AGENDA
COMMUNICATIONS AND LEGISLATIVE LIAISON COMMITTEE MEETING
WITH BOARD OF DIRECTORS*
ORANGE COUNTY WATER DISTRICT
18700 Ward Street, Fountain Valley, CA (714) 378-3200
August 8, 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 August 21 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
1502 North Broadway, Santa Ana
20 Civic Center Plaza, Santa Ana

* Members of the public may attend and participate at all locations.

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 JUNE 6, 2024

RECOMMENDATION: Approve minutes as presented

MATTERS FOR CONSIDERATION

2. STATE LEGISLATIVE UPDATE

RECOMMENDATION: Agendize for August 21 Board meeting: Take the following action:

<table>
<thead>
<tr>
<th>Bill Number/Short Title/Author</th>
<th>Position Recommendation for Consideration</th>
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<td>SB 1255 (Durazo, D - Los Angeles) Public water systems: needs analysis: water rate assistance program</td>
<td>Oppose Unless Amended</td>
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</table>

3. FEDERAL LEGISLATIVE UPDATE

RECOMMENDATION: Agendize for August 21 Board meeting: Take the following action:

<table>
<thead>
<tr>
<th>Bill Number/Author</th>
<th>Short Title</th>
<th>Recommendation</th>
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<tbody>
<tr>
<td>S. 4673 Senator Kyrsten Sinema (I-AZ) and Senator John Cornyn (R-TX)</td>
<td>Special District Grant Accessibility Act</td>
<td>Support</td>
</tr>
<tr>
<td>No bill number yet/ Senator Alex Padilla (D-CA)</td>
<td>Improving Atmospheric River Forecasts Act</td>
<td>Support</td>
</tr>
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</table>

4. STATE LEGISLATIVE ADVOCACY SERVICES

RECOMMENDATION: Agendize for August 21 Board meeting: Retain both Joe A. Gonsalves and Son at the same rate of $8,000 per month and Edelstein Gilbert Robson and Smith (EGRS) at the same rate of $8,000 per month for state legislative advocacy services month-to-month on an ongoing basis

5. FEDERAL LEGISLATIVE ADVOCACY SERVICES

RECOMMENDATION: Agendize for August 21 Board meeting: Retain ENS Resources at a rate of $8,000 per month for federal legislative advocacy services on a month-to-month basis

INFORMATIONAL ITEMS

6. CHILDREN’S WATER EDUCATION FESTIVAL UPDATE
7. WATER SUMMIT UPDATE

8. PUBLIC AFFAIRS OUTREACH REPORT

CHAIR DIRECTION AS TO WHICH ITEMS IF ANY TO BE AGENDIZED AS A MATTER FOR CONSIDERATION AT THE AUGUST 21 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.
Director Whitaker 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

Alternates
Valerie Amezcua (absent)
Natalie Meeks (absent)
Dina Nguyen (arrived 12:08 pm)
Erik Weigand (absent)
Cathy Green (absent)

OCWD Staff
John Kennedy – General Manager
Chris Olsen – Executive Director
Gina Ayala – Director of Public Affairs
Alicia Harasty – Legislative Affairs Liaison
Dani Berch – Communications Specialist
Lisa Haney – Executive Director
Roy Herndon – Chief Hydrogeologist
Janice Kovacevic – Executive Assistant

CONSENT CALENDAR
The Consent Calendar was approved upon motion by Director Tran, seconded by Director Yoh and carried [5-0] as follows:

Ayes – Bilodeau, Tran, Yoh, Whitaker, Sheldon

1. Minutes of Previous Meeting

The minutes of the May 2, 2024 Communications/Legislative Liaison Committee meetings are approved as presented.

MATTERS FOR CONSIDERATION

2. State Legislative Update

The OCWD Consultants provided recommendations on bill positions that impact OCWD and efforts to gain PFAS funding.

Upon motion by Director Yoh, seconded by Director Tran and carried [5-0], the Committee recommended that the Board at its June 19 Board meeting: Take the following positions:

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

Ayes: Bilodeau, Tran, Yoh, Whitaker, Sheldon
3. **Federal Legislative Update**

Federal Consultant Eric Sapirstein provided an update on the progress towards securing an exemption for water entities from PFAS liability and the recent OCWD visit to Washington, D.C. He also provided information on the new reporting requirements from the DHS Cybersecurity and Infrastructure Security Agency (CISA).

**INFORMATIONAL ITEMS**

4. **Children’s Water Education Festival Update**

Communications Specialist Dani Berch provided a recap of the 2024 festival budget and the sponsorships received. She stated that planning efforts for 2025 are underway and that a new location is being considered due to rising costs and pending construction plans at UC Irvine. She advised that staff, along with Director Weigand, will continue to coordinate with UC Irvine’s government affairs and marketing departments to help reduce future costs. Ms. Berch stated that updates will continue to be provided to the committee for consideration.

Director Sheldon directed staff to draft a letter to the UC Irvine Chancellor, addressing concerns about the various fees and the possibility of fee reimbursement or waiving fees in the future.

*Ayes – Bilodeau, Tran, Yoh, Whitaker, Sheldon*

5. **Water Summit Update**

Director of Public Affairs Gina Ayala shared that MWDOC would be leading this year’s efforts in planning the Water Summit which is scheduled for Friday, September 27 at the Westin South Coast Plaza with Fritz Coleman returning as master of ceremonies. 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 has developed a draft program and will continue to confirm speakers. She said updates to the Com/Leg Committee will continue monthly.

6. **Public Affairs Outreach Report (May)**

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

*May Highlights:*

- 11 tours with 167 tour guests and 9 speaker’s bureau engagements were held.
- The GWRS dedication event was selected to receive an EPIC and Best in Show award from the California Association of Public Information Officers (CAPIO).
- Legislative Engagement meetings with Congressman Lou Correa, Congresswoman Young Kim, key committee, EPA and USACE staff, and at the State level with Assemblymember Diane Dixon.
- OCWD hosted the webinar “Addressing Groundwater Contamination in the Southern Portion of the OC Groundwater Basin”. The webinar was hosted by Bill Leever in our Hydrogeology department along with a representative from the Department of Toxic Substances, and the Regional Water Quality Control Board.
- The Water Infrastructure Networking Summit (WINS) was held on May 31. OCWD was a host committee member, and President Green was on the event panel.

She updated the committee on the PFAS dedication event opportunities that have been offered to the Producers, both past and future events.

**ADJOURNMENT**
There being no further business to come before the Committee, the meeting was adjourned at 12:48 p.m.

____________________________________
Bruce Whitaker, Chair
AGENDA ITEM SUBMITTAL

Meeting Date: August 8, 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 an update on bills of interest to the District and efforts to gain funding for OCWD’s projects.

Attachments:

- Joe A. Gonsalves and Son – Edelstein Gilbert Robson & Smith August 2024 State Legislative Update
- SB 1255 (Durazo, D- Los Angeles) Public water systems: needs analysis: water rate assistance program

RECOMMENDATION

Agendize for August 21 Board meeting: Take the following action:

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DISCUSSION/ANALYSIS

SB 1255 (Durazo, D- Los Angeles) Public water systems: needs analysis: water rate assistance program

The bill would require the State Water Resources Control Board to update a needs analysis for low-income ratepayers receiving water from retail water suppliers.

The bill would mandate, on or before July 1, 2027, retail water suppliers that serve over 3,300 residential connections to establish a low-income rate assistance (LIRA) program to provide assistance to eligible low-income ratepayers. Specifically, a LIRA program would charge residential ratepayers who are not low-income a “voluntary” fee each month that would be used to pay a portion of low-income ratepayers’ water bills.
The bill is problematic for several reasons. First, the bill is effectively an opt-out bill, meaning the extra fee charged to residential ratepayers who are not low-income would be automatically imposed unless a ratepayer takes affirmative steps to opt out of the “voluntary” charge. The bill also contains an opt-in framework, however that framework is impractical and very unlikely to be used. In addition, retail water suppliers would have to make large expenditures to initially stand up a LIRA program with no identifiable source of funding to do so. Finally, the bill would seem to create Proposition 218 challenges.

In general, SB 1255 mandates a large, inefficient, and complex program that appears to create a number of significant problems for retail water suppliers. Therefore, OCWD staff and consultants recommend an “oppose unless amended” position with the amendment being to ensure SB 1255 is truly voluntary with only an “opt-in” option for transparency to ratepayers and to avoid Proposition 218 issues.

Related OCWD Policies: On page 8 of OCWD’s 2024-2025 Legislative Polices document it states:

- Support legislation that allows flexibility in water rate structures and does not mandate a specific rate structure for local water suppliers.
- Oppose a “public goods charge” or “water tax” on public water agencies or their ratepayers.

Below are the current positions on SB 1255 per the Assembly Committee on Utilities and Energy.

**Support**
350 Humboldt
California Coastal Protection Network
California Coastkeeper Alliance
California Environmental Justice Alliance (CEJA) Action
California Environmental Voters
California Immigrant Policy Center
California Water Association
California Water Research
Central California Environmental Justice Network
Clean Water Action
Cleanearth4kids.org
Climate Resolve
Community Water Center
Courage California
Defenders of Wildlife
Environmental Defense Fund
Environmental Working Group
Families Advocating for Chemical and Toxics Safety
Friends Committee on Legislation of California
Friends of The River
Grace - End Child Poverty in California
Heal the Bay
LA Waterkeeper
Leadership Counsel for Justice & Accountability
Los Angeles Alliance for A New Economy
Lutheran Office of Public Policy - California
Mono Lake Committee
National Parks Conservation Association
National Resources Defense Council
Natural Resources Defense Council
Physicians for Social Responsibility - Los Angeles
Planning and Conservation League
San Francisco Baykeeper
San Francisco Public Utilities Commission
Sierra Club California
The Nature Conservancy
Ufcw - Western States Council
Union of Concerned Scientists
Voices for Progress
Western Center on Law & Poverty

**Support If Amended**
Sweetwater Authority

**Oppose**
Helix Water District
Valley Center Municipal Water District
Vista Irrigation District

**Oppose Unless Amended**
Association of California Water Agencies (ACWA)
California Municipal Utilities Association
City of Chino
City of Chino Hills
City of Montclair
Cucamonga Valley Water District
Eastern Municipal Water District
Elsinore Valley Municipal Water District
Inland Empire Utilities Agency
Irvine Ranch Water District
Monte Vista Water District
Ontario Municipal Utilities Company
Rancho California Water District
Regional Water Authority
San Gabriel Valley Water Association
Western Municipal Water District

**Other**
East Bay Municipal Utility District

**ACTIVITIES**
July 11 Assembly Members Dixon and Davies coordinated a meeting at UCI entitled “Sand Replenishment and the Business of Beaches,” which included OCWD in the program to discuss sediment behind Prado Dam and the need to gain funding for transportation costs to replenish sand at local Orange County...
beaches. OCWD's Lisa Haney was included in the program. President Cathy Green, John Kennedy, Gina Ayala, and Alicia Harasty also attended.

April 16  Orange County Supervisor Doug Chaffee met with President Cathy Green, John Kennedy and Alicia Harasty regarding OCWD and its state priorities

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
TO: ORANGE COUNTY WATER DISTRICT

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

SUBJECT: LEGISLATIVE UPDATE

DATE: July 30, 2024

The Legislature adjourned for its summer recess on July 3. They will return to session on August 5 and have just under four weeks remaining until they must adjourn on August 31 (sine die).

In the final weeks before recess, the Legislature acted on a number of significant items.

The Budget
As we’ve reported previously, the Legislature and the Governor faced the prospect of a significant ongoing structural deficit this year for the first time in a decade. Initially, the Legislative Analyst’s Office projected a $68 billion deficit.

A week before adjourning for summer recess, the Legislature passed and the Governor signed the 2024-2025 budget. The budget totaled $297.9 billion across all funds, with $211.5 billion from the General Fund. In the end, the Governor and the Legislature opted to rely less heavily on rainy-day and other reserves in this fiscal year, instead relying on those funds to reduce the deficit in the next two fiscal years.

The Legislature and the Governor have celebrated their success in balancing the budget over the next several fiscal years. However, it remains to be seen how durable their work will be. The Legislative Analyst’s Office (LAO) has pointed out that revenue volatility could continue to result in budget shortfalls in the coming years. Further, if revenues do not grow as anticipated over the next several years, the state will face an ongoing deficit without reserves to draw from.

Climate Bond
The Legislature also took up and passed SB 867 (Allen) which will appear on the November ballot as the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024. Voters will be asked whether to approve $10 billion of debt for the following general purposes:

- $1.8 billion to improve water resources, including $610 million for State Water Resources Control Board projects, $386.25 million for Department of Water Resources projects focusing on groundwater storage, with $25 million set aside for
Tribal communities, and additional funding for water reuse, conservation, flood management, and ecosystem restoration initiatives statewide.

- $550 million to the Natural Resources Agency that will prioritize flood management projects integrating safety with ecosystem benefits, with 40% earmarked for disadvantaged communities, including $150 million for Sacramento-San Joaquin Delta levee improvements, $150 million for Flood Control Subventions Program projects, and $250 million for systemwide levee and facility enhancements under the State Plan of Flood Control.

- $1.5 billion for wildfire prevention efforts, with $135 million supporting the Office of Emergency Services’ wildfire mitigation grant program and $1.205 billion funding initiatives through the Natural Resources Agency aimed at improving forest health, fire prevention, and mitigating wildfire impacts statewide.

- $1.2 billion to enhance coastal and ocean resilience, including $415 million for State Coastal Conservancy projects focusing on coastal protection and natural infrastructure, $85 million for San Francisco Bay Restoration Authority Act programs, $350 million for developed shoreline coastal management, and $135 million for the California Ocean Protection Trust Fund, supporting marine conservation and climate resilience efforts statewide.

- $1.2 billion to protect biodiversity and promote climate goals, with $870 million designated for the Wildlife Conservation Board to enhance fish and wildlife habitats, and $320 million aimed at climate resilience efforts in various regions, including supporting public access and community projects.

- $300 million to enhance agricultural lands’ climate resilience and sustainability, including $105 million for the Department of Food and Agriculture’s Office of Environmental Farming and Innovation to improve soil health, water efficiency, and manage invasive species, while also supporting small- and medium-sized farms and socially disadvantaged farmers.

- $700 million to enhance parks, outdoor access, and educational institutions, focusing on creating and revitalizing neighborhood parks, mitigating climate impacts in vulnerable communities, expanding recreational opportunities, developing non-motorized trails, addressing deferred maintenance, and promoting nature and climate education statewide.

- $850 million towards clean energy initiatives, focusing on advancing transmission projects, enhancing energy storage capabilities, and developing offshore wind generation infrastructure, including port facilities and manufacturing support.

Should the Climate Bond be approved by voters, we will work with the Board and executive staff to identify funding priorities and advocate accordingly.
Date of Hearing: July 1, 2024

ASSEMBLY COMMITTEE ON UTILITIES AND ENERGY
Cottie Petrie-Norris, Chair
SB 1255 (Durazo) – As Amended June 19, 2024

SENATE VOTE: 33-6

SUBJECT: Public water systems: needs analysis: water rate assistance program

SUMMARY: Requires, on or before July 1, 2027, retail water suppliers that serve over 3,300 residential connections to establish a water rate assistance program (WRAP), as specified, to provide assistance to eligible ratepayers for their water and wastewater bills.

Specifically, this bill:

Definitions:
1) Defines “available information” as any of the following:
   a) Information documenting the residential ratepayer’s participation in an affordability program, as specified;
   b) A benefits award letter provided by the residential ratepayer documenting that the customer is an enrollee in, or is a recipient of, an affordability program; or
   c) Self-certification of eligibility, under penalty of perjury, by the residential ratepayer.

2) Defines “balancing account” as a reserved amount of sufficient funding to address fluctuations in voluntary contributions received or changes in eligible ratepayers, not to exceed 25% of the annual expenditures of the program.

3) Defines “eligible ratepayer” as a low-income residential ratepayer with an annual household income that is no greater than 200% of the federal poverty guideline level.

4) Defines “qualified system” as any retail water supplier that serves over 3,300 residential connections.

Needs Analysis:
1) Requires the State Water Resources Control Board (State Water Board), on or before July 1, 2026, and on or before July 1 of each three years thereafter, to, in consultation with the Safe and Affordable Funding for Equity and Resilience (SAFER) Program advisory group and appropriate stakeholders, to update the needs analysis of the state’s public water systems.

2) Requires the update of the needs analysis to include:
   a) An assessment of the funds necessary to provide a 20% bill credit for low-income households served by community water systems with fewer than 3,300 service connections; and,
b) An assessment of the funds necessary for community water systems with fewer than 3,300 service connections to meet the affordability threshold established pursuant to the SAFER Program Fund Expenditure Plan.

3) Requires the State Water Board, in order to develop the assessment described above, to do all of the following:
   a) Collect arrearage data from water systems not regulated by the California Public Utilities Commission (CPUC) and request data from the CPUC on the systems they regulate;
   b) Estimate the number of households in need of assistance using arrearage data as well as information provided by the United States Census or other comparable data sources;
   c) Identify available data on water rates charged by community water systems with fewer than 3,300 service connections; and,
   d) Where data is unavailable for a water system, use an average of existing data to estimate the level of need for that system.

**Water Rate Assistance Program (WRAP):**

1) Requires, on or before July 1, 2027, a qualified system, other than a system that already offers an existing WRAP, to establish a WRAP, as specified, and to begin providing water rate assistance to eligible ratepayers.

2) Requires a WRAP offered pursuant to this bill to, at a minimum, include both of the following:
   a) Automatic enrollment of eligible ratepayers if available information, as defined in the bill, indicates that they are qualified to receive assistance; and,
   b) Provision of a bill credit for eligible ratepayers of no less than 20% of the total water charges, and, if present on the bill, wastewater charges, for a volume of water similar to that identified in urban water use objectives law (currently 47 gallons per capita daily for indoor residential water) or, if the eligible ratepayer uses less, the actual volume used.

3) Provides that in the event that there is not sufficient funding for the WRAP, including any balancing account funds, to support a 20% bill credit, the WRAP shall provide the maximum bill credit available that funding is able to support, unless the maximum bill credit available that funding is able to support is less than 10%, in which case the qualified system shall instead provide crisis assistance to the extent funds are available, as specified.

4) Authorizes the qualified system to select the elements, as described below, of the water charges upon which the bill credit is applied or to provide a bill credit as a set percentage of
the total water bill, provided that the total bill credit is equivalent in value to the bill credit required above.

5) Provides that the element, or elements, of the drinking water charges upon which the bill credit may be applied, include, but are not limited to, the fixed, volumetric, or fixed and volumetric charges levied by the system.

6) Authorizes a qualified system to, on or before September 1, 2026, begin collecting voluntary contributions for the reasonable costs, as specified, associated with the administration of the WRAP and to establish initial program funding.

7) Prohibits, beginning July 1, 2027, the reasonable costs associated with the administration of the WRAP from exceeding 10% of voluntary contributions collected.

8) Authorizes a qualified system to, in establishing a WRAP, establish a balancing account to manage fluctuations in voluntary contributions and the granting of bill credits to eligible ratepayers.

9) Provides that this bill does not require a qualified system to use funds other than voluntary contributions collected pursuant to the WRAP to provide rate assistance to eligible ratepayers or to pay for associated administrative costs, but provides that a qualified system may use other funds available for this purpose that are not derived from fees or assessments, as allowed by the California Constitution.

10) Exempts any qualified system that offers an existing water rate assistance program on or before September 1, 2026, that meets the minimum enrollment and bill credit requirements specified in this bill by July 1, 2027, from being required to comply with the provisions of this bill, and authorizes those systems to collect voluntary contributions to supplement or expand the existing program or to provide crisis assistance.

11) Provides that nothing in this bill shall prohibit a qualified system from offering assistance to residential ratepayers if the program does either, or both, of the following

   a) Provides a greater bill credit benefit; or,

   b) Exceeds the definition of low income as specified in this bill for ratepayer eligibility.

12) Authorizes any public water system that is not a qualified system to collect voluntary contributions to fund a water affordability program, but does not require the system to comply with the provisions of this bill.

13) Authorizes a qualified system to require verification of eligibility from a sample of enrolled eligible ratepayers on an annual basis to verify the ratepayer’s low-income status and eligibility for assistance, and to remove any ratepayers found to not be eligible for assistance from the WRAP.

14) Requires a qualified system to continue to have a WRAP as long as there is sufficient funding available to provide water rate assistance or crisis assistance, to pay for the qualified
system’s reasonable costs for administration of the program, and to establish a balancing account if the qualified system chooses to do so.

**Crisis Assistance:**

1) Requires that if, after three months of accepting voluntary contributions, the qualified system can demonstrate there will not be sufficient funds to support a program at a minimum of a 10% discount or $5 per month, whichever amount is greater, and pay for the qualified system’s reasonable costs for administration of the program, the system must instead use the collected contributions to provide ongoing crisis assistance and pay for the qualified system’s reasonable costs for administration of crisis assistance.

2) Requires crisis assistance to be offered on or before July 1, 2027, and to be offered to eligible ratepayers, at a minimum, when a qualified system provides a discontinuation of residential water service notification or when an eligible customer contacts the qualified system about a delinquent account.

3) Limits crisis assistance to only being provided to an eligible ratepayer once per year and limits it to an amount determined by the qualified system, taking into account the overall past due amount and available funding. Provides that to the extent the amount of crisis assistance provided does not eliminate an eligible ratepayer’s arrearages, the ratepayer shall enter into an amortization agreement, alternative payment schedule, or plan for deferred or reduced payment, pursuant to discontinuation of residential water service law, to be eligible for crisis assistance.

**Voluntary Contributions:**

1) Requires, on or before September 1, 2026, a qualified system to provide an opportunity for each ratepayer of the system to provide a voluntary contribution as part of the ratepayer’s water bill to provide funding for the qualified system’s WRAP.

2) Requires a qualified system to establish a recommended voluntary contribution amount on the bill of each ratepayer other than an eligible ratepayer based on available information as of July 1, 2026, at a level intended to raise sufficient funding to provide a bill credit to eligible ratepayers, pay for the qualified system’s administrative costs to implement a WRAP beginning January 1, 2025, and establish a balancing account if the qualified system chooses to do so.

3) Requires a qualified system, when setting the recommended voluntary contribution, to assume that 60% of ratepayers other than eligible ratepayers will provide the contribution. Authorizes a qualified system, on or before July 1, 2027, to adjust the voluntary contribution, as necessary, considering the previous year’s actual participation rate. Prohibits the recommended voluntary contribution from exceeding 5% of the charges for water and wastewater on the water bill for any residential ratepayer.

4) Requires a bill from a qualified system to label the voluntary contribution in a way that describes the purpose of the funds. Requires the qualified system to notify their ratepayers of the voluntary contribution and, in a visually accessible manner and using clear and unambiguous language, to provide each ratepayer the option and method of opting out of providing the voluntary contribution at least three months prior to beginning collection of the voluntary contribution, and thereafter on at least an annual basis.
5) Requires voluntary contributions to commence on the qualified system’s subsequent billing cycle from the notice.

6) Authorizes the qualified system to choose to include alternative amounts for contributions.

7) Requires a qualified system to also provide this information on its internet website in English, and any other language spoken by at least 10% of the people residing in its service area, and other languages, as specified.

8) Authorizes a ratepayer to opt out of the voluntary contribution at any time in a manner that is specified by the qualified system in the notice about the voluntary contributions, with voluntary contributions terminating on the qualified system’s subsequent normal billing cycle.

9) Provides that a ratepayer may only request a refund for contributions made since the last notice of opportunity to opt out of the program was provided or for the period of the last billing cycle prior to the date the ratepayer opts out, whichever time period is greater. Authorizes qualified systems to provide refunds in the form of a bill credit.

10) Prohibits a qualified system from sanctioning, taking any enforcement or collection action against, imposing any late charge or penalty against, or otherwise holding liable a ratepayer in any manner for exercising the option of not paying a voluntary contribution.

11) Requires the voluntary contributions to be used only to provide rate assistance to eligible ratepayers, pay for associated administrative costs to implement the WRAP, and establish a balancing account. Authorizes administrative costs of establishing the WRAP to be reimbursed from voluntary contributions.

12) Authorizes a qualified system to contract with a third party to receive voluntary contributions and comply with the requirements of the bill.

13) Requires that any partial payment made by a ratepayer that is insufficient to pay for charges on the bill be used to pay the qualified system’s charges shown on the ratepayer’s bill before being attributed to a voluntary contribution.

14) Prohibits a penalty or late fee from being assessed by a qualified system for the failure of a ratepayer to make timely payment of a voluntary contribution regardless of whether the ratepayer has exercised the option of not paying a voluntary contribution.

15) Authorizes a qualified system to use any state or federal funds that are available to support a WRAP by offsetting or supplementing the funds collected from voluntary contributions.

**CPUC Data Collection:**

1) Requires the CPUC to, on or before January 1, 2026, establish a mechanism for electrical corporations and gas corporations to provide data to all qualified systems no later than April 1, 2026, and annually by April 1 thereafter, regarding ratepayers enrolled in, or
eligible to be enrolled in, the California Alternate Rates for Energy (CARE) program and the Family Electric Rate Assistance (FERA) program.

2) Authorizes all qualified systems to enter into agreements with local gas and electric publicly owned utilities (POUs), including, but not limited to, municipal utility districts and irrigation districts, for the purpose of regularly receiving data regarding ratepayers enrolled in, or eligible to be enrolled in, affordability programs benefiting eligible ratepayers.

3) Specifies the laws under which the data collection is subject.

State Water Board Data Collection:
1) Requires the State Water Board, beginning in 2028, to require qualified systems to annually report the following information in required technical reports:

   a) The total amount of voluntary contributions collected, the administrative costs of operating the WRAP, the number of eligible households that were provided rate assistance or crisis assistance, and the total amount of rate assistance or crisis assistance provided to eligible households; and,

   b) An evaluation of available relevant information regarding any arrearages that remain after application of bill assistance.

Enforcement:
1) Authorizes the Attorney General to bring an action in state court to restrain, by temporary or permanent injunction, the use of any method, act, or practice in violation of the WRAP provisions of this bill by a qualified system, other than a system that has an existing WRAP program, including nonparticipation by a qualified system.

2) Prohibits the Attorney General from bringing an action against a qualified system with an existing WRAP program for failing to meet the requirements of the bill, as long as the qualified system makes a good faith effort to raise sufficient funding.

EXISTING LAW:

1) Provides that the California CPUC has regulatory authority over public utilities, including water investor-owned utilities (IOUs). Defines “public utility” to include every water corporation and sewer system corporation where the service is performed for, or the commodity delivered to, the public or any portion thereof. (California Constitution Article XII and Public Utilities Code (PUC) § 2701)

2) Declares that it is the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking and sanitary purposes. (Water Code (WC) § 106.3)

3) Establishes the California Safe Drinking Water Act to provide for the operation of public water systems and imposes on the State Water Board various responsibilities and duties relating to the regulation of drinking water to protect public health. (Health & Safety Code (HSC) §§ 116270 – 116755)
4) Establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long term. (HSC §116766)

5) Defines a "public water system" as a system for the provision of water for human consumption through pipes or other constructed conveyances that has or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. (HSC § 116275)

6) Defines a "community water system" as a public water system that serves at least 15 service connections used by yearlong residents or regularly serves at least 25 yearlong residents of the area served by the system. (HSC § 116275(i))

7) Requires the CPUC to continue the CARE program for low-income electric and gas customers with annual household incomes less than 200% of the federal poverty guideline levels. (PUC § 739.1)

8) Requires the CPUC to continue the FERA program to residential customers of the state’s three largest electrical IOUs consisting of households of three or more persons with total household annual gross income levels between 200 and 250% of the federal poverty guideline level. (PUC § 739.12)

9) Requires the State Water Board, by January 1, 2018, to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program, as prescribed. Requires the State Water Board to report to the Legislature on its findings regarding the feasibility, financial stability, and desired structure of the program, including any recommendations for any needed legislative action. (WC§189.5)

10) Requires the State Water Board to base the fund expenditure plan on data and analysis drawn from a specified drinking water needs assessment. (HSC §§ 116768 – 116770)

**FISCAL EFFECT:** Unknown. This bill has been significantly amended with recently adopted amendments, such that its prior fiscal analysis no longer applies. This measure is keyed fiscal and will be referred to the Assembly Committee on Appropriations for its review.

**BACKGROUND:**

*Human Right to Water – AB 685 (Eng, Chapter 524, Statutes of 2012) established California as the first state to enact a Human Right to Water law. Public policy continues to be focused on the right of every human being to have safe, clean, affordable, and accessible water adequate for human consumption, cooking and sanitation. However, challenges such as the need for an adequate supply of water suitable for drinking, the costs of constructing and maintaining treatment and distribution systems, and the number and nature of small public water systems – especially those in economically disadvantaged communities – among others continue to plague the State’s progress in achieving this human right.*

1State Water Resources Control Board, “Report to the Legislature in Compliance with the Health and Safety Code Section 116365”; September 2021
Regulation of California’s Drinking Water Systems – The State Water Board has primary responsibility for regulating the state’s drinking water quality. It works together with the CPUC or local agencies who regulate water utilities. More specifically, the CPUC regulates water IOUs to ensure that ratepayers have access to safe and reliable water utility infrastructure and services. Water POUs are governed by local boards, not the CPUC, in addition to the State Water Board. To distinguish and outline the responsibilities between these governing bodies, the State Water Board has entered into a memorandum of understanding with the CPUC; for many of these responsibilities though, the State Water Board and CPUC work in consultation with one another. The following describes in greater detail the various groups with regulatory oversight of California’s drinking water systems:

- **State Water Resources Control Board (State Water Board):** Specifically, the State Water Board has general authority with regard to water quality and drinking water functions, and administers provisions relating to public water systems and regulation of drinking water to protect public health. These include establishing drinking water standards, maximum contaminant levels in drinking water, and permitting public water systems. The State Water Board oversees approximately 7,500 public water systems which are also overseen by either the CPUC or local boards.4

- **CPUC:** The CPUC Water Division regulates over 100 water and sewer IOUs providing water service to about 16% of California’s residents with annual water and wastewater revenues totaling $1.4 billion.5 Approximately 95% of those residents are served by nine large water utilities each serving more than 10,000 connections. The majority of the CPUC-regulated water utilities (92) have service connections of 2,000 or less, and 87 of those have service connections of 500 or less. As with other IOUs, the CPUC regulates the customer rates assessed by water utilities under its jurisdiction, ensuring that costs are just and reasonable.

- **Water POUs:** The majority of California’s water customers (more than 80%) are served by cities, water districts, and mutual water companies, which are governed by local boards. These utilities are not regulated by the CPUC, but are instead governed by the city council, or other local governing bodies, which set their own rates. Like IOUs, these utilities can also vary greatly in size of their customer base, from the Los Angeles Department of Water and Power which owns and maintains over 700,000 water meters and service connections,6 to the City of Ukiah’s water system that serves approximately 6,000 customers.7

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2Ibid
4 https://www.waterboards.ca.gov/drinking_water/certific/drinkingwater/waterpartnership.html
5 CPUC, “Water Division”; https://www.cpuc.ca.gov/about-cpuc/divisions/water-division
6 LADWP, “Provision of Water Service for Single-Family Residential Dwelling Units” December 2018
7 The Ukiah Daily, “Improving Ukiah water system’ has been a massive project’ https://www.ukiahdailyjournal.com/2021/05/12/improving-ukiah-water-supply-system-has-been-a-massive-project/
• **Public Water Systems** – Existing law stipulates that a public water system (PWS) provides water for human consumption to 15 or more connections, or serves 25 or more people daily for at least 60 days out of the year.\(^8\) These systems can include not only large city or regional water suppliers, but also small housing communities, businesses, schools, and hospitals. A public water system is not necessarily a public entity, and most are privately owned. Approximately 92% of PWS serve less than 1,000 connections.\(^9\) The State Water Board has primary responsibility for regulating all PWS, but other state agencies can also regulate certain aspects of specific classes of water systems: 1) the CPUC for IOUs, 2) the Division of Corporations for mutual water companies, and 3) the Department of Housing and Community Development for mobile home parks.

In summary, the existence of a numerous number of state and local agencies make the allocation and management of the state’s water resources complex. According to a 2018 report published by the Public Policy Institute, on *Allocating California’s Water*, “California’s system for allocating water prevents it from meeting the state’s diverse needs, especially in times of scarcity. It is fragmented, inconsistent, and lacking in transparency and clear lines of authority.”

*The High Costs of Water* – The State Drinking Water Plan for California has indicated that water costs have, on average over a five-year period from 2012 to 2017, increased about 35% within all size groups of water systems.\(^10\) Average water costs remain highest in the San Francisco Bay Area, Central Coast, and Southern California, and lowest in the Central Valley/Agricultural (including Imperial County), Foothill, and Mountain/Desert regions.\(^11\) On average, customers of small water systems (serving fewer than 200 service connections) pay approximately 21% more for water than customers served by larger systems. Unfortunately, many economically disadvantaged communities are served by small water systems which face several barriers to funding their operations.\(^12\) The State Water Board expects that the cost of drinking water will continue to rise into the future.

*Statewide Plan for Funding a Low-Income Water Rate Assistance Program* – AB 401 (Dodd, Chapter 662, Statutes of 2015) required the State Water Board, in collaboration with the State Board of Equalization and relevant stakeholders, to develop a plan for funding and implementing a Low-Income Water Rate Assistance Program, which was known as W-LIRA. In the development of the plan, the state board was permitted to consider existing rate assistance programs authorized by the CPUC and provide recommendations for other cost-effective methods of offering assistance to low-income water customers. In addition, the State Water Board was required to report to the Legislature on its findings regarding the feasibility, financial stability, and desired structure of the program, including any recommendations for legislative action that may need to be taken. In a report released in February 2020, the State Water Board recommended W-LIRA be funded through taxes on personal income, business income, and bottled water, as most water systems are not able to fund low-income assistance programs.\(^13\)

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\(^8\) HSC § 116275
\(^9\) https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/waterpartnership.html
\(^10\) Ranges between 23 to 40%. State Water Resources Control Board, Pg VIII; “Safe Drinking Water Plan for California.” September 2021
\(^11\) Ibid
\(^12\) Ibid
\(^13\) State Water Board, “Recommendations for Implementation of a Statewide Low-Income Water Rate Assistance Program.” February, 2020
Such a program would be able to provide qualifying customers bill discounts, crisis assistance, and a tax credit for those who are renters and pay for their water indirectly through rent. These bill discounts were modeled on the low-income assistance program for customers of CPUC-regulated electrical and gas utilities, and the crisis assistance was modeled on the federal energy crisis program known as Low Income Heating and Assistance Program (LIHEAP), which is administered by the Community Services and Development Department in California.

State Water Board’s 2023 Needs Assessment – In 2019, the Legislature enacted SB 200 (Dodd, Chapter 120, Statutes of 2019), which enabled the State Water Board to create the Safe and Affordable Funding for Equity and Resilience (SAFER) Drinking Water Program. SB 200 established a set of tools, funding sources, and regulatory authorities that the State Water Board harnesses for the SAFER Program to help struggling water systems sustainably and affordably provide safe drinking water.

The SAFER Program’s expenditure plan must be based on data and analysis drawn from the annually updated drinking water needs assessment (referred to as the Needs Assessment), which was established by SB 862 (Committee on Budget and Fiscal Review, Chapter 449, Statutes of 2018). The State Water Board also typically hosts a series of workshops throughout the year for stakeholders to provide comments and inform SAFER’s expenditure plan.

In response to stakeholder feedback after the release of the 2021 and 2022 Needs Assessments, the State Water Board, in partnership with the Office of Environmental Health Hazard Assessment (OEHHA), hosted three public Affordability Workshops in 2022 to re-evaluate previously utilized affordability indicators, research new affordability indicators, and explore how to incorporate a new affordability indicator that measures disposable income limitations into the 2023 Needs Assessment and beyond. For the 2023 Needs Assessment, the State Water Board staff analyzed 2,845 community water systems. The majority were identified as having low affordability burden (45%) followed by a medium affordability burden (12%) and a high affordability burden (3%).

Proposition 218 and Proposition 26 – Water POUs, unlike IOUs, are subject to constraints on their ability to collect rates for rate relief from one customer to another due to the enactment of these propositions:

- Passed in 1996, Proposition 218 requires, among other things, that the revenues derived from property related fees and charges not exceed the funds required to provide the property related service. It also requires for any fee or charge imposed by a service to be immediately available to the property owner, rather than for future or potential use.

- Adopted in 2010, Proposition 26 places the burden on local governments to prove by a preponderance of evidence that the amount of a fee or charge is “no more than necessary to cover the reasonable costs of the governmental activity, and that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor’s burdens on, or benefits from, the governmental activity.” Simply, charges for programs

14 Workshop 1 (August 8, 2022); Presentation: https://bit.ly/3jsI4k8
15 California Water Board, “2023 Drinking Water Needs Assessment;” Pg 28; April 2023
16 California Constitution Article XIXD, § 6, Subd.(b)(1)
17 California Constitution, Article XIXIC, § 1
that provide general public benefits, or that exceed the costs of providing the service, are considered special taxes and require approval by two-thirds of the state legislature or a two-thirds popular vote at the local level. As a result, water POUs instead fund existing W-LIRA programs from revenues derived from sources other than water rates and charges, such as lease revenues or voluntary donations. These non-rate revenue options are limited and considered insufficient to sustainably fund W-LIRA programs throughout the state.

As acknowledged by the AB 401 report, funding individual water low-income rate assistance programs at the system level without violating constitutional restrictions would likely be infeasible for publicly owned water systems. Systems could impose special taxes, but those measures would need to be submitted to the local electorates and approved by a two-thirds majority. Additionally, for those systems with high eligibility burdens, there may be significant local resistance to approving such taxes.

**CPUC-Regulated Water Utilities low-Income Assistance Program** – The CPUC has authorized the largest nine water utilities to offer low-income rate assistance programs similar in concept to those provided to electricity customers through the California Alternate Rates for Energy (CARE) program. However, each program varies in terms of the amount of assistance provided to low-income customers and the method by which surcharges to cover the cost of the program are collected from non-participating ratepayers. All nine Class A water utilities, one Class B utility, and one Class C utility offer discounts on their monthly bills for qualifying low-income customers. Water utilities have been transitioning the unique names of their low-income assistance programs to the uniform name Customer Assistance Program (CAP) pursuant to the CPUC’s direction. Discounts and surcharges supporting these programs are reviewed in each utility’s general rate case proceeding.

**COMMENTS:**

1) **Author’s Statement.** According to the author, “While recognizing water as a basic human right, California has been at the epicenter of a water affordability and access crisis, especially for communities of color. The State [Water] Board reported that water rates rose 45% from 2007 to 2015. Those rate increases led to more than 1.6 million households having an average $500 water and/or sewer utility debt. Further exacerbating the problem have been how efforts to address this access gap have been delayed including. AB 401 (Chap. 662, Stats. 2015). SB 1255 is a critically needed bill that will finally establish a statewide water rate assistance program for large and medium water systems that serve most of the state’s population, through a voluntary ratepayer contribution fund, that will not require use of assessments or fees, consistent with Prop. 218. This program will direct voluntarily collected funds to help qualified households, defined as those with an annual household income that is no greater than 200% of the federal poverty guideline level.”

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18 State Water Board, Pg. 22; “Recommendations for Implementation of a Statewide Low-Income Water Rate Assistance Program.” February, 2020
19 Cal. Const., art. XIIIC, § 2, subd. (d)
20 **Class A Utilities** having more than 10,000 service connections, **Class B Utilities** having between 2,000 service connections and 10,000 service connections, **Class C Utilities** having between 500 service connections and 2,000 service connections.
2) **Complications with Financing Water Infrastructure.** Local governments in California provide most water related services such as water service, sewer service, flood control, and storm water management. According to a 2014 Policy Institute of California (PPIC) report, *Paying for Water in California*, there are currently four funding sources for water currently in California:

a) Fees, which include water and wastewater bills, property assessments or fees, developer or connection fees, and permitting fees;

b) Taxes, which include both general and special taxes, including parcel taxes;

c) Fines and penalties, which include excessive pumping of groundwater or directly to customers in violation of rationing restrictions during drought emergencies; and

d) Bonds, which include general obligation and revenue bonds.

Local agencies frequently point to the series of constitutional reforms such as Proposition 218 as a barrier for generating necessary revenue to fund the cost of water related services. Proposition 218 requires that fees charged by local agencies be proportional to the cost of service and places limits the use of funds. The intent of this proposition was to ensure that fees and other charges paid by property owners reflect only the cost to serve them and do not subsidize other government programs. Consequently, public water utilities are prevented from using revenue from water bills to offset the cost of operating assistance programs for low-income residents.

3) **Low-Income Energy Affordability Programs (CARE and FERA) as Models.**

- **CARE Program.** Currently, about 25 years old, the CARE program is the primary existing state policy to help low-income customers of the state’s IOUs pay their electric and gas bills.\(^{21}\) Households enrolled in CARE receive a 30-35% discount – 20% if the household is subscribed to an IOU with fewer than 100,000 customers – on their electric bill and a 20% discount on their natural gas bill.\(^{22}\) CARE is funded through a rate surcharge paid by all other utility customers, both residential and non-residential. The spending on CARE has grown massively since its inception in 1998. At the beginning of 2001, the four largest utilities – Pacific Gas and Electric (PG&E), San Diego Gas and Electric (SDG&E), Southern California Edison (SCE), and Southern California Gas Company (SoCal Gas) – spent about $126 million on the program;\(^ {23}\) by the end of 2022, the utilities spent $1.9 billion to help 4.5 million households.\(^ {24}\) In their May 2023 monthly reports, the IOUs cited penetration rates, or the percentage of eligible beneficiaries that are enrolled, between 90-112%, with a cumulative authorized

\(^{21}\) Public Utilities Code § 739.1


\(^{24}\) See each IOU report at https://liob.cpuc.ca.gov/monthly-annual-reports/.
program budget of over $1.4 billion serving over 4.8 million customers. The IOUs continue to engage in outreach to increase penetration rates of CARE today.

- FERA Program. The FERA program was established by a CPUC decision in 2004 as the Lower Middle Income Large Household program for families of three or more persons. FERA is funded by “public purpose program surcharge” that appears on utility bills, like CARE. FERA offers an 18% discount on electric bills if household income slightly exceeds CARE allowances (up to 250% of federal poverty). FERA is an effort to help families who may have incomes that are just above the income eligibility for CARE, but who likely still experience hardships paying their utility bills. According to the CPUC, the IOUs did not meet the 50% (Range from 11.7% to 28%) enrollment goal by 2023 and are exploring ways to increase program enrollment.

CARE and FERA together cost approximately $6 to $12 for non-qualified customers. However, the costs of a water assistance program to non-qualified customers is difficult to quantify and compare. Unlike electrical and/or gas IOUs which can serve millions of customers and take advantage of economies of scale, California’s water utilities serve much smaller bases of retail customers. The majority of drinking water systems serve fewer than 10,000 customers; since this bill would require all water utilities with more than 3,300 customers to establish a water assistance program that means the majority of water systems that would be required by this bill to establish a program would have between 3,300 and 10,000 customers. For comparison, Southern California Edison serves nearly 3.2 million residential customers. The differences in scale could become even larger if there are water customers who choose to opt out of the water assistance program – as this bill puts forward a program that is funded by voluntary contributions. Electric and gas customers do not, by contrast, have the option to opt out of the CARE and FERA surcharge. Importantly, while the CARE and FERA programs provide a helpful bill discount to qualified customers, they do not guarantee an affordable bill.

4) Balancing Tradeoffs is Challenging. While water may not be as costly as other essential needs such as housing and healthcare, many households that are already struggling to afford day-to-day basics have difficulty paying their bills. This is prevalent among low-income households. On the other hand, climate related weather events, aging infrastructure, under-investment in drinking water systems, declining financial support from the state and federal government, and stricter water quality regulations, among other constraints contribute to the increasing price of water. As such, most water systems face a

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25 Or roughly ~$292/customer per year, without accounting for other indirect costs such as CARE participant exemptions from some legislatively mandated program fees. See each IOU report at https://liob.cpuc.ca.gov/monthly-annual-reports/.
26 Advice 7107-E, PG&E; “Information-only Advice Letter on Pacific Gas and Electric Company’s Progress to Increase Family Electric Rate Assistance Program Enrollment Pursuant to Decision (D.)18-08-013”; December 2023.
27 CPUC; Pg 54; “AB 67 Report” April 2024
28 These charges are assessed on the amount of electricity used
29 Based on the reports submitted to the CPUC in April 2023, estimated enrollment participation rates for the FERA program ranged from 11.7 to 28% among the three IOUs.
big dilemma: they need to balance tradeoffs between providing affordable water while simultaneously attempting to control its increasing cost.

5) **Lack of Funding in Perpetuity.** As mentioned above, relying on voluntary contributions as a funding mechanism for a water assistance program, as proposed by this measure, introduces uncertainties in the program’s budget. With individuals being hit hard by the increasing prices of essential goods including utilities, food, and fuel, customers who do not qualify as low-income may still feel some heartburn at the thought of additional costs, however small they might be.

The committee is also unclear on how much the ratio of qualified customers to non-qualified customers could vary from one utility to another. In service areas that might serve a greater density of qualified customers than others, non-qualified customers could face a higher cost burden. With the option to opt-out and a cap on the surcharge – the bill requires the surcharge to be no more than 5% of a customer’s water and wastewater bill – there is a likely case that the voluntary donations are insufficient in supporting the low-income assistance program.

6) **Outreach.** CARE has reached high penetration rates due to urging by the CPUC for outreach efforts. Unlike CARE, FERA enrollment participation rates are low across all three large IOUs. Comparatively, the water utilities may equally struggle to reach eligible low-income households as required by this measure unless more targeted outreach is also simultaneously conducted.

7) **California’s Promise.** California’s Human Right to Water Act declared access to safe, clean, affordable, and accessible water adequate for human consumption, cooking and sanitary purposes as a basic human right. The affordability of water, and therefore, water utility rates, has a strong impact on that right. California has passed numerous succeeding laws\(^30\) to move closer and closer to realizing this policy, but much work remains ahead. While the magnitude of the challenges that continue to lay ahead is clear – approximately 34% of Californians live in households with incomes under 200% of the federal poverty line\(^31\) and 1 in 10 California households are in arrears on their water payments\(^32\) – the solutions remain more elusive. Certainly, establishing a water assistance program to increase the affordability of water for low-income households, as proposed by this legislation may help to make strides in meeting the state policy, but a successful program will hinge on thoughtful planning and implementation, with diverse stakeholder input and support, or it could risk spending state and ratepayer dollars in a manner that is unstable and untenable. It also remains a question as to how such a program can be implemented by water POUs that are precluded from collecting funds for rate relief by Propositions 218 and 26.

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\(^31\) State Water Board, Pg. 13; “Recommendations for Implementation of a Statewide Low-Income Water Rate Assistance Program.” February, 2020

\(^32\) LA Times; “Millions of Californians are struggling to pay for water”; October 2022; https://www.latimes.com/california/story/2022-10-24/millions-of-californians-are-struggling-to-pay-for-water
This legislation is unquestionably a meritorious effort in uplifting low-income communities and should be revisited in the near future. More immediately, however, it may be valuable for the author and sponsors to continue having meaningful conversations with diverse stakeholders to assess the best practices and mechanisms that are viable, equitable, and ultimately create a successful program before instituting a statewide mandated program as this bill stipulates.

8) **Myriad of Concerns Persist.** While this bill is supported by over 40+ organizations, significant opposition from numerous entities such as CMUA, ACWA, Water Agencies and many others remain. Some of the pending concerns include:

- **Voluntary Contributions/Opt-Out Approach:** This bill would require retail water agencies to provide each ratepayer the option and method of opting out of providing the "voluntary contribution" to fund the low-income water rate assistance program, at least three months prior to beginning collection of the "voluntary contribution," and at least annually thereafter. According to ACWA, the proposed "opt-out" approach would lack transparency and would create damaging distrust. The bill should instead propose an “opt-in” approach…. The bill would require notice of the voluntary contribution, but many ratepayers would not see the notice (e.g., customers on automatic payments) and would be charged for the "voluntary" contribution on their water bill. They could later opt out and seek refunds, as specified, but this would create funding instability and a negative public perception of the program. It is also important to note that many ratepayers will be at income levels not far above the eligibility cut-off for this program….This concern is also shared by CMUA and numerous other opposing groups. CMUA also contends, “We urge the author to amend the bill so water systems have the flexibility to decide whether using an opt-in or opt-out approach is most appropriate for their customers.

- **Administrative Costs:** This bill restricts a water system's ability to offset administrative expenses by establishing a 10% limit on voluntary contributions for administrative costs. According to CMUA, “Locally administered program is expected to have significant costs that for many agencies will exceed the 10% cap. [We] urge the author to engage with water systems on a more appropriate cap or other way to keep costs at a reasonable level so ratepayers not participating in the program aren’t subsidizing other customers, which could create constitutional issues for water systems.” Many other opposing groups share similar concerns.

- **60% Ratepayer Participation:** This bill requires a qualified system, when setting the recommended voluntary contribution, to assume that 60% of ratepayers other than eligible ratepayers will provide the volunteer contribution. Creating and funding a low-income water rate assistance program solely through voluntary contributions from ratepayers may not be an easy task. According to San Gabriel Valley Water Association, “the current version of the bill assumes 60% ratepayer participation, which may not align with the reality of many communities. The bill also lacks guidance on how a water system serving a large economically disadvantaged population can afford a program when more residents may need
assistance than can contribute to funding it.” This issue has equally been raised by other opposing groups.

- **Potential Fraud:** The bill defines “available information” as Self-certification of eligibility, under penalty of perjury, by the residential ratepayer. Opposing groups contend that “Self-Certification should not be an allowed method of establishing eligibility… This option is too susceptible to fraud…”

- **Short Timelines for Deliberations:** Ten water agencies from San Bernardino and Riverside counties write in an "oppose unless amended" position, by stating "It is very concerning that this bill is a second house gut and amend. SB 1255 is a significant new policy that deserves ample discussion from both houses and stakeholders…”

- **Too Many to List:** Given the limited time this committee has had to vet this proposal, the above-bulleted list does not reflect a bevy of other concerns and questions brought forth to the committee.

9) **Prior Legislation**

SB 222 (Dodd, 2021) would have created a Low-Income Water Rate Assistance program for all California water agencies. This bill was vetoed by the Governor.

SB 200 (Monning) created the SAFER program to support rollout of safe and affordable drinking water for disadvantaged communities. Chapter 120, Statutes of 2019

AB 217 (E. Garcia, 2019) would have created the Safe Drinking Water for All Act (Act), which would have established the Safe and Affordable Drinking Water Fund (Fund) to provide a source of funding for safe drinking water for all Californians, and long-term sustainability of drinking water systems. Would have imposed several fees on agricultural activities and a charge on retail water systems that together would provide the source of revenue to the Fund. This bill was subsequently amended into another subject.

SB 669 (Caballero, 2019) would have established the Safe Drinking Water Fund to assist community water systems in disadvantaged communities that are chronically noncompliant. Would have created Safe Drinking Water Trust Fund to receive funding from the state and provide the fund source to the Safe Drinking Water Fund. This bill was held in the Senate Appropriations Committee.

SB 669 (Caballero, 2019) would have established the Safe Drinking Water Fund to assist community water systems in disadvantaged communities that are chronically noncompliant. Would have created Safe Drinking Water Trust Fund to receive funding from the state and provide the fund source to the Safe Drinking Water Fund. This bill was held in the Senate Appropriations Committee.

SB 998 (Dodd) required all public water systems (with more than 200 connections) to have a written policy on discontinuation of residential water service, provide that policy in multiple languages, include provisions for not shutting off water for certain customers that meet specified criteria, prohibit the shutoff of water service until the bill has been
delinquent for 60 days, and caps the reconnection fees for restoring water service. Status: Chapter 891, Statutes of 2018

SB 623 (Monning, 2017) would have created the Safe and Affordable Drinking Water Fund, administered by the State Water Board, and would have imposed water, fertilizer and dairy fees to fund safe drinking water programs. This bill was held in the Assembly Rules Committee.

AB 401 (Dodd) required the State Water Board, in collaboration with the State Board of Equalization and relevant stakeholders, to develop a plan for funding and implementing a Low-Income Water Rate Assistance Program. Status: Chapter 662, Statutes of 2015

AB 685 (Eng) declared the right to clean, safe, and affordable water for drinking and sanitation. Chapter 524, Statutes of 2012

Support

350 Humboldt
California Coastal Protection Network
California Coastkeeper Alliance
California Environmental Justice Alliance (CEJA) Action
California Environmental Voters
California Immigrant Policy Center
California Water Association
California Water Research
Central California Environmental Justice Network
Clean Water Action
Cleanearth4kids.org
Climate Resolve
Community Water Center
Courage California
Defenders of Wildlife
Environmental Defense Fund
Environmental Working Group
Families Advocating for Chemical and Toxics Safety
Friends Committee on Legislation of California
Friends of The River
Grace - End Child Poverty in California
Heal the Bay
LA Waterkeeper
Leadership Counsel for Justice & Accountability
Los Angeles Alliance for A New Economy
Lutheran Office of Public Policy - California
Mono Lake Committee
National Parks Conservation Association
National Resources Defense Council
Natural Resources Defense Council
Physicians for Social Responsibility - Los Angeles
Planning and Conservation League
San Francisco Baykeeper
San Francisco Public Utilities Commission
Sierra Club California
The Nature Conservancy
Ufcw - Western States Council
Union of Concerned Scientists
Voices for Progress
Western Center on Law & Poverty

Support If Amended

Sweetwater Authority

Oppose

Helix Water District
Valley Center Municipal Water District
Vista Irrigation District

Oppose Unless Amended

Association of California Water Agencies (ACWA)
California Municipal Utilities Association
City of Chino
City of Chino Hills
City of Montclair
Cucamonga Valley Water District
Eastern Municipal Water District
Elsinore Valley Municipal Water District
Inland Empire Utilities Agency
Irvine Ranch Water District
Monte Vista Water District
Ontario Municipal Utilities Company
Rancho California Water District
Regional Water Authority
San Gabriel Valley Water Association
Western Municipal Water District

Other

East Bay Municipal Utility District

Analysis Prepared by: Lina V. Malova / U. & E. / (916) 319-2083
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 related pending legislation, earmark funding for PFAS cleanup, legislation of interest to the District, and an outlook on elections.

Attachments:
- ENS Resources August Update
- S. 4673 Special District Grant Accessibility Act
- Improving Atmospheric River Forecasts Act
- Federal Bill Matrix

RECOMMENDATION

Agendize for August 21 Board meeting: Take the following action.

<table>
<thead>
<tr>
<th>Bill Number/Author</th>
<th>Short Title</th>
<th>Recommendation</th>
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<tbody>
<tr>
<td>S. 4673 Senator Kyrsten Sinema (I-AZ) and Senator John Cornyn (R-TX)</td>
<td>Special District Grant Accessibility Act</td>
<td>Support</td>
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<tr>
<td>No bill number yet/ Senator Alex Padilla (D-CA)</td>
<td>Improving Atmospheric River Forecasts Act</td>
<td>Support</td>
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S. 4673 Special District Grant Accessibility Act (SDGAA)

The S. 4673 Special District Grant Accessibility Act (SDGAA) is sponsored by Senators Kyrsten Sinema (I-AZ) and John Cornyn (R-TX). There are currently no organizations opposed to SDGAA. This act is a key legislative goal of the National Special District Coalition (NSDC), aiming to establish a formal federal definition of "special district" for the first time. Additionally, the Act would require federal agencies to recognize special districts as local governments, thus ensuring their eligibility for various forms of federal assistance, including grants and resources from key programs.
The companion bill in the House, H.R. 7525, sponsored by Representatives Pat Fallon (R-TX) and Brittany Pettersen (D-CO), along with 14 bipartisan members of the California Congressional Delegation, has successfully passed through the U.S. House of Representatives.

For the Orange County Water District (OCWD), potential funding sources from this bill could include FEMA and other federal avenues, such as previously unavailable COVID-19 relief funds. Considering these opportunities, OCWD staff and consultants recommend supporting this legislation.

**Improving Atmospheric River Forecasts Act**

Atmospheric River (AR) storms are responsible for roughly 50% of the precipitation along the West Coast. An AR is a long narrow band of airborne water vapor, often described as a “river in the sky” that can carry as much water as 15 Mississippi Rivers, unleashing massive amounts of rain or snow over short periods of time. The *Improving Atmospheric River Forecasts Act* will create a new program to improve predictions of these important storms. OCWD is currently in the implementation phase of a program to use AR research in collaboration with Scripps Institution of Oceanography and the U.S. Army Corps of Engineers to maximize stormwater capture behind Prodo Dam, which increases water supplies for Orange County. The specific provision of the bill that aids OCWD is the following:

“Improved precipitation forecasts.—Improved precipitation forecasts pursuant to improved modeling under paragraph (1) should support improved water resource management and resilience to extreme water-related events, from floods to drought, through enhanced streamflow prediction.”

**Bill Summary:**

Directs the National Oceanic and Atmospheric Administration (NOAA) to establish a standalone AR forecast improvement program that would:

- Develop accurate, effective, and actionable storm forecasts to reduce loss of life and economic impact.
- Establish metrics through a quantitative 1-5 scale for AR storms similar to hurricane categorizations.
- Improve data collection through crewed and uncrewed reconnaissance; novel airborne and satellite-based snowpack measurements; ground-based radar systems; data from ocean buoys, soil moisture monitoring systems, reservoir storage data, observations from mesonets, or other emerging technologies.
- Allow NOAA to purchase aircrafts, personnel, and equipment needed to monitor AR events on the West coast throughout the entire Winter Season (November-March).

Scripps Institution of Oceanography supports the *Improving Atmospheric River Forecasts Act* and OCWD’s support of the act has been requested. For the above reasons, OCWD staff and consultants recommend a support position.
ACTIVITIES

May          OCWD Board President Cathy Green, General Manager John Kennedy and staff visited Washington D.C. to advocate for OCWD federal priorities and funding requests.

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 Harasty
FROM: Eric Sapirstein
DATE: August, 2024
SUBJECT: Washington Update

Congressional activity during July continued to center on Fiscal Year 2025 spending bills, reauthorization of the Water Resources Development Act, and PFAS liability. Congress is entering the final weeks of work before recessing for the month of August. The following summarizes the status of federal policy matters of interest to OCWD.

- **Water Resources Development Act of 2024**
  House and Senate efforts to reauthorize the Water Resources Development Act (WRDA), H.R. 8812 and S. 4367, to renew the U.S. Army Corps of Engineers’ programs and projects took an important step when, on July 22, the House approved H.R. 8812. Senate action on its version of the bill remains to be scheduled for floor debate and a vote. As is customary, the Senate Committee on Environment and Public Works is working to secure all Senators’ support of S. 4367 in order to expedite Senate passage. WRDA is one of the truly bipartisan piece of legislation in this Congress and final passage is highly probable later this fall. Both bills are limited in scope with a focus on authorizing USACE approved Chief’s Reports, a series of Environmental Infrastructure projects, the core mission of USACE and policy statements related FIRO implementation and dredging.

**Importance to OCWD**
WRDA carries a handful of policy matters of value to OCWD. Both bills address the priority to rely on FIRO and include directives that USACE should expedite flood control manuals to leverage the benefits of water conservation through the use of improved data. Additionally, the S. 4367 directs USACE to make FIRO projects a priority within the South Pacific Division. This Division includes California. The priority should benefit OCWD in its FIRO project.
**PFAS Rulemakings and Liability Protection**

Federal PFAS policymaking continues to command congressional and stakeholder attention. Within the policymaking arena, Congress is using the annual appropriations process to address concerns from the water sector. The House Committee on Appropriations approved the USEPA Fiscal Year 2025 spending bill and included PFAS related policy riders. First, the committee is reaffirming its prior spending bill directives to the Government Accountability Office (GAO) to conduct a study into the economics underlying USEPA’s decision to establish a drinking water standard (MCL) of 4PPT. In the current spending bill, the committee also directed GAO and USEPA identify the number of drinking water agencies impacted by the rule and the costs of compliance. The House spending bill also requires that, within 90 days of enactment, USEPA provide a report to Congress on its implementation of the PFAS CERCLA municipal discretionary enforcement policy. USEPA asserts this will allow USEPA to avoid enforcing against drinking water agencies when CERCLA liability might be triggered at a clean-up site. Aside from these liability and compliance issues, the spending bill provides USEPA with directives to maintain research into PFAS impacts and to support water agencies with technical assistance to comply with the MCL. Notably, the spending bill does not contain policy riders that would impact land application of biosolids, created through the wastewater treatment process, or new mandates on landfills that accept residuals from drinking water treatment processes. Last, the bill would reduce USEPA overall funding by $1.9 billion through reductions in the SRF program and eliminating much of the clean energy grants and subsidies assistance.

Meanwhile, the legislative effort to develop a water sector PFAS CERCLA liability exemption continues in the Senate Committee on Environment and Public Works. As reported previously, committee leadership is committed to develop a consensus approach before consideration of PFAS legislation. While consensus exist to support increased funding for health research and technology development to treat or destroy PFAS, the challenge continues to be how to define a passive receiver and how to create “guardrails” to protect against abuses of any liability exemption that might be drafted. According to committee staff, action on a bill is unlikely before the Lame Duck Session. In the House, H.R. 7944, a bill that would provide for an explicit water sector exemption from liability remains as a marker to rely upon should the Senate pass a bill and send it to the House.

From a legal perspective, the American Water Works Association and Association of Metropolitan Water Agencies have filed a challenge to USEPA’s MCL standard. The litigation questions the agency’s calculations of the costs of the mandate to justify its publication. The Chamber of Commerce filed a legal challenge to the PFAS hazardous substance designation that has created the potential CERCLA liability for the water sector. Both challenges could result in a judicial decision and force USEPA to revise the rulemakings or toss the rules completely.
Impact to OCWD
The decision to include directives to USEPA to provide Congress with data on the impact of the two rulemakings could provide important information that might influence the ongoing legal challenges filed against the MCL and the designation of PFAS as a hazardous substance. The bipartisan effort to address PFAS hazardous substance liability, while unlikely to be acted upon before late fall, continues to gain support from House and Senate members that believe the matter should be addressed. OCWD’s priority to ensure that the water sector receives CERCLA liability protections remains an active issue for Congress.

• Fiscal Year 2025 Appropriations OCWD Funding Request Included
The House leadership pledged to move all twelve spending bills to the Senate before the August recess. It reached an important milestone when the Committee on Appropriations approved the twelve spending measures. Most of the bills were approved on party line votes. Even though the House is expected to approve many of the spending bills in the next weeks, a stopgap spending bill will be necessary. A final spending agreement before the November elections is highly unlikely since the Senate has yet to make significant progress on spending legislation and the spending differences between the two chambers is vast, making compromise challenging.

Irrespective of when a final spending agreement is reached, OCWD’s Community Project Assistance requests sponsored by Representatives Young Kim and Lou Correa were adopted as part of the Interior and Environment Appropriations bill that funds USEPA. The funding requests will, if adopted without change, in the final agreement provide $2 million to support the ongoing treatment of PFAS contaminated groundwater supplies. However, the Senate has yet to finalize its spending bill and directed project assistance. It is possible that OCWD’s assistance could increase, if the Senate provides for a higher level of assistance.

The House committee also finalized the USBR spending bill, the Energy and Water Development Appropriations. USBR funding remains at current year spending. Water recycling remains static at $30 million with $20 million reserved for WIIN Act water recycling projects. The Bay Delta program receives an additional $33 million. Last, in an effort to address water storage project construction, the bill amends the WIIN Act and the Infrastructure Investment and Jobs Act to eliminate the need for USBR and state recommendations and approvals of California water storage projects in order to secure federal assistance. The bill also funds USACE programs. Under the bill, USACE receives robust funding with an increase of $2 billion or $9 billion. The bill restates support for FIRO to help address water supply reliability needs.
Importance to OCWD
OCWD received one of the highest USEPA directed spending levels in an environment where the House committee limited funding decisions generally to a range of a couple of hundred thousand dollars to $2 million. The expected House passage of the USEPA spending bill positions OCWD’s funding requests for final passage later this fall when the House and Senate are expected to reconcile the two chambers’ spending bills. If one chamber provides a higher level of assistance to OCWD, the final spending agreement could adopt this level. Second, as OCWD continues to work with USACE to advance its FIRO project, USACE should have adequate funding to support FIRO project implementation.
To require the Director of the Office of Management and Budget to issue guidance to agencies requiring special districts to be recognized as local government for the purpose of Federal financial assistance determinations.

IN THE SENATE OF THE UNITED STATES

JULY 11 (legislative day, JULY 10), 2024

Ms. SINEMA (for herself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To require the Director of the Office of Management and Budget to issue guidance to agencies requiring special districts to be recognized as local government for the purpose of Federal financial assistance determinations.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Special District Grant Accessibility Act”.

1
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3
4
5
SEC. 2. AGENCY FINANCIAL ASSISTANCE GUIDANCE ON SPECIAL DISTRICTS.

(a) REQUIREMENTS FOR AGENCY ACKNOWLEDGMENT OF SPECIAL DISTRICTS AS GRANT RECIPIENTS.—

(1) OMB GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Director shall issue guidance that clarifies how an agency recognizes a special district as a unit of local government for the purpose of being eligible to receive Federal financial assistance.

(2) AGENCY REQUIREMENTS.—Not later than 1 year after the date on which the guidance is issued pursuant to paragraph (1), the head of each agency shall implement the requirements of such guidance and conform any policy, principle, practice, procedure, or guideline relating to the administration of the Federal financial assistance programs of the agency.

(3) REPORTING REQUIREMENT.—Not later than 2 years after the date of the enactment of this Act, the Director shall submit to the Committee on Oversight and Accountability of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that evaluates agency implementation of and conformity to the guidance issued pursuant to paragraph (1).
(b) Definitions.—In this section:

(1) AGENCY.—The term “agency” has the meaning given the term in section 552 of title 5, United States Code.

(2) DIRECTOR.—The term “Director” means the Director of the Office of Management and Budget.

(3) FEDERAL FINANCIAL ASSISTANCE.—The term “Federal financial assistance”—

(A) means assistance that a non-Federal entity receives or administers in the form of a grant, loan, loan guarantee, property, cooperative agreement, interest subsidy, insurance, food commodity, direct appropriation, or other assistance; and

(B) does not include an amount received as reimbursement for services rendered to an individual in accordance with guidance issued by the Director.

(4) SPECIAL DISTRICT.—The term “special district” means a political subdivision of a State, with specified boundaries and significant budgetary autonomy or control, created by or pursuant to the laws of the State, for the purpose of performing limited and specific governmental or proprietary func-
tions that distinguish it as a significantly separate entity from the administrative governance structure of any other form of local government unit within a State.

(5) **STATE.**—The term “State” means each of the several States, the District of Columbia, each commonwealth, territory, or possession of the United States, and each federally recognized Indian Tribe.
Title: To improve the lead time, accuracy, and dissemination of forecasts of atmospheric rivers throughout the United States, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Improving Atmospheric River Forecasts Act”.

SEC. 2. ATMOSPHERIC RIVERS FORECAST IMPROVEMENT PROGRAM.

(a) In General.—The Under Secretary, in collaboration with the weather enterprise in the United States and academic partners, shall establish an atmospheric river forecast improvement program (in this section referred to as the “program”).

(b) Goal.—The goal of the program shall be to reduce through the development and extension of accurate, effective, and actionable forecasts and warnings the loss of life and economic losses from atmospheric rivers, including by—

(1) establishing quantitative atmospheric river forecast skill metrics that include quantifying the benefits of dynamical modeling, data assimilation, and machine learning improvements in the probabilistic forecasts of landfall location, extreme wind and precipitation, and cascading impacts;

(2) developing an atmospheric river forecast system within a unified forecast system, and advancing next-generation coupled modeling systems, with the capability of providing seasonal to short-range atmospheric river forecasts that include forecast of snow accumulation and other hydrologic components;

(3) advancing scientific understanding of the roles of atmospheric rivers in subseasonal to seasonal precipitation and probabilistic predictions at subseasonal and seasonal scales;

(4) developing tools and improved forecast products to predict periods of active or inactive atmospheric river landfalls and inland penetration over the western United States with a focus on addressing stakeholder and public needs related to perceiving, comprehending, and responding to atmospheric river forecast improvements; and

(5) enhancing the transition of research to operations through the testbeds of the National Oceanic and Atmospheric Administration, including the evaluation of physical and social science, technology, and other research to develop products and services for implementation and use by relevant stakeholders.

(c) Innovative Observations, Data Assimilation, and Modeling.—The Under Secretary shall ensure the program periodically examines, tests, and evaluates the value of incorporating innovative observations, such as observations from radar, observations from crewed or uncrewed aircraft, novel airborne and satellite-based snowpack measurements, data from ocean buoys, data from soil moisture monitoring systems, reservoir storage data, observations from mesonets, or any observations, measurements, or data from other emerging technologies, with respect to the
improvement of atmospheric river analysis, modeling, forecasts, predictions, and warnings.

(d) Improved Modeling.—

(1) IN GENERAL.—Under the program, subject to the availability of appropriations, the Under Secretary shall improve modeling for precipitation forecasts, with an emphasis on forecasting for complex terrain.

(2) IMPROVED PRECIPITATION FORECASTS.—Improved precipitation forecasts pursuant to improved modeling under paragraph (1) should support improved water resource management and resilience to extreme water-related events, from floods to drought, through enhanced streamflow prediction.

(3) ELEMENTS.—In improving modeling under paragraph (1), the Under Secretary may—

(A) develop, test, and operationalize the prototype high-resolution Atmospheric River Analysis and Forecasting System model through a research and operations partnership with academic partners;

(B) enhance data assimilation of current and new satellite and ocean observations;

(C) improve data processing techniques;

(D) use artificial intelligence and machine learning methods as applicable;

(E) ensure the surface and subsurface observations of the ocean meet the needs of atmospheric river analysis and forecasting predictions on time scales from days, to weeks, to months, to seasons; and

(F) improve or establish baseline weather monitoring service in areas that have historically experienced, or are predicted to experience, atmospheric rivers.

(e) Conduct of Reconnaissance.—

(1) IN GENERAL.—Under the program, subject to the availability of appropriations, the Under Secretary shall provide crewed and uncrewed aircraft, personnel, and equipment necessary to meet the mission requirements for winter season atmospheric river reconnaissance along the coasts of the United States annually from November 1 through March 31.

(2) ACTIVITIES.—In carrying out paragraph (1), the Under Secretary, in consultation with the Secretary of the Air Force, acting through the Air Force Reserve Command, shall—

(A) collect data in sensitive oceanic regions where conventional, upper-air observations are lacking and satellites are unable to effectively resolve the position and vertical structure of atmospheric rivers and of other nearby essential atmospheric structures offshore, such as extratropical cyclones, cut-off lows, and jet streams;

(B) execute targeted airborne dropsonde, buoy observations, and other innovative observation platforms as appropriate over the Pacific and Atlantic Oceans and the Gulf of Mexico to improve forecasts of the landfall and impacts of atmospheric rivers for civil authorities and military decision makers and support water management decisions and flood forecasting;

(C) participate in the research and operations partnership that guides flight planning and uses research methods to improve and expand the capabilities and effectiveness of
(D) develop data management strategies to ensure that data and metadata are adequately stewarded, maintained, and archived in accordance with collective benefit, authority to control, responsibility, and ethics principles (commonly known as “CARE” principles), findable, accessible, interoperable, and reusable principles (commonly known as “FAIR” principles), and the Foundations for Evidence-Based Policymaking Act of 2018 (Public Law 115–435; 132 Stat. 5529) and the amendments made by that Act, and preserve and curate such data and metadata in accordance with chapter 31 of title 44, United States Code (commonly known as the “Federal Records Act of 1950”); and

(E) undertake such other additional activities as the Under Secretary, in consultation with the Secretary of the Air Force, considers appropriate to further the atmospheric river reconnaissance mission.

(f) Improved Atmospheric River Hazard Communication.—Under the program, subject to the availability of appropriations, the Under Secretary shall consider research and development activities to—

(1) develop and refine methods to categorize the intensity of atmospheric rivers on a quantitative scale and the impacts of such a scale in hazard communication;

(2) develop best practices for communication of atmospheric river events and hazards across regions of the United States;

(3) gather information from areas prone to atmospheric rivers regarding levels of knowledge and preparedness, including responses to early forecasts and warnings by the National Oceanic and Atmospheric Administration; and

(4) explore strategies and effectiveness of communicating that atmospheric river events are beneficial at lower intensities versus hazardous at higher intensities.

(g) Program Plan.—Not later than 270 days after the date of the enactment of this Act, the Under Secretary shall develop a plan that details the specific research, development, data acquisition, academic partnerships, and technology transfer activities, as well as corresponding resources and timelines, necessary to achieve the goals of the program under subsection (b).

(h) Annual Budget for Plan Submittal.—After the development of the plan pursuant to subsection (g), the Under Secretary, acting through the Assistant Administrator for Oceanic and Atmospheric Research, and in coordination with the Director of the National Weather Service and the Director of the Office of Marine and Aviation Operations, shall, not less frequently than annually, submit to Congress a proposed budget corresponding with the activities identified in that plan.

(i) Definitions.—In this section, the terms “seasonal”, “subseasonal”, “Under Secretary”, and “weather enterprise” have the meanings given those terms in section 2 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501).
OCWD Legislative Policy Report - Aug 01, 2024

Pending Legislation of Interest
A summary of key legislation of interest to OCWD

Orange County Water District Bills 11 Bills

US HR 7525

Title: Special District Grant Accessibility Act
Current Status: In Senate
Introduction Date: 2024-03-05
Last Action Date: Committee on Homeland Security and Governmental Affairs. Ordered to be reported without amendment favorably.. 2024-07-31
Description: Special District Grant Accessibility Act
This bill requires the Office of Management and Budget (OMB) to issue guidance within 180 days that clarifies how a federal agency recognizes a special district as a unit of local government for the purpose of being eligible to receive federal financial assistance. Under the bill, a special district is a political subdivision of a state, with specified boundaries and significant budgetary autonomy or control, that was created by or pursuant to state law to perform limited and specific governmental or proprietary functions that distinguish it as a significantly separate entity from the administrative governance structure of any other form of local government unit within a state. The bill requires federal agencies to implement OMB’s guidance within one year of the date it is issued.
Location: United States

Floor Forecast Scores

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**US S 4673**

**Title:** Special District Grant Accessibility Act  
**Current Status:** In Senate  
**Introduction Date:** 2024-07-11  
**Last Action Date:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs. 2024-07-11  
**Location:** United States

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**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: 95.0%  
- Senate Floor Score: 95.0%  
- House Pre-Floor Score: 95.0%  
- House Floor Score: 95.0%

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**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.
US HR 8032  High Priority

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

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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
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**

- Senate Pre-Floor Score: 89.9%  
- Senate Floor Score: 95.0%  
- House Pre-Floor Score: 89.8%  
- House Floor Score: 95.0%

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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. 2024-02-28  
**Location:** United States  

**Floor Forecast Scores**

- House Pre-Floor Score: 95.0%  
- House Floor Score: 95.0%  
- Senate Pre-Floor Score: 95.0%  
- Senate Floor Score: 95.0%
US HR 6805  High Priority

**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**

- **House Pre-Floor Score:** 13.8%  
- **House Floor Score:** 95.0%  
- **Senate Pre-Floor Score:** 5.0%  
- **Senate Floor Score:** 95.0%

US HR 3027  Medium Priority

**Title:** Reclamation Climate Change and Water Program Reauthorization Act of 2023  
**Current Status:** In House  
**Introduction Date:** 2023-04-28  
**Last Action Date:** Subcommittee Hearings Held. 2023-06-14  
**Summary:** Would extend, through FY 2033, the U.S. Department of the Interior - Bureau of Reclamation Climate Change and Water Program, which expires at the end of FY 2023. The program requires the Bureau, in consultation with other federal agencies to deliver a report to Congress, every five years, on the impact of global climate change on the operations of the each major reclamation river basin. The report includes a mitigation and adaptation strategy and authorizes a feasibility study on impact of a strategy on "construction of any water
supply, water management, environmental, or habitat enhancement water infrastructure." No
direct funding is authorized for the program. Sponsor: Rep. Katie Porter D-CA

**Description:** Reclamation Climate Change and Water Program Reauthorization Act of 2023
This bill reauthorizes through FY2033 the Bureau of Reclamation’s climate change and water
program. Under the program, Reclamation assesses the effects of global climate change on
the quantity of water resources in certain western states and develops strategies to address
potential water shortages, conflicts, and other impacts to such water resources.

**Location:** United States

**Floor Forecast Scores**

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<thead>
<tr>
<th></th>
<th>House Pre-Floor Score</th>
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<th>Senate Pre-Floor Score</th>
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<tr>
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<td>5.0%</td>
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**US S 1430**  
**High Priority**

**Title:** Water Systems PFAS Liability Protection Act

**Current Status:** In Senate

**Introduction Date:** 2023-05-03

**Last Action Date:** Read twice and referred to the Committee on Environment and Public
Works. 2023-05-03

**Summary:** S. 1430 would provide a limited CERCLA liability (section 107) exemption for PFAS
family of chemicals for water and wastewater agencies. S. 1430 would not exempt an agency
from liability in cases of gross negligence.

**Description:** Water Systems PFAS Liability Protection Act This bill exempts specified water
management entities from liability under the Comprehensive Environmental Response,
Compensation, and Liability Act of 1980 (CERCLA) for releases of certain perfluoroalkyl or
polyfluoroalkyl substances, commonly referred to as PFAS. Specifically, the entities covered
under the bill are public water systems, publicly or privately owned or operated treatment
works, municipalities with a stormwater discharge permit, political subdivisions or special
districts of a state that act as a wholesale water agency, and contractors performing the
management or disposal activities for such entities. Under the bill, the exemption only applies
if a specified entity transports, treats, disposes of, or arranges for the transport, treatment or
disposal of PFAS consistent with applicable laws and during and following the conveyance or
treatment of water under federal or state law, such as through the management or disposal
of biosolids consistent with the Federal Water Pollution Control Act. Liability for damages or
costs associated with the release of certain PFAS must not be precluded if an entity acted
with gross negligence or willful misconduct.

**Location:** United States
<table>
<thead>
<tr>
<th></th>
<th>Senate Pre-Floor Score</th>
<th>Senate Floor Score</th>
<th>House Pre-Floor Score</th>
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<td>Senate Floor Score</td>
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</table>
AGENDA ITEM SUBMITTAL

Meeting Date: August 8, 2024
To: Communications/Leg. Liaison Cte. Board of Directors
From: John Kennedy

Budgeted: yes
Budgeted Amount: $184,000
Cost Estimate: $192,000
Funding Source: General Fund
Program/Line Item No.: 1012.53001
General Counsel Approval: N/A
Engineers Report Approved: N/A
CEQA Compliance: N/A

Staff Contact: G. Ayala/A. Dunkin

Subject: STATE LEGISLATIVE ADVOCACY SERVICES

SUMMARY

The Orange County Water District's (OCWD; the District) legislative affairs program is integral to meeting its mission and goals. The District retained Edelstein Gilbert Robson and Smith (EGRS) and Joe A. Gonsalves and Son for state legislative advocacy services until August 31, 2024.

Attachment(s):
- Joe A. Gonsalves and Son – Edelstein Gilbert Robson & Smith Lobbying Firms’ Accomplishments
- OCWD 2024-2025 State and Federal Legislative Goals and Strategy

RECOMMENDATION

Agendize for August 21 Board meeting: Retain both Joe A. Gonsalves and Son at the same rate of $8,000 per month and Edelstein Gilbert Robson and Smith (EGRS) at the same rate of $8,000 per month for state legislative advocacy services month-to-month on an ongoing basis.

BACKGROUND/ANALYSIS

OCWD is represented by two of the most established lobbying firms in Sacramento. Given this representation, Edelstein Gilbert Robson & Smith (EGRS) and Joe A. Gonsalves & Son (Gonsalves) have worked together for decades. In representing OCWD, both firms have worked collaboratively to represent the District in Sacramento on all of its issues.

OCWD previously contracted individually with each firm for an amount of $8,000/month for a total of $16,000/month.

The firms have worked jointly and successfully advocated on OCWD’s behalf consistent with the priorities of OCWD’s Legislative Goals and Strategy and have responded to new issues not anticipated in the goals at the direction of OCWD’s Board and executive team. Please see the attachment, “Joe A. Gonsalves and Son – Edelstein Gilbert
Robson & Smith Lobbying Firms’ Accomplishments,” that summarizes accomplishments. Additionally, below are a few highlighted accomplishments over the years.

- Aided in the State Water Resources Control Board's (SWRCB) revised grant guidelines provisions, which were requested by OCWD, to allow for multiple applications per city for PFAS cleanup and to raise the cap per application.
- Aided in gaining a recycled water credit of 15 percent under the state’s long term conservation law. When passed, OCWD solely received this level of credit in recognition of our investments in the GWRS, which greatly benefits OCWD’s producers.
- Engaged the Governor’s Office when the State Water Board proposed new Notification Levels and Response Levels (NLs/RLs) for PFOA and PFOS. This engagement resulted in direction to the Secretary of CalEPA, Chair of the State Water Board, and Director of OEHHA to increase transparency on their processes to stakeholders for months before the NLs/RLs were made effective.
- OCWD sponsored AB 2560 (Quirk) that provided better clarity in the regulatory process for setting Response Levels and ensured stakeholders could give input on that process. Gaining a bill during the height of COVID was a major accomplishment as very few bills were considered that were not a high priority and well advocated for.
- Worked with Senator Dodd to gain $9.25 million in the previous State budget to fund Forecast Informed Reservoir Operations (FIRO).
- Have substantially raised OCWD’s profile as an important stakeholder in the Capitol and helped policymakers identify OCWD’s expertise while strengthening its relationship with the Orange County delegation.
- Consultants monitor introduced and amended legislation daily, identifying those bills they believe are of interest to OCWD. In addition, they advise on activities related to the state budget and any relevant bonds moving through the Legislature. As needed, consultants are available to testify on OCWD’s behalf in the Legislature and before regulatory bodies.

PRIOR RELEVANT ACTION (S)

8/17/2022 Agreement No. 1213 and No. 1214: Authorize renewal of agreement for State Legislative services: Edelstein Gilbert Robson and Smith for an amount not to exceed $8,000 per month for the period August 2022 through August 2024; and Joe A. Gonsalves and Son for an amount not to exceed $8,000 per month for the period August 2022 through August 2024.

8/19/20 Amendment No. 1213 and No. 1214: Authorize renewal of agreement for State Legislative services: Edelstein Gilbert Robson and Smith for an amount not to exceed $7,500 per month for the period August 2020 through August 2022; and Joe A. Gonsalves and Son for an amount not to exceed $7,500 per month for the period August 2020 through August 2022.
8/15/2018 R18-8-98: Authorize renewal of agreement for State Legislative services: Edelstein Gilbert Robson and Smith for an amount not to exceed $7,500 per month for the period August 2018 through August 2020; and Joe A. Gonsalves and Son for an amount not to exceed $7,500 per month for the period August 2018 through August 2020.

12/08/2016 R16-12-169: Authorize agreements for State Legislative services: Edelstein Gilbert Robson and Smith for an amount not to exceed $7,500 per month for the period December 2016 through August 2018; and Joe A. Gonsalves and Son for an amount not to exceed $7,500 per month for the period December 2016 through August 2018 and authorize an increase of $35,000 in the Public Affairs Department budget for state legislative advocacy services from December 2016 to July 2017.
Lobbying Firms’ Accomplishments

Water Conservation Legislation – Credit for Existing Investment

In 2017, Governor Brown proposed a long-term framework for water conservation. Shortly thereafter, a number of bills were introduced on the subject. The Administration’s bills were flawed from OCWD’s perspective as they did not give OCWD’s producers any credit for their significant investment in the Groundwater Replenishment System (GWRS).

As such, our firms opposed those bills. We worked with other stakeholders to convince Assemblymember Blanca Rubio to introduce legislation which would have given OCWD producers credit towards any water conservation goal for water produced by GWRS. The Administration, environmentalists, and the Authors of the Governor’s bills objected to giving credit for recycled water. When the Administration rejected Assemblymember Rubio’s reasonable proposal, we worked with her and the rest of OCWD’s delegation to oppose the bills. As a consequence, they did not pass in 2017 and stalled for the year. In 2018, the Administration revived the effort. We continued to oppose the administration which, eventually, offered a 10 percent credit for potable reuse. While associations and individual agencies accepted this offer, we declined on behalf of OCWD and continued our advocacy.

Consequently, OCWD was one of the last remaining opponents of the bills. This eventually led to our firms being asked to attend a meeting with the Governor’s staff, and relevant staff from the Department of Water Resources and the State Water Resources Control Board. The Administration offered to provide 15 percent credit but only for the GWRS. We accepted that proposal at the direction of OCWD’s Board. This amounts to a 50 percent increase over the agreement offered to all other stakeholders.

PFAS and other Emerging Contaminants

In late June, 2019, then OCWD General Manager Mike Markus learned that the State Water Resources Control Board (SWRCB) was only a few days away from issuing a new Notification Level (NL) for PFAS/PFOA that would have put OCWD in a bind it had not had the opportunity to plan for. Specifically, after receipt of a new Notification Level (NL), OCWD would be compelled to notify its producers that the groundwater it served might pose a risk to human health. This would have created a panic in OCWD’s service territory and would have left OCWD with no choice but to shut down numerous wells within the region. GM Markus called our firms requesting urgent action to slow this fast-moving train.
We reached out to Governor Newsom’s then Chief of Staff, Ana Matosantos, to explain the problem. We subsequently received a call from SWRCB President Joaquin Esquivel offering to work with OCWD on the matter. Thereafter, the impending NL release was indefinitely postponed. During the next six months we arranged for two large scale meetings for OCWD’s Board President and Management with the CalEPA Secretary and his senior staff, the SCWRB President and his senior staff, and the head of OEHHA. During these meetings OCWD advocated for (1) a coherent process for issuance of NLs and RLs associated with emerging contaminants, and (2) quality requirements and transparency standards for scientific studies relied upon by OEHHA and the SWRCB for the issuance of new NLs and Response Levels (RLs).

As a direct result of our advocacy at the highest levels of state government, the NLs for PFAS/PFOA were delayed for more than a year after GM Markus received word that they were to be released in just a matter of a few days. Importantly, this gave OCWD time to plan for the issuance of the NL for PFAS/PFOA, to work with its producers, and to proceed in an orderly manner to deal with the challenges posed by the issuance of the NL.

Based on this experience, in 2020, we worked with OCWD to introduce and pass legislation governing the issuance of NLs and RLs, AB 2560. OCWD’s goal was to ensure that OCWD and its producers were never caught off guard by a Board action to change an NL or RL again. We secured an impressive author, Assemblymember Bill Quirk, the then Chair of the Assembly Environmental Safety and Toxic Materials Committee, the committee of jurisdiction over the issue. The bill for the first time mandated a specific process for issuance of NLs and RLs by the SWCRB that would enable parties like OCWD to try to impact these decisions. It also mandated certain quality control requirements and transparency requirements for scientific studies supporting the Board’s issuance of NLs and RLs. The bill passed and became law. Consequently, for the first time ever in California, there are requirements that must be followed in order to issue an NL or RL, and the impacted parties are offered at least some opportunity to participate in that process.

This year (2024) at OCWD’s urging the SWRCB developed guidelines for awarding funds to water agencies and others who are absorbing significant costs to clean-up PFAS/PFOA contaminated wells. OCWD and its producers are among those seeking such funds. Having already helped OCWD establish an excellent working relationship with the SWRCB, particularly on PFAS/PFOA contamination issues, we arranged for OCWD Board President Green and OCWD Management to meet with the SWRCB again, this time on ways to increase funding prospects for OCWD. After an excellent initial meeting and subsequent communications with OCWD and the SWRCB, the SWRCB eventually issued new grant guidelines that virtually mirrored the concepts and language OCWD had previously provided to the SWRCB. This means OCWD is eligible for millions of dollars more in grants than was originally the case.

Day to Day Activities
Our firms monitor introduced and amended legislation on a daily basis, identifying those bills we believe are of interest to OCWD. In addition, we advise on activities related to the state budget and any relevant bonds moving through the Legislature. As needed, our firms are available to testify on OCWD’s behalf in the Legislature and before regulatory bodies.

In conclusion, it is a privilege and honor for our firms to represent OCWD and we are quite proud of the many accomplishments we have shared in at the direction of your Board and Management team.
<table>
<thead>
<tr>
<th>Federal Legislative Policy Priorities</th>
<th>Status and Outlook</th>
<th>Strategy</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exempt water and wastewater agencies from any CERCLA liability for PFAS clean-up costs</td>
<td>Legislation is pending</td>
<td>Work with Passive Receivers to ensure full liability protections for water sector</td>
<td>#1</td>
</tr>
<tr>
<td>Preserve the Safe Drinking Water Act’s use of cost-benefit analysis in the development of drinking water standards such as PFAS family of chemicals and other constituents of emerging concern</td>
<td>Amendments and legislation that OCWD opposed that would have altered the use of cost-benefit analysis have not been adopted</td>
<td>Work with Senate and House Committees and OCWD congressional delegation to ensure that cost-benefit analysis is relied upon in any PFAS legislation</td>
<td>#2</td>
</tr>
<tr>
<td>Salinity Control: Support legislation to manage salinity in source water supplies</td>
<td>Legislation is pending</td>
<td>Work to ensure enhanced federal cost share of salinity control and management is part of any western water legislation</td>
<td>#3</td>
</tr>
<tr>
<td>Target federal assistance to support construction of large-scale water supply facilities to support urban and agricultural needs which otherwise would not be constructed without such funding</td>
<td>OCWD Board, staff and consultant continue to convey this message to the OC delegation</td>
<td>Ensure that current program authorization is fully funded working with OCWD congressional delegation and key weste water House and Senate committees</td>
<td>#4</td>
</tr>
<tr>
<td>Add “water supply” to the authorized use of Corps dams, including Prado Dam</td>
<td>Legislation is being drafted</td>
<td>Support legislation once dropped by Congresswoman Napolitano and seek clarification of water supply purposes at USACE facilities as part of WRDA</td>
<td>#5</td>
</tr>
<tr>
<td>Gain Congressional approval for a “relocation” of the use of Prado dam to maximize water capture through the use of Forecast Informed Reservoir Operations (FIRO) and gain a permanent major deviation or greater</td>
<td></td>
<td>Work with OCWD congressional delegation to seek expanded use of FIRO as part of WRDA. Work with USACE Head Quarters to secure approval of a permanent deviation</td>
<td>#6</td>
</tr>
<tr>
<td>State Legislative Policy Priorities</td>
<td>Status and Outlook</td>
<td>Strategy</td>
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<tr>
<td>Support water infrastructure funding opportunities.</td>
<td></td>
<td>Please see strategy under “obtain state funding for PFAS”</td>
<td>#1</td>
</tr>
<tr>
<td>Maintain and develop relationships with elected officials</td>
<td>State meetings were held with Senators Nguyen, Umberg, Seyarto; Assemblymembers Ta, Davies, Chen, Dixon, Quirk-Silva; Supervisors Sarmiento, Wagner, Foley; Federal meetings were held with Senator Alex Padilla, Congressmembers Kim, Correa; Key staff to Committee on Environment and Public Works, US Army Corps staff, US EPA staff, and key staff to OC federal and state delegation</td>
<td>Continue to meet in District, Sacramento and Washington D.C. with OC Delegation, key Committee and legislative staff</td>
<td>#2</td>
</tr>
<tr>
<td>Ensure indoor water use is not limited as outlined in the OCWD board adopted resolution 23-9-134</td>
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<thead>
<tr>
<th>Federal Fiscal Year 2024-25 Funding Priorities</th>
<th>Status and Outlook</th>
<th>Strategy</th>
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<tbody>
<tr>
<td>Pursue additional PFAS funding through federal programs &amp; ensure that funding grants for PFAS remediation is available retroactively to when regulations were lowered</td>
<td>Federal assistance for PFAS clean-up pending resolution in February as part of Fiscal Year (FY) 24 spending agreement; FY 25 Community Project Request submittals expected to be requested in March 2025 ($5 million has already been gained and an additional $1.9 million via community</td>
<td>Work with congressional delegation to support formal budget request of additional funding for clean-up as part of FY 25 budget; Work with US EPA Region IX and State Water Board to secure funding of cleanup effort</td>
<td>#1</td>
</tr>
<tr>
<td><strong>Gain funding of $2 million for Sunset Gap Project through WaterSMART grants for planning and CEQA compliance</strong></td>
<td>Pending a notice of funding agreement is announced; Monitor submission of Fiscal Year 25 budget request in February to identify funding opportunities</td>
<td>Work with Temecula US Bureau of Reclamation (USBR) office to position this request; Work with USBR headquarters to position this request; Seek a congressional delegation letter of support</td>
<td>#2</td>
</tr>
<tr>
<td><strong>Gain funding of 50% of construction funding for the Sunset Gap Project through WaterSMART grants (approximately $150 million)</strong></td>
<td>FY 24 funding pending with resolution expected in January 2024</td>
<td>Support SCRIPPS in securing additional funding in final spending agreement; Work with SCRIPPS and congressional delegation to secure increased funding as part of FY 25 USACE budget</td>
<td>#3</td>
</tr>
<tr>
<td><strong>Support funding for Forecast Informed Reservoir Operations (FIRO) and Atmospheric Rivers (AR) research</strong></td>
<td>FY 24 funding of SRF pending resolution in February 2024; FY 25 funding requests for SRF/WIFIA and water recycling programs expected to be transmitted to Congress in March 2024</td>
<td>Work with congressional delegation and House and Senate Appropriations Committees to secure support for increased funding of drinking water infrastructure and to increase assistance</td>
<td>#4</td>
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<tr>
<td><strong>Advocate for water infrastructure funding (grants) for OCWD’s water producers</strong></td>
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<tbody>
<tr>
<td>Obtain state funding for PFAS remediation in any climate/water bond in the amount of $50 to $75 million</td>
<td>These goals will require a comprehensive full-court press. OCWD’s producers must be all-in to lobby this under OCWD’s consultant direction. The goals must be a priority</td>
<td></td>
<td>#1</td>
</tr>
<tr>
<td>Ensure that funding for PFAS remediation is available retroactively to when regulations were changed</td>
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</tr>
<tr>
<td>Lift the State Revolving Fund (SRF) $5 million cap on grants and gain an allowance for multiple applications per applicant</td>
<td>request for them to convey to their respective legislative delegations. OCWD consultants propose a kick-off meeting at OCWD, which they will attend. OCWD can walk through the need and consultants can walk through the advocacy approach.</td>
<td></td>
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<tr>
<td>Secure funding for which the Sunset Gap Barrier project would be eligible</td>
<td>Funding would advocated for by OCWD consultants and staff in an upcoming climate/water bond or state budget</td>
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</table>
| Support funding for Forecast Informed Reservoir Operations (FIRO) and Atmospheric Rivers (AR) research. | Ongoing funding is in the state’s base budget | Advocate to continue ongoing funding for AR/FIRO | #4
AGENDA ITEM SUBMITTAL

Meeting Date: August 8, 2024  
Budgeted: Yes  
Budgeted Amount: $98,000  

To: Communications/Leg. Liaison Cte.  
Board of Directors  
Cost Estimate: $98,000  

From: John Kennedy  
General Counsel Approval: N/A  

Staff Contact: G. Ayala/A. Dunkin  
Engineers Report Approved: N/A  

Program/Line Item No.: 1012.53001  
CEQA Compliance: N/A  

Subject: FEDERAL LEGISLATIVE ADVOCACY SERVICES

SUMMARY

The Orange County Water District’s (OCWD; the District) federal legislative affairs program is integral to meeting the District’s mission and goals. Staff recommends the District retain ENS Resources at the same rate on a month-to-month basis.

RECOMMENDATION

Agendize for August 21 Board meeting: Retain ENS Resources at the rate of $8,000 per month for federal legislative advocacy services on a month-to-month basis.

DISCUSSION

ENS Resources supported OCWD’s federal legislative goals during the 2022-2024 legislative session, including:

- Successfully implemented Board policy to advance PFAS policies to protect water agencies from liability and to ensure compliance with Safe Drinking Water Act standard setting process for drinking water:
  - Arranged and coordinated water stakeholder coalition
  - Drafted Congressional communications on need for liability exemption from CERCLA
  - Arranged Congressional briefing with OCWD delegation and Senate committee staff to address PFAS liability concerns
  - Drafted and finalized legislative recommendations on liability exemption
  - Reviewed federal budgets and appropriations bills to identify PFAS policy and program funding opportunities to assist in cleanups
  - Monitored and evaluated PFAS policy initiatives and provided updates
- Met with senior U.S. Environmental Protection Agency program officials to review PFAS policy concerns associated with rulemakings

- Successfully implemented strategy resulting in PFAS cleanup Community Project Assistance (Earmark of potentially $15 million) request representing one of larger funding requests

- Conducted monitoring and analysis of legislation impacting OCWD priorities and mission and provided updates to OCWD Board and staff

- Drafted Congressional communications on OCWD policy priorities including PFAS standards settings, liability and cleanup funding needs

- Arranged for OCWD congressional testimony before House Committee on Natural Resources (May 2021) related to groundwater supplies, technology and drought solutions. Drafted testimony and committee questions. OCWD was the sole water agency witness.

- Provided strategy to access federal PFAS clean-up assistance that California received under the Bipartisan Infrastructure Law.

PRIOR RELEVANT ACTION (S)

Eric Sapirstein – ENS Resources

11/17/04 R04-11-142 Agreement with Eric Sapirstein in an amount not to exceed $47,000, for legislative advocacy services in Washington, D.C. for the 2005 calendar year

12/21/05 R05-12-143 Renewal of Agreement with Eric Sapirstein (ENS Resources, Inc. for an amount not to exceed $48,400, for legislative advocacy services in Washington D.C. for the 2006 calendar year

6/07/06 R06-6-72 Renewal of the Agreement with Eric Sapirstein (ENS Resources, Inc.) for an amount not to exceed $49,850, plus reasonable expenses and travel funds, for legislative advocacy services in Washington D.C. for the 2006-07 fiscal year

6/20/07 R07/6/82 Renewal of the Agreement with Eric Sapirstein (ENS Resources, Inc.) for an amount not to exceed $51,700, plus reasonable expenses and travel funds, for legislative advocacy services in Washington D.C. for the 2007-08 fiscal year

6/18/08 R08/6/87 Renewal of the Agreement with ENS Resources, Inc.(Eric Sapirstein) for an amount not to exceed $59,113, plus reasonable expenses and travel funds, for legislative advocacy services in Washington D.C. for the 2008-09 fiscal year

6/17/09 R09-6-102 Renewal of the Agreement with ENS Resources, Inc. (Eric Sapirstein) for an amount not to exceed $57,110, for federal legislative advocacy services for the 2009-10 fiscal year
6/16/10    R10-6-89  Renewal of the existing agreement with ENS Resources, Inc. (Eric Sapirstein) for federal legislative advocacy services for an amount not to exceed $57,110 for the 2010-11 fiscal year

7/21/10    R10-7-104 Renewal of the PSA with Eric Sapirstein (ENS Resources, Inc.) for an amount not to exceed $57,110, plus pre-approved out of town travel expenses, for legislative advocacy services in Washington D.C. for the 2010-11 fiscal year, and rescind R10-6-89

5/18/11    R11-5-67  Renewal of the existing agreement with ENS Resources, Inc. (Eric Sapirstein) for federal legislative advocacy services for an amount not to exceed $57,110, plus out of town travel and business expenses, for the 2011-12 fiscal year

7/18/12    R12-7-78  Renewal of the existing Agreement with Eric Sapirstein (ENS Resources) for federal legislative advocacy services, for an amount not to exceed $57,610 for the 2012-13 fiscal year

7/02/14    R14-7-98  Renewal of Agreement with Eric Sapirstein (ENS Resources) for federal legislative advocacy services for $5,500 per month, plus reasonable travel and business expenses, for a 30-month period commencing to coincide with the remainder of the 113th Congress (July 1, 2014 – December 31, 2014) and the duration of the 114th Congress (January 1, 2015-December 31, 2016)

12/08/16   R16-12-170 Renewal of Agreement with ENS Resources, Inc. for an amount not to exceed $7,500 per month for the period December 2016 through August 2018

8/15/18    R18-8-99B Amendment No.1 No. 1216 Renewal of Agreement with ENS Resources, Inc. for an amount not to exceed $7,500 month extends to August 2020.

08/19/20   R20-8-102B Amendment No. 2 No. 1216 Extends to 8/31/22 for an amount not to exceed $8,000 per month.

08/1722    R22-8-104 Amendment No. 3 to agreement No. 1216 with ENS Resources, Inc. for Federal Legislative Advocacy Services for an amount not to exceed $8,000 per month. Amendment No. 3 No. 1216 extends to
AGENDA ITEM SUBMITTAL

Meeting Date: August 8, 2024
Budgeted: Yes
Budgeted Amount: $265,000

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

Cost Estimate: $265,000
Funding Source: 1012.51116
Program/Line Item No.: 1206

From: John Kennedy
General Counsel Approval: N/A

Staff Contacts: G. Ayala/D. Berch
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 have researched over 60 potential locations, with three confirming to be viable options for the 2025 Festival. After further discussions with these locations, staff will present a recommendation at the September Communications and Legislative Liaison Committee meeting. The three shortlisted locations are Huntington Beach Sports Complex, Oak Canyon Park, and UC Irvine. Alongside the location recommendation, staff will provide a date recommendation, as availability varies by location. Additionally, at the September meeting, staff will present a recommendation for the events service contract.

PRIOR RELEVANT BOARD ACTION(S) N/A
AGENDA ITEM SUBMITTAL

Meeting Date: August 8, 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.

Attachment: 2024 OCWS Flyer

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. This year’s theme is “Liquid Logic: The Fusion of Finance, Tech, and Water”. Comedian and former NBC weatherman Fritz Coleman will return as master of ceremonies. Five sessions are scheduled and listed below.

1. Shielding SoCal Waters: Cyber Defense for Orange County's Water Infrastructure
2. Decoding Proposition 4: Ensuring Effective Water Funding in California's Climate Bond
3. Ripple Effect: Unintended Consequences of Making Conservation a California Way of Life
4. Navigating the Transition: Decarbonizing the Electric Grid for California Water Agencies
5. Luncheon Keynote: Making Water a Priority at the Federal Level

As of July 29, Mesa Water District and Irvine Ranch Water District are confirmed sponsors.

Staff will provide a verbal update on event planning.
YOU’RE INVITED!

We are delighted to invite you to the 2024 OC Water Summit, a premier event focused on the critical issues of water sustainability, innovation, and policy. This year’s theme, "Liquid Logic: The Fusion of Finance, Tech, and Water," promises to bring together leading experts and stakeholders to discuss and develop strategies for the future of our most vital resource.

Event Details:
Date: Friday, September 27, 2024  
Venue: Westin South Coast Plaza, Costa Mesa  
Time: 7:30 a.m. - 1:30 p.m.

OCWaterSummit.com

Join us at the Westin South Coast Plaza for impactful discussions and networking opportunities with industry leaders. This event will significantly shape the future of water management and sustainability.

We look forward to seeing you at the 2024 OC Water Summit!

PRESENTED BY:

MWDOC

PLEASE NOTE:

*Register by Friday, September 13 for the early registration rate! Registration will increase to $175 after this date. Cancellations made after this date (and event no-shows) will be charged the full rate.
AGENDA ITEM SUBMITTAL

Meeting Date: August 8, 2024

Budgeted: N/A
Budgeted Amount: N/A

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

Cost Estimate: N/A
Funding Source: N/A
Program/Line Item No.: N/A

From: John Kennedy

General Counsel Approval: N/A
Engineers/Feasibility Report: N/A
CEQA Compliance: N/A

Staff Contact: G. Ayala/C. Nettles

Subject: PUBLIC AFFAIRS OUTREACH REPORT (JUNE & JULY 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: June & July 2024 Media Clips Report

RECOMMENDATION

Informational

DISCUSSION/ANALYSIS

Tours

One hundred ninety eight people attended GWRS tours in June, and 168 people toured the GWRS in July.

June GWRS tours:

- June 7 – Virtual Public
- June 10 – Hazen & Sawyer
- June 10 – ISLE Utilities
- June 10 – Korean Delegation
- June 11 – New Mexico Contingency
- June 11 – Cal State Fullerton University Nursing
- June 12 – AWWA Conference Attendees
- June 13 – World Bank
- June 14 – Soquel Creek Water District
- June 17 – Mesa Water District – Iceland Contingency
- June 27 – Seoul Water Institute

July tours:

- July 2 – Los Angeles Department of Water and Power
- July 5 – Virtual Public Tour
• July 15 – Orange County Environmental Justice
• July 17 – Three Valleys Municipal Water District
• July 19 – In-Person Public
• July 23 – Cal State University of Long Beach Nursing
• July 19 – University of California Irvine, COSMOS program
• July 30 – Orange County Water Association
• July 31 – City of Santa Monica Water Department

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 5,100 times. An on-demand tour of OCWD’s surface recharge operations has garnered more than 480 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.

**June Speakers Bureau:**

• June 5 – Director of Public Affairs Gina Ayala and Communications Specialist Dani Berch provided a presentation on AI in communications to Metropolitan Water District
• June 8 – Senior Communications Specialist Kira Erquiaga and Public Affairs Intern Angel An staffed an OCWD information table at OC San’s open house
• June 8 – Principal Communications Specialist Medha Paliwal and Communications Specialist Dani Berch staffed an OCWD information table at the OC Green Expo hosted by Anaheim Public Utilities
• June 12 – Director of Public Affairs Gina Ayala joined OC San staff to present on GWRS outreach to the Regional Biosolids Update Group
• June 12 – Chief Hydrogeologist Roy Herndon presented on PFAS at the American Water Works ACE24 Conference
• June 13 – Director of Public Affairs Gina Ayala presented on public engagement strategies at the American Water Works Association ACE24 conference
• June 20 – General Manager John Kennedy presented on adapting to PFAS regulations at Singapore International Water Week
• June 27 – Director of Research Megan Plumlee presented on PFAS removal at the Gordon Research Conference
• June 27 – Director Denis Bilodeau provided a Bond/Santiago Pits presentation to the Villa Park Women’s League

**July Speakers Bureau:**

• July 3 – General Manager John Kennedy spoke on a MWDOC-hosted panel about the impact of Metropolitan Water District’s business model on Orange County water agencies
• July 11 – Executive Director of Planning and Natural Resources Lisa Haney presented on sediment management behind Prado Dam at the UCI and Assemblymember Diane Dixon-hosted Business of Beaches event
• July 25 – Executive Director of Operations Mehul Patel spoke at the American Membrane Technology and the Southwest Membrane Operator Association's technical workshop about OCWD’s early adoption of membrane technology

Upcoming Speakers Bureau:

• Newport Beach Chamber of Commerce
• OC’s State of the County
• Data Summit
• Fullerton Rotary Club
• Sustain SoCal
• Groundwater Resources Association Western Groundwater Congress
• Women’s Club of Seal Beach

Media Clips

In June and July, there were 334 global news hits for OCWD, the GWRS and other District programs and projects with a total reach of 83 million. The media clip report for June and July (as of July 30) is attached.

Social Media

The District engages 18,201 followers on its social media channels. Below are statistics for OCWD’s social media for June and July (as of July 30).

OCWD’s X (formally Twitter) page
  • Followers: 5,517
  • Posts: 23
  • Post impressions: 1,931

OCWD’s Facebook
  • Followers: 1,733
  • Posts: 19
  • Engagement: 224
  • Post impressions: 3,754

OCWD’s LinkedIn
  • Followers: 8,138
  • Posts: 13
  • Engagement: 786
  • Post impressions: 17,192

OCWD’s Instagram
  • Followers: 1,921
  • Posts/Reels: 23
• Stories: 36
• Engagement: 320
• Post impressions: 8,205

OCWD’s TikTok
• Followers: 31
• Videos: 2
• Views: 2,211

OCWD’s Threads
• Followers: 253

OCWD’s YouTube
• Subscribers: 608
• Views: 1,200
• Hours watched: 113

A sampling of top performing social media posts:

Website Analytics

Below are June and July analytics for OCWD’s website (as of July 30).
• Users: 15,840
• Page views: 40,484
• Top five pages:
  o Home
  o Careers
  o GWRS
  o About
Staff continues updating the District’s website to be more user friendly and visually appealing. The homepage features a large hero image along with quick links and recent news. Photos on the website are being updated, and page information is being streamlined to make it easier to locate information.

**Electronic Publications**

Staff wrote and distributed the June and July issue of Hydrospectives, OCWD’s monthly e-newsletter.

Staff continued updating District materials with current branding, including PowerPoint templates and social media templates.

**Events**

OCWD welcomed EPA Acting Assistant Administrator Bruno Pigott on a tour of the Linda Vista PFAS Treatment Plant in Anaheim, currently the nation's second largest PFAS treatment plant. EPA staff and representatives from the offices of Congresswoman Young Kim and Congressman Lou Correa also joined the tour.

OCWD provided water for the 4th annual Race for Water in Yorba Linda. The race was in connection with the American Water Works Association’s ACE24 conference.

**Construction Outreach**

Construction Notifications were written and distributed for the following projects:
- Seawater Barrier Well Cleaning
- Huntington Beach Monitoring Well construction
- City of Tustin PFAS Treatment Facility Construction (2 notices)

**Chamber Outreach**

Staff is monitoring events for Orange County’s 40+ chambers and participating as appropriate.
- Attended: July 11, Huntington Beach, Alicia Harasty attended
- Upcoming: August 1, Newport Beach, John Kennedy to provide OCWD presentation
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<td>7/16/2024 The Orange County Register</td>
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### OCWD
**MEDIA CLIPS**  
**JUNE - JULY 2024**

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## OCWD
### MEDIA CLIPS
#### JUNE - JULY 2024

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<td>Radio clip from WHAM-AM (Radio) - Jun 29, 2024</td>
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<td>WWJ-AM</td>
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<td>KVLY (NBC)</td>
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<td><a href="http://www.publicnow.com/view/AE8C43327ADD986DF6B84FB9F984EA5A79260108">http://www.publicnow.com/view/AE8C43327ADD986DF6B84FB9F984EA5A79260108</a></td>
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<td>City joins in efforts to pursue new ways</td>
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<td>WIFIA funding helps communities address the impacts of climate change</td>
<td><a href="https://www.americancityandcounty.com/2024/06/14/wifia-funding-helps-communities-address-the-impacts-of-climate-change/">https://www.americancityandcounty.com/2024/06/14/wifia-funding-helps-communities-address-the-impacts-of-climate-change/</a></td>
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Total Readership: 83,039,665