based upon the PFAS liability discussion concerns and the need for a passive receivers exemption, OCWD's priority to secure such an exemption enjoys strong support from the passive receivers stakeholder community. Committee staff reaffirmed their commitment to provide OCWD with any draft legislation for review and recommendations, ensuring OCWD will continue to have the opportunity to contribute to the development of legislative language.

Second, because of OCWD's efforts, the congressional delegation has a clear understanding about the unintended consequences designating PFAS as hazardous substances under CERCLA. The congressional delegation understands that potential liability concerns are credible and will create increased costs to OCWD and other water suppliers.

- ***Fiscal Year 2025 Appropriations Outlook and OCWD Funding Request***
Representatives Kim and Correa were updated on OCWD's PFAS clean-up program for the groundwater basin. They were informed about the increased number of wells impacted as a result of USEPA's decision to finalize a drinking water standard for PFAS of 4 PPT. Given this increase, the costs associated with treatment will only grow and the need for federal assistance is vital. The Members noted this concern and informed OCWD that they supported the assistance request, submitting the funding request to the Committee on Appropriations for funding as part of the fiscal year 2025 spending process. The combined member requests is \$10 million. In meetings with Senators Alex Padilla and Laphonza Butler, staff acknowledged the need for assistance, but were unwilling to identify the status of the assistance request since final decisions had not been made.

Impact to OCWD

Representatives Kim's decision to submit OCWD's Community Project funding request and Representative Correa's support for Santa Ana's request means that OCWD is in a good position to secure a third consecutive year of federally directed spending assistance that collectively would provide \$10 million to the regional clean-up project. This funding means reducing the financial impacts to OCWD ratepayers. If either Senator decides to support OCWD's request, it will only enhance the prospect that any final spending bill would include assistance to OCWD. While this is encouraging, it is important to note that any final spending agreements are unlikely until the Lame Duck Session. And, the prospect, while slim, that Congress might delay final spending decisions until January of 2025 does exist. If this happens, the new Congress will be tasked with finalizing spending decisions.

U.S. Army Corps of Engineers Meeting

A meeting with USACE's South Pacific Division Integrated Resources Team allowed OCWD to provide an update on finalization of a deviation for enhanced water conservation at Prado Dam to 508 elevation along with a discussion on the ultimate desire to request water conservation to elevation 512. In response to

questions about flood protection, USACE was provided assurances that modeling for 508 elevation ensured protection. Before 512 elevation could be implemented additional modeling would occur USACE was informed. The meeting also provided for an update on the FIRO project at Prado and the value FIRO provides to improving water supply for the Orange County region.

Discussion Value to OCWD

The meeting provided USACE staff with a thorough update on the status of USACE and OCWD's partnership to improve the water supply by leveraging the capacity of Prado Dam. The meeting strengthened USACE Headquarters staff appreciation of OCWD's priorities and will support expeditious decisionmaking on matters that require USACE approvals.

Association of California Water Agencies, D.C. Office

ACWA's recently appointed Ian Lyle, Federal Affairs Representative was provided a briefing on OCWD and its federal priorities and specifically PFAS liability. The discussion also reviewed the Senator Alex Padilla's upcoming visit to Orange County. Lyle indicated that ACWA remains committed to advancing PFAS liability protection legislation and offered to work closely with OCWD in the effort.



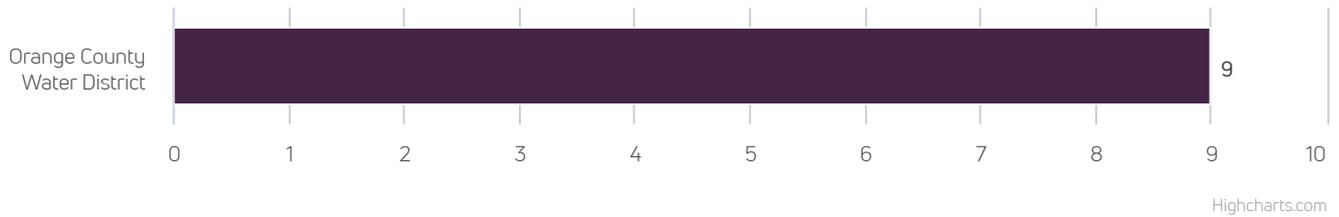
Federal Legislative Update - May 27, 2024

Key Active Legislation Pending Before Congress

Legislation of Interest to Orange County Water District

Number of Bills Per Issue

■ Bills per issue



North America Policy

9 Bills, 0 Regulations, 0 Research Documents

US S 4367

Title: Thomas R. Carper Water Resources Development Act of 2024

Current Status: In Senate

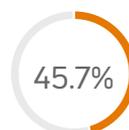
Introduction Date: 2024-05-20

Last Action Date: Placed on Senate Legislative Calendar under General Orders. Calendar No. 401.. 2024-05-22

Summary: The legislation passed out of the committee 19-0. Contained within the bill is a reaffirmation of FIRO. The legislation also provides for limited number of environmental infrastructure authorization projects that include \$20,000,000 to support flood protection and habitat conservation in the Bay Delta presumably in support of Voluntary Agreements.

Location: United States

Floor Forecast Scores



Senate
Pre-Floor Score

Senate
Floor Score

House
Pre-Floor Score

House
Floor Score

US HR 8030

Title: DROUGHT Act of 2024

Current Status: In House

Introduction Date: 2024-04-16

Last Action Date: Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials.. 2024-04-19

Summary: H.R. 8030 would increase the federal cost-share of from 80% to 90% for WIFIA funded projects addressing resilience or disadvantaged communities. Under the bill, WIFIA would still fund 49% percent of a project's costs, but of the remaining 51% of costs federal funds could be used to finance the project up to the 90% of the entire project's costs.

Location: United States

Floor Forecast Scores



House
Pre-Floor Score



House
Floor Score



Senate
Pre-Floor Score



Senate
Floor Score

US HR 8032

Title: Low-Income Household Water Assistance Program Establishment Act

Current Status: In House

Introduction Date: 2024-04-16

Last Action Date: Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials.. 2024-04-19

Summary: H.R. 8032 is the companion bill to S. 3830 that would create a permanent low income ratepayer assistance for water and wastewater services.

Location: United States

Floor Forecast Scores



House
Pre-Floor Score



House
Floor Score



Senate
Pre-Floor Score



Senate
Floor Score

US S 4172

Title: Drought Resilient Infrastructure Act of 2024

Current Status: In Senate

Introduction Date: 2024-04-18

Last Action Date: Read twice and referred to the Committee on Environment and Public Works.. 2024-04-18

Summary: Legislation would enhance USACE's mission to support drought relief projects that address water conservation, groundwater banking and FIRO projects. FIRO focus would be for South Pacific Division of USACE that includes California. In times of declared drought USACE could operate a facility where the primary purpose of the facility is to provide for water supply. Such priority would lapse after declared drought period concludes.

Location: United States

Floor Forecast Scores



Senate
Pre-Floor Score



Senate
Floor Score



House
Pre-Floor Score



House
Floor Score

US HR 7944

Title: Water Systems PFAS Liability Protection Act

Current Status: In House

Introduction Date: 2024-04-11

Last Action Date: Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials.. 2024-04-12

Summary: H.R. 7944 is a companion bill to S. 1430 sponsored by Senator Cynthia Lummis (R-WY). H.R. 7944 would protect water and wastewater agencies and related contractors from liability under CERCLA unless the threat stemmed from gross negligence.

Location: United States

Floor Forecast Scores



House
Pre-Floor Score



House
Floor Score



Senate
Pre-Floor Score



Senate
Floor Score

US S 3830

Title: Low-Income Household Water Assistance Program Establishment Act

Current Status: In Senate

Introduction Date: 2024-02-28

Last Action Date: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Sponsor introductory remarks on measure: CR S1045-1046). 2024-02-28

Location: United States

Floor Forecast Scores



Senate
Pre-Floor Score



Senate
Floor Score



House
Pre-Floor Score



House
Floor Score

US HR 7194

Title: PFAS Accountability Act of 2024

Current Status: In House

Introduction Date: 2024-02-01

Last Action Date: Referred to the Subcommittee on Environment, Manufacturing, and Critical Materials.. 2024-02-02

Summary: H.R. 7194 would create a cause of action under the Toxics Substances Control Act to allow a citizen or class of citizens to litigate against a manufacturer of PFAS that improperly discharged PFAS into the environment and created a public health impact. Companion legislation in the Senate: S. 3725. Sponsor: Rep. Madeline Dean (D-NH)

Location: United States

Floor Forecast Scores



House
Pre-Floor Score



House
Floor Score



Senate
Pre-Floor Score



Senate
Floor Score

US S 3725

Title: PFAS Accountability Act of 2024

Current Status: In Senate

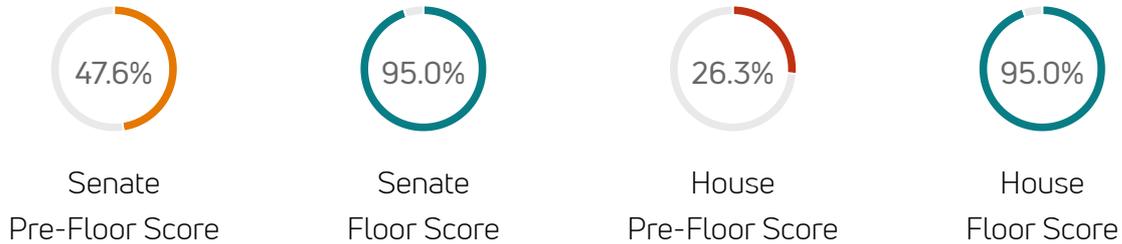
Introduction Date: 2024-02-01

Last Action Date: Read twice and referred to the Committee on Environment and Public Works.. 2024-02-01

Summary: S. 3725 is the companion bill to H.R. 7194. It would establish a federal cause of action to allow citizens exposed to PFAS from a manufacturers improper discharge of PFAS to sue for damages including medical monitoring. Sponsor: Senator Kirsten Gillibrand D-NY

Location: United States

Floor Forecast Scores



US HR 6805

Title: PFAS Action Act of 2023

Current Status: In House

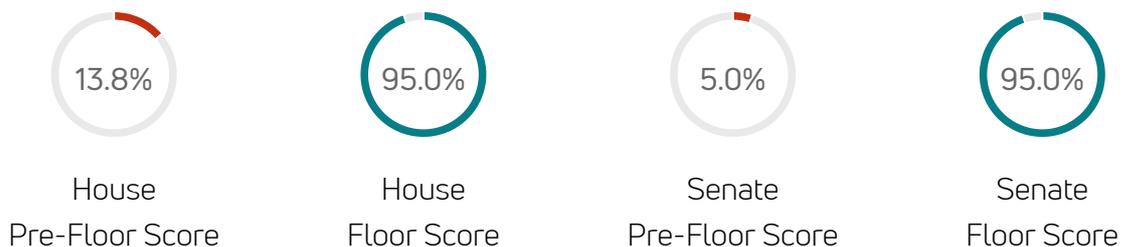
Introduction Date: 2023-12-14

Last Action Date: Referred to the Subcommittee on Water Resources and Environment.. 2024-01-02

Summary: PFAS Action Act of 2023 is a reintroduction of the 2021 legislation. It would impose a statutory designation of PFAS as a hazardous substance under CERCLA. It would also impose other mandates including time specific drinking water standards for PFOA and PFOS and other members of the PFAS chemical family. It currently enjoys 21 sponsors, all Democratic. Sponsor: Rep. Debbie Dingell D-MI

Location: United States

Floor Forecast Scores



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ORANGE COUNTY WATER DISTRICT
ORANGE COUNTY'S GROUNDWATER AUTHORITY

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VAN TRAN, ESQ.

General Manager
JOHN C. KENNEDY

May 24, 2024

The Honorable John Curtis
United States House of Representatives
2323 Rayburn House Office Building
Washington, D.C. 20515

RE: H.R. 7944 Water Systems PFAS Liability Protection Act – Support

Dear Congressman Curtis:

On behalf of the Orange County Water District (OCWD), I write in support of the Water Systems PFAS Liability Protection Act to advance an exemption for water and wastewater entities.

The entities responsible for the PFAS pollution could attempt to unfairly shift the liability for the cost of contamination from themselves onto innocent water agencies like OCWD—and ultimately citizen ratepayers—in contravention of the spirit of CERCLA. Water systems need Congress's help to prevent this.

In OCWD's service area, approximately 100 drinking water wells require treatment, nearly half of the total drinking water wells serving 2.5 million people. These impacted wells provide water to about 1.2 million individuals annually. Fifteen cities and retail water agencies are affected, including 11 disadvantaged communities such as Anaheim and Santa Ana. For example, Anaheim needs around \$147 million for the capital cost of treating its 19 impacted wells, while Santa Ana faces about \$90 million in capital treatment costs for its 15 wells. Overall, Orange County water agencies and ratepayers are looking at over \$1.8 billion in costs over 30 years for interim replacement water, capital expenses, and ongoing maintenance to address PFAS.

The swift nature of our response and the extensive scope of the PFAS contamination have significantly strained our financial resources and impacted local ratepayers. In FY 2022-23, OCWD increased its Replenishment Assessment (the per-acre-foot fee charged to cities and retail water districts for groundwater pumping) by 10%. This rate was further increased by 12% in fiscal years 2023-24 and 2024-25.

The Honorable John Curtis
May 24, 2024
Page 2 of 2

As passive receivers of these ubiquitous chemicals, our request to protect against frivolous lawsuits is buttressed by past CERCLA liability exemptions, like the exemption from liability for Brownfields developers.

Again, we support H.R. 7944 and urge Congress to support passage of a water sector CERCLA liability exemption to protect our ratepayers and preserve the decades long polluter pays principle. Please contact us should you need additional information. Legislative Affairs Liaison Alicia Harasty may be reached at (714) 477-3750 or aharasty@ocwd.com to help facilitate your requests.

Sincerely,

A handwritten signature in blue ink that reads "Cathy Green". The signature is written in a cursive, flowing style.

Cathy Green
OCWD Board President

cc:

Congressmember Young Kim, CA-R-40
Congressmember Michelle Steel, CA-R-45
Congressmember Jose Luis Correa, CA-D-46
Congressmember Katie Porter, CA-D-47

AGENDA ITEM SUBMITTAL

Meeting Date: June 6, 2024

To: Communications/Leg. Liaison Cte.
Board of Directors

From: John Kennedy

Staff Contacts: G. Ayala/D. Berch

Budgeted: Yes

Budgeted Amount: \$265,000

Cost Estimate: \$265,000

Funding Source: 1012.51112

Program/Line Item No.: 1206

General Counsel Approval: N/A

Engineers/Feasibility Report: N/A

CEQA Compliance: N/A

Subject: CHILDREN'S WATER EDUCATION FESTIVAL UPDATE

SUMMARY

The 28th annual Children's Water Education Festival (Festival) planning is underway for 2025. Staff will provide a verbal update on event planning.

RECOMMENDATION

Informational

DISCUSSION/ANALYSIS

The Children's Water Education Festival is an annual, successful program started in 1997 to educate Orange County's youngest stakeholders about the importance of water. Since inception, more than 150,000 students have experienced the Festival and all it has to offer. The free event is open to third, fourth and fifth grade classes in Orange County, California.

Staff are finalizing the 2024 budget and will provide a verbal update.

Staff are researching potential locations and have narrowed down a list of four potential locations for the 2025 Festival and will present a recommendation at a future Communications and Legislative Liaison Committee meeting. Location research includes the consideration of the following: Huntington Beach Sports Complex, Oak Canyon Park, Orange County Fairgrounds and UC Irvine. Dates will vary based on location.

PRIOR RELEVANT BOARD ACTION(S) N/A

AGENDA ITEM SUBMITTAL

Meeting Date: June 6, 2024

To: Communications/Leg. Liaison Cte.
Board of Directors

From: John Kennedy

Staff Contact: G. Ayala/C. Nettles

Budgeted: Yes

Budgeted Amount: \$100,000

Cost Estimate: \$100,000

Funding Source: 1012.51119

Program/Line Item No.: 9959

General Counsel Approval: N/A

Engineers/Feasibility Report: N/A

CEQA Compliance: N/A

Subject: WATER SUMMIT UPDATE

SUMMARY

Planning continues for the 2024 OC Water Summit. Staff will provide a verbal update of the event.

RECOMMENDATION

Informational

DISCUSSION/ANALYSIS

The OC Water Summit is an annual water supply conference co-hosted by the Orange County Water District (OCWD) and Municipal Water District of Orange County (MWDOC). OCWD and MWDOC trade off leading planning efforts each year. MWDOC is leading planning of the 2024 event.

The 16th annual Summit takes place Friday, September 27, 2024, at the Westin South Coast Plaza. Comedian and former NBC weatherman Fritz Coleman will return as master of ceremonies. Registration will open in July.

The Summit planning committee meets monthly, with the next meeting scheduled for June 24. Staff will provide a verbal recap of the meeting and event planning.

AGENDA ITEM SUBMITTAL

Meeting Date: June 6, 2024

To: Communications/Leg. Liaison Cte.
Board of Directors

From: John Kennedy

Staff Contact: G. Ayala/C. Nettles

Budgeted: N/A

Budgeted Amount: N/A

Cost Estimate: N/A

Funding Source: N/A

Program/Line Item No.: N/A

General Counsel Approval: N/A

Engineers/Feasibility Report: N/A

CEQA Compliance: N/A

Subject: PUBLIC AFFAIRS OUTREACH REPORT (MAY 2024)

SUMMARY

Outreach for the Orange County Water District (OCWD; the District) and its programs and projects continue in an in-person and virtual format.

Attachment: May 2024 Media Clips Report

RECOMMENDATION

Informational

DISCUSSION/ANALYSIS

Tours

One hundred and sixty-seven people attended GWRS tours in May.

May GWRS tours:

- May 1 – Cal State Long Beach Nursing
- May 3 – Public (Virtual)
- May 6 – OC Health Agency
- May 9 – Godinez High School
- May 16 – Water One Nevada
- May 20 – Golden State Water Company Board of Directors
- May 21 – Black & Veatch & UCI Students
- May 21 – OC Emergency Management Association
- May 22 – Northstar Plumbing
- May 28 – OC Health Agency Water Quality Team
- May 28 – Mount San Antonio College

Upcoming tours:

- June 7 – Public (Virtual)
- June 7 – Media tour with CBS

- June 10 – Hazen & Sawyer
- June 10 – AWWA Korean Delegation
- June 10 – ISLE Utilities
- June 11 – New Mexico Contingency
- June 11 – Cal State University of Fullerton Nursing
- June 12 – AWWA Conference Group
- June 13 – World Bank
- June 13 – Media tour with Endeavor Business
- June 27 – Seoul Water Institute

The GWRS on-demand technical tour and on-demand general tour were updated. The [on-demand technical virtual tour](#), in all forms, has been viewed more than 9,500 times. The [on-demand general virtual tour](#), in all forms, has been viewed more than 5,000 times. An on-demand tour of OCWD’s surface recharge operations has garnered more than 440 views.

Speakers Bureau/Media

As part of OCWD’s standard to forge and maintain long-term, positive, and proactive relationships with members of the community and to be transparent about its operations and programs, OCWD Board members and staff participate, regularly, at conferences and events and speak before civic groups.

May Speakers Bureau:

- May 15 – Director of Public Affairs Gina Ayala was a panelist during the OCWD co-hosted webinar with the Association of Metropolitan Water Agencies on PFAS. Gina shared best practices in communications and public outreach.
- May 17 – Chief Hydrogeologist Roy Herndon spoke to VITENS, one of the largest public water companies in the Netherlands, about recycled water, recharge methods, groundwater modeling and brine disposal.
- May 20 – Principal Engineer Ryan Bouley provided a PFAS update to the city of Fullerton’s Infrastructure and Natural Resources Advisory Committee.
- May 21 – Principal Regulatory Specialist Claire Johnson spoke on new direct potable reuse regulations on the panel “Innovations in Managing Water: Direct Potable Reuse”.
- May 22 – Executive Director of Planning and Natural Resources Lisa Haney organized an AI for Water Industries workshop at OCWD. She was joined by speakers Gina Ayala, director of public affairs, and Dani Berch, communications specialist, who presented on AI usage in communications.
- May 23 – Chief Hydrogeologist Roy Herndon spoke to AP environmental science students El Modena High School.
- May 24 – Senior QA/QC Chemist Erin Marshall spoke during South Park Elementary’s career day.
- May 31 – Supervising Chemist Carolyn Carroll spoke during Leland Street Elementary’s career day.
- May 31 – Board President Cathy Green spoke at the Water Infrastructure Networking Summit.

Upcoming Speakers Bureau:

- Metropolitan Water District of Southern California
- Orange County Sanitation District Open House
- OC Green Expo hosted by Anaheim Public Utilities
- American Water Works Association ACE24 Conference
- Fullerton Rotary Club
- Groundwater resources Association Western Groundwater Congress
- Women's Club of Seal Beach

Webinar

OCWD hosted the webinar "Addressing Groundwater Contamination in the Southern Portion of the OC Groundwater Basin" on May 22. The webinar featured speakers Bill Leever, principal hydrogeologist, OCWD; Angela Turner, engineering geologist/project manager, Department of Toxic Substances Control; and Mona Behrooz, site cleanup program supervisor, Cal EPA - Santa Ana Regional Water Quality Control Board. One hundred and twelve people attended the live webinar and 55 people have watched the [recording on YouTube](#) (as of May 28).

Media Clips

In May, there were 16 global news hits for OCWD, the GWRS and other District programs and projects with a total reach of 12.3 million. The media clip report for May (as of May 23) is attached.

Social Media

The District engages 17,972 followers on its social media channels. Below are statistics for OCWD's social media for May (as of May 28).

OCWD's X (formally Twitter) page

- Followers: 5,521
- Posts: 18
- Post impressions: 1,550

OCWD's Facebook

- Followers: 1,735
- Posts: 12
- Engagement: 119
- Post impressions: 2,428

OCWD's LinkedIn

- Followers: 8,016
- Posts: 8
- Engagement: 287
- Post impressions: 10,582

OCWD's Instagram

- Followers: 1,877
- Posts/Reels: 10
- Stories 16
- Engagement: 180
- Post impressions: 3,729

OCWD's TikTok

- Followers: 31
- Videos: 1
- Views: 395

OCWD's Threads

- Followers: 233

OCWD's YouTube

- Subscribers: 590
- Views: 1,900
- Hours watched: 136

A sampling of top performing social media posts:



Website Analytics

Below are May analytics for OCWD's website (as of May 28).

- Users: 8,470
- Page views: 21,001
- Top five pages:
 - Home
 - GWRS
 - Careers
 - About
 - RFP & Contracts

Electronic Publications

Staff wrote and distributed the May issue of Hydrospectives, OCWD's monthly e-newsletter.

Staff updated District materials with current branding, including PowerPoint templates, District letterhead and memos.

Awards

The GWRS final completion dedication event received an EPIC award from the California Association of Public Information Officials (CAPIO). The entry scored so highly it also received a Best in Show award, which was given to only five of 400+ entries.

Events

OCWD was a host committee member of the Water Infrastructure Networking Summit (WINS), held May 31 at the Westin South Coast Plaza. Per the event website, WINS is "dedicated to fostering a new era of politics in water management, addressing critical needs, and exploring funding opportunities for regional water and wastewater infrastructure." Among the event's speakers was President Cathy Green.

**OCWD BRAND
MEDIA CLIPS
MAY**

	Date	Media Outlet	Title	Country	Link	Total Readership
1	5/22/2024	CAWG	DAILY DIGEST, 5/22: Water officials mostly cleared in drought-related water rights saga; Kings County Farm Bureau blames one local water board for state intervention; Solano takes another swing at state, tunnel project; Historic South of the Delta agreement announced; and more ...	United States	https://mavensnotebook.com/2024/05/22/daily-digest-5-22-water-officials-mostly-cleared-in-drought-related-water-rights-saga-kings-county-farm-bureau-blames-one-local-water-board-for-state-intervention-solano-takes-another-swing-at-sta/	18,949
2	5/21/2024	Fullerton Observer	City Council Notes: May 07, 2024 meeting	United States	https://fullertonobserver.com/2024/05/20/city-council-notes-may-07-2024-meeting/	21,266
3	5/17/2024	Association of Metropolitan Water Agencies	Now available: AMWA and CDM Smith webinar recording on new PFAS regulations	United States	https://www.amwa.net/article/now-available-amwa-and-cdm-smith-webinar-recording-new-pfas-regulations	1,388
4	5/13/2024	Asian Water	Combatting PFAS through Proven Water Technologies	Malaysia	http://asianwater.com.my/combating-pfas-through-proven-water-technologies/	957
5	5/13/2024	Public now	City of Santa Ana, CA - Ward 2 newsletter: May 2024	United States	http://app2.cision.com/redir?s=10007000045609044&startDate=1715472000000&endDate=1715644800000	38,463
6	5/12/2024	MDPI	Optimization of Dissolved Silica Removal from Reverse Osmosis Concentrate by Gedaniella flavovirens for Enhanced Water Recovery	Switzerland	https://www.mdpi.com/2071-1050/16/10/4052	10,870,666

**OCWD BRAND
MEDIA CLIPS
MAY**

	Date	Media Outlet	Title	Country	Link	Total Readership
7	5/6/2024	UCI Samueli School of Engineering	Navigating Ocean Waters Samueli School of Engineering at UC Irvine	United States	https://engineering.uci.edu/news/2024/5/navigating-ocean-waters	34,932
8	5/6/2024	Activist's Corner	New PFAS lawsuit cites EPA's 'forever chemicals' drinking water rules – California River Watch	United States	https://criverwatch.org/2024/05/06/new-pfas-lawsuit-cites-epas-forever-chemicals-drinking-water-rules	795
9	5/6/2024	JD Supra	California Environmental Law & Policy Update 5.03.24	United States	https://www.jdsupra.com/legalnews/california-environmental-law-policy-6592912	514,473
10	5/6/2024	The Pioneer News	Page A1 e-Edition pmg-ky1.com	United States	https://www.pmg-ky1.com/oldham_era/eedition/page-a1/page_985e3f31-5dc3-5a4f-9e5a-c437b1584a4c.html	28,305
11	5/3/2024	UCI News	Navigating ocean waters	United States	https://news.uci.edu/2024/05/03/navigating-ocean-waters	39,196
12	5/3/2024	www.xylem.com	Combatting PFAS through proven water technologies	United States	https://www.xylem.com/en-us/making-waves/water-utilities-news/combating-pfas-through-proven-water-technologies/	200,344
13	5/3/2024	Business & Legal Reports	California drinking water systems cite new EPA water regulations in lawsuit against PFAS manufacturers	United States	https://enviro.blr.com/environmental-news/water/drinking-water-quality-protection/California-drinking-water-systems-cite-new-EPA-wat/	1,215

**OCWD BRAND
MEDIA CLIPS
MAY**

	Date	Media Outlet	Title	Country	Link	Total Readership
14	5/3/2024	Public now	Xylem Inc. - Combatting PFAS through proven water technologies	United States	http://app2.cision.com/redirect?s=10007000042860001&startDate=1714608000000&endDate=1714780800000	75,078
15	5/3/2024	Public now	University of California, Irvine - Navigating ocean waters	United States	http://app2.cision.com/redirect?s=10007000043028595&startDate=1714608000000&endDate=1714780800000	75,078
16	5/2/2024	KFI AM	Radio clip from KFI AM - May 2, 2024	United States	https://app2.cision.com/#/articles/150001868516141	417,100
					TOTAL READERSHIP	12,338,205