



**AGENDA
COMMUNITY AND LEGISLATIVE AFFAIRS
COMMITTEE MEETING
OF THE BOARD OF DIRECTORS
INLAND EMPIRE UTILITIES AGENCY***

**WEDNESDAY, APRIL 12, 2023
9:00 A.M.**

**AGENCY HEADQUARTERS
BOARD ROOM
6075 KIMBALL AVENUE, BUILDING A
CHINO, CALIFORNIA 91708
VIEW THE MEETING LIVE ONLINE AT IEUA.ORG
TELEPHONE ACCESS: (415) 856-9169 / Conf Code: 930 535 603#**

The public may participate and provide public comment during the meeting by dialing the number provided above. Comments may also be submitted by email to the Board Secretary/Office Manager Denise Garzaro at dgarzaro@ieua.org prior to the completion of the Public Comment section of the meeting. Comments will be distributed to the Board of Directors.

CALL TO ORDER

PUBLIC COMMENT

Members of the public may address the Board on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) of Section 54954.2 of the Government Code. Those persons wishing to address the Board on any matter, whether or not it appears on the agenda, are requested to email the Board Secretary/Office Manager no later than 24 hours prior to the scheduled meeting time or address the Board during the public comments section of the meeting. Comments will be limited to three minutes per speaker. Thank you.

ADDITIONS TO THE AGENDA

In accordance with Section 54954.2 of the Government Code (Brown Act), additions to the agenda require two-thirds vote of the legislative body, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted.

1. ACTION ITEMS

A. MINUTES

Approve Minutes of the March 8, 2023, Community and Legislative Affairs Committee meeting.

B. ADOPT POSITIONS ON MULTIPLE STATE LEGISLATIVE BILLS

Staff recommends that the Committee/Board adopt positions on the following bills:

Bill Number	Author	Bill Title	Position Recommendation
AB 1423	Schiavo	Product safety: PFAS and PFAS products	Support
AB 727	Weber	Product safety: cleaning products: PFAS	Support
AB 1216	Muratsuchi	Wastewater Treatment Plants	Oppose
SB 745	Cortese	Drought - Resistant Buildings Act	Oppose
SB 366	Caballero	The California Water Plan	Support

2. INFORMATION ITEMS

A. FEDERAL LEGISLATIVE REPORT – CARPI AND CLAY (WRITTEN)

B. STATE LEGISLATIVE REPORT – WEST COAST ADVISORS (WRITTEN)

C. PUBLIC OUTREACH AND COMMUNICATION (WRITTEN)

3. GENERAL MANAGER’S COMMENTS

4. COMMITTEE MEMBER COMMENTS

5. COMMITTEE MEMBER REQUESTED FUTURE AGENDA ITEMS

ADJOURN

DECLARATION OF POSTING

I, Denise Garzaro, CMC, Board Secretary/Office Manager of the Inland Empire Utilities Agency*, a Municipal Water District, hereby certify that, per Government Code Section 54954.2, a copy of this agenda has been posted at the Agency’s main office, 6075 Kimball Avenue, Building A, Chino, CA and on the Agency’s website at www.ieua.org at least seventy-two (72) hours prior to the meeting date and time above.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Board Secretary at (909) 993-1736 or dgarzaro@ieua.org, 48 hours prior to the scheduled meeting so that IEUA can make reasonable arrangements to ensure accessibility.

**ACTION
ITEM
1A**



**MINUTES
COMMUNITY AND LEGISLATIVE AFFAIRS
COMMITTEE MEETING
INLAND EMPIRE UTILITIES AGENCY*
AGENCY HEADQUARTERS, CHINO, CA**

WEDNESDAY, MARCH 8, 2023

9:00 A.M.

COMMITTEE MEMBERS PRESENT

Steven J. Elie, Chair
Marco Tule, Director

STAFF PRESENT

Shivaji Deshmukh, P.E., General Manager
Andrea Carruthers, Communications Officer
Stephanie Chancellor, Acting Communications Officer
Francis Concemino, Acting Senior Project Manager
Denise Garzaro, Board Secretary/Office Manager
Brandon Gonzalez Contreras, Technology Specialist I
Michael Hurley, Director of Planning & Resources
Yvonne Lam, External Affairs Specialist II
Michael Larios, Technology Specialist I
Ashley Womack, Grants and Government Affairs Officer

STAFF PRESENT via Video/Teleconference

Javier Chagoyen-Lazaro, Director of Finance
Robert Delgado, Manager of Maintenance
Don Hamlett, Director of Information Technology
Jennifer Hy-Luk, Executive Assistant
Nolan King, Manager of Information Technology
Lisa Mejri, Intern
Sushmitha Reddy, Manager of Laboratories
Teresa Velarde, Manager of Internal Audit

OTHERS PRESENT via Video/Teleconference

Michael Boccadoro, West Coast Advisors
Laura Morgan-Kessler, Carpi and Clay
Channon Hanna, Carpi and Clay
Beth Olhasso, West Coast Advisors

CALL TO ORDER

Committee Chair Steven J. Elie called the meeting to order at 9:00 a.m. There were no public comments received or additions to the agenda.

1A – 1B. ACTION ITEMS

The Committee:

- ◆ Approved Minutes of the February 8, 2023 Community and Legislative Affairs Committee meeting.
- ◆ Recommended that Board adopt a position of “Support” for AB 759 Sanitary Districts (Grayson); as a Consent Calendar item on the March 15, 2023 Board meeting agenda.

2A – 2C. INFORMATION ITEMS

The following information items were presented or received and filed by the Committee:

- ◆ Federal Legislative Report – Carpi and Clay
- ◆ State Legislative Report – West Coast Advisors
- ◆ Public Outreach and Communication

3. GENERAL MANAGER’S COMMENTS

General Manager Shivaji Deshmukh reported that on February 16, 2023, the State Water Resources Control Board released the Draft 2024 California Integrated Report. The report provides an overall condition of the State surface waterbodies and includes a list of recommended impaired waters. Chino Creek Reach 1B is listed as impaired for total dissolved solids (TDS), sulfate, chloride, hardness, total inorganic nitrogen (TIN), and sodium. Chino Creek Reach 1B stretches for about 5.6 miles from Ramona Avenue north of CCWRF to the confluence with Mill Creek. Since both CCWRF and RP-5 discharge into that reach, IEUA staff will collaborate with SAWPA’s Basin Monitoring Program Task Force to provide a formal comment letter to the SWRCB which is due in early April.

He stated that Metropolitan Water District posted a board letter recommending actions to immediately remove the Water Shortage Emergency Condition and terminate its Emergency Water Conservation Program for State Water Project (SWP)-Dependent agencies, including IEUA, in response to greatly improved supply conditions in California. And while adoption of a regionwide Water Supply Allocation Plan (WSAP) for fiscal year 2023-2024 had been contemplated, improved conditions on the Colorado River no longer require such action this year, per the Board letter.

Actions previously taken by Metropolitan’s Board in November 2021 and December 2022, declaring a Regional Drought Emergency for all member agencies and calling upon all member agencies to voluntarily reduce the use of both SWP and Colorado River supplies are proposed to remain in effect. Also proposed to remain unaffected is Metropolitan’s October 2022 resolution that strongly recommended cities and water agencies across Southern California pass ordinances permanently prohibiting the installation and irrigation of non-functional turf. Given the long-term supply concerns on the Colorado River, the Agency believes this offers a balanced approach.

General Manager Deshmukh added that on March 3, the Agency participated in the 2023 Cal Poly Pomona Spring Career Fair, in an effort to further develop the Agency’s talent pipeline.

He stated that March is National Procurement Month, and today is Procurement Professional’s Day, which honors purchasing professionals nationwide. General Manager Deshmukh expressed gratitude to those in public procurement who handle everything from cost analysis and purchasing to competitive solicitations and contract administration and management.

General Manager Deshmukh noted that the Agency celebrated Employee Appreciation Day on March 1, to honor and recognize the work and dedication of its employees.

4. COMMITTEE MEMBER COMMENTS

Chair Elie requested that the next Semi-Annual Grants Update be brought to the Community & Legislative Affairs Committee prior to the full Board.

5. COMMITTEE MEMBER REQUESTED FUTURE AGENDA ITEMS

There were no Committee member requested future agenda items.

ADJOURNMENT

With no further business, Committee Chair Elie adjourned the meeting at 9:38 a.m.

Respectfully submitted,

Denise Garzaro
Board Secretary/Office Manager

*A Municipal Water District

APPROVED: APRIL 12, 2023

**ACTION
ITEM
1B**

Date: April 19, 2023

To: The Honorable Board of Directors

From: Shivaji Deshmukh, General Manager

Committee: Community & Legislative Affairs

04/12/23

Executive Contact: Shivaji Deshmukh, General Manager

Subject: Adopt Positions on Multiple State Legislative Bills

Executive Summary:

Assembly Member Schiavo introduced AB 1423 Product safety: perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products. This bill aims to make manufacturers of artificial turf indicate if the product contains PFAS. Also regarding PFAS, AB 727 Product safety: cleaning products: PFAS by Assembly Member Weber this bill would prohibit the manufacturing and sale of a cleaning product that contains regulated PFAS in the state.

Assembly Member Muratsuchi introduced AB 1216 Wastewater Treatment Plants: monitoring of emissions, which would require a wastewater treatment facility located within 1,500 feet of a residential area to install and operate a fence-line emission monitoring system.

Senator Cortese introduced SB 745 Drought - Resistant Buildings Act which would require the California Building Standards Commission to adopt standards that require new buildings to be designed to capture greywater.

Senator Caballero introduced SB 366 The California Water Plan (CWP): long-term supply targets aims to modernize the CWP to reflect the State's new climate reality and establish supply targets that ensure sufficient, high quality water for all beneficial uses.

More details on each bill can be found in the provided background attachment.

Staff's Recommendation:

Adopt a position of "Support" for AB 1423 Product safety: PFAS and PFAS products (Schiavo)

Adopt a position of "Support" for AB 727 Product safety: cleaning products: PFAS (Weber)

Adopt a position of "Oppose" for AB 1216 Wastewater Treatment Plants (Muratsuchi)

Adopt a position of "Oppose" for SB 745 Drought - Resistant Buildings Act (Cortese)

Adopt a position of "Support" for SB 366 The California Water Plan (Caballero)

Budget Impact Budgeted (Y/N): N Amendment (Y/N): N Amount for Requested Approval:

Account/Project Name:

Fiscal Impact (explain if not budgeted):

Prior Board Action:

On March 1, 2023 the Board adopted the 2023 Legislative Policy Principles.

Environmental Determination:

Not Applicable

Business Goal:

Taking legislative positions is in line with IEUA's business practices goal of advocating for the development of policies, legislation and regulations that benefit the region.

Attachments:

1. Background - Bill Details
2. AB 1423 Product safety: PFAS and PFAS products (Schiavo)
3. CASA Co-Sponsor and Support Letter - AB 727 (Weber)
4. AB 1216 Wastewater Treatment Plants (Muratsuchi) Bill Text
5. Coalition Letter - Oppose Unless Amended - SB 745 (Cortese)
6. SB 366 (Caballero) Fact Sheet

Attachment 1. Background

Background

Subject: Adopt Positions on Multiple State Legislative Bills

AB 1423 - AB 1423 Product safety: perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products (Schiavo)

This bill would, commencing July 1, 2024, require a manufacturer of a covered surface, defined as artificial turf or a synthetic surface that resembles grass, to indicate whether or not the covered surface contains added PFAS, as provided, on the product packaging or label of the covered surface and to not advertise a covered surface containing regulated PFAS, as defined, as otherwise, if it contains regulated PFAS. Commencing July 1, 2024, the bill would require a manufacturer or installer of a covered surface proposing to design, sell, or install a field with a covered surface to any party to notify the party at the initial stages of negotiations or planning of a contract that the covered surface contains regulated PFAS. The bill would also prohibit, commencing January 1, 2025, a state entity or any public or private school serving pupils in kindergarten or any of grades 1 to 12, inclusive, from purchasing or installing a covered surface containing regulated PFAS, as provided. The bill would require a manufacturer of a covered surface to use the least toxic alternative when replacing PFAS chemicals in a covered surface in accordance with these provisions. CASA currently holds a support position on this bill.

AB 727 Product safety: cleaning products: PFAS (Weber)

Sponsored and supported by CASA, this bill, beginning January 1, 2025, would prohibit a person from manufacturing, selling, delivering, distributing, holding, or offering for sale in the state a cleaning product that contains regulated PFAS, as specified.

AB 1216 Wastewater Treatment Plants: monitoring of emissions (Muratsuchi)

While this bill currently does not affect IEUA directly, staff is concerned that it could set a precedent with other wastewater treatment facilities in the future. This bill would require, on or before January 1, 2025, the owner or operator of a wastewater treatment facility that is located within 1,500 feet of a residential area and meets other, specified criteria to develop, install, operate, and maintain a fence-line monitoring system in accordance with guidance developed by the appropriate air quality management district. CASA currently holds a oppose position on this bill.

SB 745 Drought - Resistant Buildings Act (Cortese)

This bill would require the California Building Standards Commission to develop and propose mandatory building standards to reduce the designed potable water demand of new buildings by 25% from current mandatory design requirements and to minimize the use of potable water for nonpotable uses. The bill would require the commission to adopt mandatory building standards that require new buildings to be designed to capture graywater and use alternative water sources

for nonpotable building and landscaping water uses, as specified. CASA, ACWA and WaterReuse currently hold an oppose unless amended position on this bill.

SB 366 The California Water Plan (CWP): long-term supply (Caballero)

The California Municipal Utilities Association is sponsoring SB 366. This bill would revise and recast the California Water Plan statute, updating its provisions to address the extreme climate impacts of the 21st century. As part of this modernization, the bill would establish long-term water supply targets for the State to achieve, require a financing plan, and would update the requirement that state agencies develop a plan to achieve those targets, in consultation with local water agencies, wastewater service providers, irrigation districts, and other stakeholders recognizing the state's diverse regional needs. The targets would complement and amplify Governor Newsom's Water Supply Strategy, ensuring there are water supply targets that extend beyond any single Administration.

Attachment 2. AB 1423 (Schiavo) - Fact Sheet



Assemblywoman Pilar Schiavo

40th Assembly District

AB 1423 – Truth in Astroturf Advertising

Summary

AB 1423 empowers consumers to avoid artificial grass that uses toxic polyfluoroalkyl substances (PFAS) chemicals in manufacturing, protecting youth and preventing the long term health impacts of PFAS. AB 1423 does so by requiring labeling and notification to consumers or any purchasers whether artificial turf contains PFAS and imposes restrictions on installations of new fields after 2025.

Background

PFAS are a class of “forever chemicals” which, when ingested, inhaled, or contact with the skin can harm human and environmental health.¹ This includes negative impacts on the immune system, cardiovascular system, childhood development, and risks of cancer. In fact, based on new data and draft analyses, the Environmental Protection Agency's (EPA's) most recent interim health advisories for PFOA and PFOS in drinking water are 4 parts per quadrillion (ppq) and 20 ppq, respectively. This is below detection limits, which means there is virtually no safe levels of these compounds in water.²

California has passed numerous bills to eliminate PFAS from consumer products that pose a specific risk through regular contact. These include juvenile products (AB 652, 2021); cosmetics (AB 2771, 2021 & AB 2762, 2019); firefighting foam and equipment (AB 1044, 2019); food packaging (AB 1200, 2021); and textiles (AB 1817, 2021). One product that has yet to be addressed which creates hazardous conditions especially for children is artificial turf or grass. PFAS is in every blade as it's used to prevent the blade from sticking to the mold in the extrusion process.

In 2008, reporting emerged in New York and New Jersey that raised concerns about lead used to give older artificial turf its green color as well as other heavy metals. While focused on a different toxin, the study by the New Jersey

Department of Environmental Protection found that children were more at risk for inhalation of hazardous dust kicked up during play on a field.³ As for microplastic dust from artificial grass, the Swedish Environmental Protection Agency conducted studies on the amount of plastic and microplastics shed from artificial turf annually, finding an average of 5 grams of particles under 300 microns per square meter per year.⁴ In context, California has over 1000 artificial fields, and if each is just the size of a football field (5,351 square meters), that's over 50,000 pounds of plastic particles shed a year. With PFAS a component of this microplastic dust, and our children uniquely exposed, California must act to reduce exposure to this chemical and protect our children from these forever chemicals.

Current Law

(HSC § 108970) Details testing methods and contaminant limits for textiles containing PFAS.

(BPC § 19094) Outlines the labeling requirements for manufactured products containing flame retardant chemicals.

This bill

AB 1423 will:

- 1) Establishes PFAS testing thresholds for artificial turf and sets limits to be considered PFAS-free.
- 2) Require manufactures, beginning July 2024, to label artificial turf to indicate whether it contains PFAS.
- 3) Require manufacturers or installers proposing to design, sell, or install a field to notify the entity whether the product contains PFAS.
- 4) Prohibits, beginning 2025, any state department, public school, or private school from installing artificial turf that contains PFAS. This provision does not impact installations purchased prior to 2027.

¹ [A Review of the Pathways of Human Exposure to Poly- and Perfluoroalkyl Substances \(PFASs\) and Present Understanding of Health Effects](#)

² [Questions and Answers: Drinking Water Health Advisories for PFOA, PFOS, GenX Chemicals and PFBS](#)

³ [An Evaluation of Potential Exposures to Lead and Other Metals as the Result of Aerosolized Particulate Matter from Artificial Turf Playing Fields.](#)

⁴ [Microplastic from Cast Rubber Granulate and Granulate-free Artificial Grass Surfaces](#)



Assemblywoman Pilar Schiavo 40th Assembly District

Support

Environmental Working Group (Sponsor)

For More Information

Grayson Doucette, PhD (he/him)

Office of Assemblywoman Schiavo

Grayson.doucette@asm.ca.gov or (916) 319-2040

Attachment 3. CASA Co-Sponsor and Support Letter - AB 727 (Weber)



March 15, 2023

The Honorable Alex Lee, Chair
Assembly Environmental Safety and Toxic Materials Committee
Legislative Office Building, Room 171
Sacramento, California 95814

Subject: AB 727 (Weber): Co-Sponsor and Support

Dear Chairman Lee:

The California Association of Sanitation Agencies (CASA) is pleased to be co-sponsoring AB 727 (Weber), which would ban the sale of cleaning products containing PFAS in California. This is an important and necessary source control strategy for reducing PFAS contamination in wastewater systems and California's watersheds. CASA is a statewide trade association representing a variety of public agencies that provide essential public services to millions of Californians, including wastewater collection, treatment, and disposal, as well as water recycling, biosolids management, and renewable energy deployment. We are proud to co-sponsor AB 727 with our partners at Environmental Working Group.

In recent years, Per- and Polyfluoroalkyl substance (PFAS) have become a topic of public concern due to their high mobility and resistance to breaking down naturally in the environment, as well as the persistent detection of PFAS compounds in people's bodies. In 2021 the United States Environmental Protection Agency (USEPA) announced and began implementation of the "PFAS Strategic Roadmap" which outlines a whole-agency approach to addressing PFAS. One of the three central directives of the roadmap is to pursue a comprehensive approach to "proactively prevent PFAS from entering air, land, and water at levels that can adversely impact human health and the environment." To this end, several additional action items are underway, including the development of an Effluent Limitations Guidelines program and recently issued EPA guidance for reducing discharges of PFAS into waterways by leveraging the existing NPDES permitting system and local industrial pretreatment programs.

Consistent with USEPA action and guidance, the State Water Resources Control Board (Water Board) issued a statewide monitoring and reporting order in 2020 that required wastewater agencies to monitor and report for PFAS in influent, effluent and biosolids. Preliminary data from the Water Board demonstrates that domestic inputs represent a significant source of PFAS entering wastewater systems, meaning that products people use in their homes and businesses are contributing a large portion of the PFAS that ends up in the wastewater system. This represents a source that is not controllable through local pretreatment and enforcement programs, which typically focus on industrial sources. For this reason, a statewide and product-focused approach is necessary to remove PFAS from cleaning products, many of which have a direct pathway to the wastewater system as part of their intended use. Similar bans on PFAS in other types of products associated with a direct nexus to wastewater have already been enacted for textiles, cosmetics, cookware, and food packaging.

It is important to note that PFAS chemicals are both ubiquitous and indestructible. In some cases PFAS can be removed from water and wastewater at the end of the cycle through advanced treatment technology. However, there is no technologically feasible method for the large-scale destruction of PFAS compounds. Instead, once removed, PFAS residuals are merely displaced to another waste stream

and typically cycle back through the waste management process. For these reasons, source control and pollution prevention strategies such as the one presented in AB 727 are the most cost effective and meaningful approaches to managing PFAS pollution in the environment.

For these reasons CASA strongly supports AB 727 and urges your “aye” vote when it is heard in the Assembly Environmental Safety and Toxic Materials Committee.

Sincerely,



Jessica Gauger
Director of Legislative Advocacy & Public Affairs

CC: Assembly Member Akilah Weber
Josh Tooker, Assembly Environmental Safety and Toxic Materials Committee
Members, Assembly Environmental Safety and Toxic Materials Committee

Attachment 4. AB 1216 Wastewater Treatment Plants (Muratsuchi)
Bill Text

AMENDED IN ASSEMBLY MARCH 16, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 1216

Introduced by Assembly Member Muratsuchi

February 16, 2023

An act to add Section 42705.7 to the Health and Safety Code, relating to ~~water~~ air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1216, as amended, Muratsuchi. Wastewater treatment plants: monitoring of ~~emissions~~ air pollutants.

Existing law generally designates air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law authorizes the State Air Resources Board or the air district to adopt rules and regulations to require the owner or the operator of an air pollution emission source to take any action that the state board or the air district determines to be reasonable for the determination of the amount of air pollution emissions from that source. Existing law requires the air pollution control officer to inspect, as the officer determines necessary, the monitoring devices installed in every stationary source of air contaminants located within a jurisdiction that is required to have those devices to ensure that the devices are functioning properly. Existing law authorizes the district to require reasonable fees to be paid by the operator of that source to cover the expense of the inspection and other costs related thereto. A person who violates these requirements, or any rule, regulation, permit, or order of the state board or of a district adopted pursuant to these requirements is guilty of a

misdeemeanor and subject to a specified fine or imprisonment, or both a fine and imprisonment, as provided.

This bill would require, on or before January 1, 2025, the owner or operator of a wastewater treatment facility that is located within 1,500 feet of a residential area and meets other, specified criteria to develop, install, operate, and maintain a fence-line monitoring system in accordance with guidance developed by the appropriate air quality management district. The bill would require the fence-line monitoring system to include equipment capable of measuring pollutants of concern, including hydrogen sulfide, nitrogen oxides, and volatile organic compounds emitted to the atmosphere from wastewater treatment or reclamation processes that the appropriate district deems appropriate for monitoring. The bill would also require the owner or operator of a wastewater treatment facility to collect real-time data from the wastewater treatment-related fence-line monitoring system, to maintain records of that data, and to transmit the data to the appropriate air quality management district in accordance with the district's guidance. In addition, the bill would require, to the extent feasible, the data generated by these systems to be provided to the public as quickly as possible in a publicly accessible format.

By adding to the duties of air districts and by expanding the scope of crimes, this bill would impose a state-mandated local program.

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

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

~~The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. Existing law requires the State Water Resources Control Board to classify types of wastewater treatment plants, as defined, for the purpose of determining the levels of competence necessary to operate them.~~

~~This bill would state the intent of the Legislature to enact legislation that would relate to improving the monitoring of emissions from wastewater treatment plants.~~

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

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

1 *SECTION 1. Section 42705.7 is added to the Health and Safety*
2 *Code, to read:*

3 *42705.7. (a) For purposes of this section, the following*
4 *definitions apply:*

5 *(1) "Wastewater treatment facility" means a wastewater*
6 *treatment or reclamation facility that comes within both of the*
7 *following descriptions:*

8 *(A) Is located within 1,500 feet of a residential neighborhood.*

9 *(B) Has a 450-million-gallon-per-day design capacity and*
10 *processes an average of 25 million gallons or more of inflow per*
11 *day.*

12 *(2) "Wastewater treatment-related fence-line monitoring*
13 *system" means equipment that measures and records air pollutant*
14 *concentrations at or adjacent to a wastewater treatment facility*
15 *and that may be useful for detecting or estimating emissions of*
16 *pollutants from the treatment facility, including the quantity of*
17 *fugitive emissions and other air emissions, and meets the minimum*
18 *requirements of the appropriate air quality management district.*

19 *(b) On or before January 1, 2025, the owner or operator of a*
20 *wastewater treatment facility shall develop, install, operate, and*
21 *maintain a fence-line monitoring system in accordance with*
22 *guidance developed by the appropriate air quality management*
23 *district. The fence-line monitoring system shall include equipment*
24 *capable of measuring pollutants of concern, including hydrogen*
25 *sulfide, nitrogen oxides, and volatile organic compounds emitted*
26 *to the atmosphere from wastewater treatment or reclamation*
27 *processes that the appropriate district deems appropriate for*
28 *monitoring.*

29 *(c) The owner or operator of a wastewater treatment facility*
30 *shall collect real-time data from the wastewater treatment-related*
31 *fence-line monitoring system, shall maintain records of that data,*
32 *and shall transmit the data to the appropriate air quality*
33 *management district in accordance with the district's guidance.*
34 *To the extent feasible, the data generated by these systems shall*
35 *be provided to the public as quickly as possible in a publicly*
36 *accessible format.*

1 (d) Guidance developed by a district pursuant to this section
2 shall take into account technological capabilities and incorporate
3 input from affected parties.

4 (e) The owner or operator of a wastewater treatment facility
5 shall be responsible for the costs associated with implementation,
6 maintenance, and operation of a fence-line monitoring system
7 pursuant to this section.

8 SEC. 2. No reimbursement is required by this act pursuant to
9 Section 6 of Article XIII B of the California Constitution because
10 a local agency or school district has the authority to levy service
11 charges, fees, or assessments sufficient to pay for the program or
12 level of service mandated by this act or because costs that may be
13 incurred by a local agency or school district will be incurred
14 because this act creates a new crime or infraction, eliminates a
15 crime or infraction, or changes the penalty for a crime or
16 infraction, within the meaning of Section 17556 of the Government
17 Code, or changes the definition of a crime within the meaning of
18 Section 6 of Article XIII B of the California Constitution.

19 ~~SECTION 1. It is the intent of the Legislature to enact~~
20 ~~legislation that would relate to improving the monitoring of~~
21 ~~emissions from wastewater treatment plants.~~

**Attachment 5. Coalition Letter - Oppose Unless Amended - SB 745
(Cortese)**



March 31, 2023

Hon. Scott Wiener
Chair, Senate Housing Committee
1021 O Street, Room 3330
Sacramento, CA 95816

RE: SB 745 (Cortese): Drought-Resistant Buildings Act, OPPOSE UNLESS AMENDED

Dear Chair Wiener,

WaterReuse California (WRCA) must respectfully oppose SB 745 (Cortese) unless significantly amended. Simply, the measure is premature, as the regulations for your bill, SB 966 (Wiener, 2018) are still under development and the State Water Resources Control Board (Water Board) is also currently implementing the landmark water-use efficiency legislation that set efficiency standards for residential, commercial, and industrial water users.

WRCA's mission is to support and facilitate all types of water reuse, whether it be onsite reuse, agricultural reuse, industrial reuse or potable reuse. We are currently engaged with the Water Board in the regulatory process to implement your bill SB 966 and have been working to develop materials and information which will help communities develop onsite reuse local programs. We also support communities that want to implement other types of reuse programs, such as potable reuse. For example, the City of San Diego has made major investments in potable reuse, which is expected to generate many jobs, reduce ocean discharge and meet almost 40 percent of city's future water supply. WRCA does not support mandating any specific type of water recycling as this bill does.

We propose the following amendments, starting with the SB 745 findings and declarations:

Section 2(f): This section states that the requirement to develop a local program in SB 966 has "effectively prohibited onsite treated nonpotable water systems..." SB 966 directs "the Building Standards Commission, State Water Resources Control Board and the Department of Housing and Community development to adopt regulations for risk-based water quality standards for the onsite treatment and reuse of nonpotable water for nonpotable end uses in multifamily, residential, commercial, and mixed-use buildings."

The Water Board is expected to begin the formal onsite reuse rulemaking process in May or June and adopt the regulations by the end of 2023. Once this is complete BSC and DHC will adopt standards. The finding that SB 966 prohibits onsite treated nonpotable systems is false and it is simply premature to

declare that there is a major issue with the implementation of onsite reuse and the development of local programs.

Section 3 (a): this section proposes to codify a definition of “drought proofed.” As discussed below, the state and water agencies have been working since 2018 to establish water-use efficiency standards that include the efficient use of recycled water. The term “drought proofed” is a completely new term and should not be introduced into California Code, when the concept of “efficiency” has been the new standard developed by the Legislature, Department of Water Resources and the Water Board in collaboration with the California water community, environmentalists, and other interested parties.

Section 3 (b): proposes that the BSC develop and propose mandatory building standards to reduce the designed potable water demand of new buildings by 25 percent. The Department of Water Resources and the Water Board are in the final process of implementing AB 1668 (Friedman, 2018), SB 606 (Hertzberg 2018), and SB 1157 (Hertzberg, 2022) which established a framework for long-term improvements in urban water use efficiency and drought planning. Together, these laws require urban retail water agencies to adhere to an [Urban Water Use Objective](#) that is comprised of indoor residential water use, outdoor water use, efficient outdoor irrigation of landscape in connection with commercial, industrial, institutional use, and estimated water loss.

The Urban Water Use Objective achieves the efficiency and water-use objectives and performance measures that SB 745 intends without requiring four sets of pipes to be constructed in each new residential, commercial and industrial building.

Section 3 (c): requires the BSC to develop standards for buildings to be “drought proofed.” Again, the Urban Water Use Objective will go into effect to create efficiency standards and performance measures for urban water use in residential, commercial, industrial and institutional properties as well as outdoor irrigation efficiency standards. Establishing a new term and standard for ALL buildings outside of the Urban Water Use Objective is counterproductive to the standards the state has been developing for the past five years. Onsite reuse requires continuous operator controls and maintenance of systems to ensure there is no cross connection of wastewater and potable water. We urge the committee to consider if this is feasible to require commercial and residential properties to install these systems.

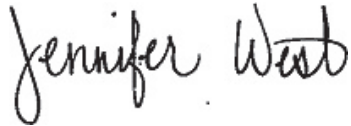
Section 4: WRCA is supportive of the creation of a model ordinance to develop local onsite reuse programs. WaterReuse partnered with the US Water Alliance to develop a [Guidebook for Developing and Implementing Regulations for Onsite Non-potable Water Systems and a Model Local Ordinance for Onsite Non-potable Water](#) Programs. While this guidebook has been used successfully in other states, we would be happy to work with the author and the sponsors if there are needed additions or amendments to this model ordinance.

When the Building Standards Commission and the State Water Resources Control Board complete the standards outlined in SB 966, there will be plenty of opportunity and resources for local agencies to adopt their own processes for on-site capture and reuse. Ultimately, the Urban Water Use Objective that is soon to be adopted by the Water Board is the strategy the state has decided on to implement

water-use efficiency standards and performance measures in the residential, commercial, industrial, and institutional sectors.

For these reasons we respectfully request the bill be amended to recognize and take into account the state priority in developing the Urban Water Use Objective for urban water users before mandating four sets of pipes in all new buildings. If you have any questions, please feel free to contact Jennifer West at jwest@wateruse.org.

Sincerely,



Jennifer West
Managing Director
WaterReuse California



Jessica Gauger
Director of Legislative
Advocacy & Public Affairs
CA Assn of Sanitation Agencies



Julia Bishop Hall
Senior Legislative Advocate
Assn. of CA Water Agencies

cc: Senator Cortese
Senator Ochoa Bogh, Vice Chair Senate Housing Committee
Members, Senate Housing Committee
Alison Hughes, Chief Consultant, Senate Housing Committee

Attachment 6. SB 366 (Caballero) Fact Sheet



Anna M. Caballero

14th Senate District

SB 366 – California Water for All

SUMMARY

SB 366 would modernize the California Water Plan to reflect the State’s new climate reality and establish long-term water supply targets that, when met, will ensure sufficient, high quality water for all beneficial uses.

BACKGROUND

California is in a race against climate change. Pressured by multi-year droughts, floods and other intensifying climate change impacts, California's aging water infrastructure and facilities are unable to keep pace, leaving groundwater basins overdrafted, wells dry, water quality degraded, land fallowed, businesses suffering and severe cutbacks to the State’s water delivery systems and local supplies. Every sector in California is affected and bold changes are necessary to address deficiencies and adequately serve the state's population and environmental, agricultural and business needs.

Recently, the State has taken steps to move California toward sustainability including a major investment of over \$8 billion in the past two years for water projects. The Newsom Administration’s recently released “Water Supply Strategy: Adapting to a Hotter, Drier Future,” outlines multiple steps and goals for ensuring the State has sufficient water in the future to meet our needs. But this plan is not in statute and is not financed. More is needed.

EXISTING LAW

The California Water Plan is currently the State's strategic plan for managing and developing water resources for current and future generations. Required by Water Code Section 10005(a), it presents the status and trends of California’s water-dependent natural resources; water supplies; and agricultural, urban, and environmental water demands for a range

of plausible future scenarios. Major revisions to the Water Plan have not been made for at least 20 years. During those same twenty years, extreme weather resulting from climate change has profoundly and detrimentally impacted water supply in the state for virtually all beneficial uses.

SOLUTION

SB 366 would revise and recast the California Water Plan statute, updating its provisions to address the extreme climate impacts of the 21st century. As part of this modernization, the bill would establish long-term water supply targets for the State to achieve, require a financing plan, and would update the requirement that state agencies develop a plan to achieve those targets, in consultation with local water agencies, wastewater service providers, irrigation districts, and other stakeholders recognizing the state’s diverse regional needs. The targets would complement and amplify Governor Newsom’s Water Supply Strategy, ensuring there are water supply targets that extend beyond any single Administration.

SUPPORT

California Municipal Utilities Association (sponsor)

CONTACT

Michele Canales, Senior Policy Analyst
Michele.Canales@sen.ca.gov | (916) 651–4014

**INFORMATION
ITEM
2A**

Inland Empire Utilities Agency, a Municipal Water District Federal Update

March 31, 2023

President Biden Releases FY24 Budget Proposal

On March 9th, President Biden released his fiscal year (FY) 2024 budget proposal. Overall, the President's budget proposal calls for a 3.3% increase in defense spending (increase of \$28 billion from current levels) and a 6.5% increase for nondefense discretionary programs (increase of \$49.2 billion from current levels). The President's FY24 budget proposal can be found [HERE](#), and a fact sheet can be found [HERE](#). The chart below provides a comparison between FY23 enacted levels and FY24 President's budget proposal request for federal agencies/departments.

<u>Agency/Department</u>	<u>FY 2024 President's Budget Request (in billions)</u>	<u>FY23 Enacted Levels (in billions)</u>
Agriculture	\$30.1	\$26.3
Army Corps of Engineers – Civil Works	\$7.4	\$8.3
Commerce	\$12.3	\$11.0
Defense	\$842.0	\$816.0
Education	\$90.0	\$79.2
Energy	\$52.0	\$45.8
Environmental Protection Agency	\$12.0	\$10.1
Health & Human Services	\$144.3	\$128.9
Homeland Security	\$60.4	\$61.0
Housing & Urban Development	\$73.3	\$72.2
Interior	\$18.3	\$17.2
Justice	\$39.7	\$37.5
Labor	\$15.1	\$13.6
State	\$63.1	\$58.1
Transportation	\$27.8	\$26.0
Treasury	\$16.3	\$14.2
Veterans' Affairs	\$137.9	\$134.9

EPA Releases PFAS Proposed Rule

The Environmental Protection Agency (EPA) announced a proposed National Primary Drinking Water Regulation rule for six different Per- and Polyfluoroalkyl Substances (PFAS). The proposed rule would establish legally enforceable Maximum Contaminant Levels (MCLs) for six PFAS in drinking water. PFOA and PFOS are individual contaminants, and PFHxS, PFNA, PFBS, and HFPO-DA are PFAS mixtures. EPA also proposes health-based, non-enforceable Maximum Contaminant Level Goals (MCLGs) for these six PFAS. Comments are due by May 30th. EPA is also hosting a public hearing on May 4th at 11:00 am ET for industry stakeholders and the public to provide verbal comments. Registration for the public hearing can be found [HERE](#). More information on the proposed rule can be found [HERE](#).

Congress Acts on WOTUS Rule

In early March, the House passed a joint resolution of disapproval ([H.J. Res 27](#)) under the Congressional Review Act (CRA) of the Biden Administration's Waters of the United States (WOTUS) rule. On March 29th, the Senate passed its own joint resolution of disapproval ([S.J. Res 7](#)). The CRA would prevent EPA and the Army Corps of Engineers (USACE) from adopting a similar rule in the future. President Biden has committed to vetoing any resolution of disapproval on the WOTUS rule. Additionally, a federal judge in Texas issued an injunction for the new WOTUS rule in Texas and Idaho until the Supreme Court issues a decision in the upcoming *Sackett v. EPA* case. While the rule is now in effect in all other states, Texas and Idaho are subject to 1986 WOTUS regulations until the Supreme Court issues its opinion.

House Members Launch Bipartisan Colorado River Caucus

A bipartisan group of House Members announced the formation of the Congressional Colorado River Caucus to facilitate discussions and collaboration on drought conditions in the Colorado River Basin. The caucus is led co-led by Reps. Joe Neguse (D-CO) and Juan Ciscomani (R-AZ), and is comprised of Members from Colorado, Arizona, California, Nevada, New Mexico, and Utah. California Reps. Grace Napolitano (D) and Jay Obernolte (R) have joined the caucus. A similar effort is underway in the Senate, led by Sen. John Hickenlooper (D-CO).

Congressional Letters

Energy & Commerce Committee Democrats Urge Action on Lead in Drinking Water. House Energy & Commerce Committee Ranking Member Frank Pallone (D-NJ) and Environment, Manufacturing, and Critical Minerals Subcommittee Ranking Member Paul Tonko (D-NY) sent a letter to EPA Administrator Michael Regan urging the agency to increase oversight of lead in drinking water. The letter calls on EPA to strengthen the Lead and Copper Rule through a new proposal process and to use \$15 billion in authorized funding from BIL for lead service replacements to ensure lead contamination is eliminated from drinking water supplies. The letter can be found [HERE](#).

Federal Funding Opportunities/Announcements

EDA Releases \$30 Million Public Works and Economic Adjustment Assistance NOFO.

The Economic Development Administration (EDA) released a \$30 million NOFO for the FY23 Public Works and Economic Adjustment Assistance program. The program supports the construction and upgrading of public infrastructure, sectoral partnerships for workforce training, design and engineering assistance, technical assistance, economic recovery strategies, and capitalization or re-capitalization of revolving loan funds. Applications are accepted on a rolling basis and more information can be found [HERE](#).

EPA Announces Availability of \$16 Million for Two EJ P2 Grants. EPA announced the availability of \$16 million in Pollution Prevention (P2) Grants focused on environmental justice (EJ).

- **P2 Grant: EJ in Communities (\$8 million):** This grant provides technical assistance to businesses on pollution prevention that improves health and environmental conditions in disadvantaged communities. Applications are due by June 6th and more information can be found [HERE](#).
- **P2 Grant: EJ Through Safer and More Sustainable Products (\$8 million):** This grant program provides technical assistance to businesses to improve health and the environment in disadvantaged communities by increasing the supply, demand, and use of safer and sustainable products. Applications are due by June 20th and more information can be found [HERE](#).

FEMA Releases Updated Hazard Mitigation Assistance Guide. FEMA released an updated Hazard Mitigation Assistance Program and Policy Guide to improve stakeholder accessibility to resilience grant programs. The guide is for state, local, tribal, and territorial governments to use throughout the Hazard Mitigation Assistance grant lifecycle process. Updates include information on climate change, building codes, capability and capacity building, nature-based solutions, and community lifelines. The guide can be found [HERE](#).

Reclamation Announces \$30 Million WaterSMART Program NOFO. The Bureau of Reclamation (Reclamation) announced the availability of \$30 million in BIL funding for FY23 WaterSMART Aquatic Ecosystem Restoration Projects. The funding will support the study, design, and construction of ecosystem restoration projects that improve fisheries, wildlife, and aquatic habitats. Applications are due by June 1st and more information can be found [HERE](#).

Federal Agency Personnel/Regulatory Announcements

White House Releases New Climate Tools and Reports. The White House released five new climate adaptation and mitigation tools for government agencies.

- **Federal Flood Risk Management Standard Climate-Informed Approach State of the Science Report.** This report provides updates about current and future flood risks. The report can be found [HERE](#).
- **Selecting Climate Information to Use in Climate Risk and Impact Assessment: Guide for Federal Agency Climate Adaption Planners.** This guide provides information to advance federal climate adaptation plans. The guide can be found [HERE](#).
- **A Federal Framework and Action Plan for Climate Services.** This plan aims to increase the accessibility of federal climate information and tools to communities. The plan can be found [HERE](#).
- **Resilience Science and Technology Grand Pathways Framework.** This framework provides resilience information and resources related to natural disasters and infrastructure. The framework can be found [HERE](#).
- **Ocean Climate Action Plan.** This plan aims to find ocean-based solutions to climate change. The plan can be found [HERE](#).

CEQ Announces New EJ Staff. The Council on Environmental Quality (CEQ) announced five new staff members covering EJ issues. Corey Solow will serve as a Senior Adviser to CEQ Chair Brenda Mallory, Amanda Patel will serve as Special Assistant for EJ, Ryan Hathaway will serve as Director of the White House EJ Interagency Council, and Marccus Hendricks will serve as Senior Adviser for Climate and Community Resilience. Additionally, Nick Thorpe will join CEQ as an EJ Policy Adviser in the coming weeks.

DOI Announces New Deputy Assistant Secretary for Water and Science. The Department of the Interior (DOI) announced that Annalise Blum will serve as Deputy Assistant Secretary for Water and Science. Blum previously served as DOD's Senior Adviser for Climate Policy and led multi-disciplinary research on water security, extreme weather events, and the impacts of climate change.

EPA Seeking Nominations for NDWAC. EPA is seeking nominations for the National Drinking Water Advisory Council (NDWAC), a committee created by the Safe Drinking Water Act to provide independent expert advice to EPA. Council members include individuals with experience in national, state, and local drinking water issues. EPA will consider nominations for three vacancies in 2023 and two in 2024, and individuals may self-nominate. Applications are due by April 12th and more information can be found [HERE](#).

EPA Releases Excess Food Opportunities Map. EPA released the Excess Food Opportunities Map, a tool to support the diversion of food from landfills nationwide. The map provides facility-specific information about potential suppliers and recipients of excess food in various sectors and provides excess food estimates for each facility. The tool can be found [HERE](#).

EPA Releases Clean Energy Financing Toolkit. EPA released its Clean Energy Financing Toolkit, providing profiles of roughly a dozen types of clean energy financing available to state and local governments. The tool provides a range of financing programs across multiple

sectors, view example programs, and access additional information from EPA. The tool can be found [HERE](#).

EPA Releases Memorandum on Cybersecurity for Water Systems. EPA released a memorandum for states to reassess water system cybersecurity practices due to rising threat concerns. The memo, “Evaluating Cybersecurity During Public Water System Sanitary Surveys,” instructs states to assess cybersecurity concerns during periodic water system audits and includes a commitment from EPA to provide technical assistance and additional resources. The memo can be found [HERE](#).

EPA Announces PFAS Strategic Roadmap Listening Session for Pacific Southwest. EPA announced it will hold a virtual listening session on the agency’s PFAS Strategic Roadmap for communities in the Pacific Southwest on April 13th at 6:00 pm PT. The session will cover EPA’s implementation of the Roadmap, and participants will be able to provide feedback to EPA regional and program leaders. Registration for the session can be found [HERE](#), and more information on the PFAS Strategic Roadmap can be found [HERE](#).

EPA Announces NPRM for Consumer Confidence Report Rule Revisions. EPA announced it will publish a Notice of Proposed Rulemaking (NPRM) for revisions to the Consumer Confidence Report Rule. A Consumer Confidence Report, often called an Annual Drinking Water Quality Report, summarizes drinking water quality in communities from the year prior. EPA is seeking comments on revisions that would raise public awareness by improving access to the reports and providing educational information on the drinking water quality metrics used by the agency. EPA will host two webinars on the NPRM on April 12th at 3:00 pm ET and April 20th at 1:30 pm ET. Registration for the April 12th session can be found [HERE](#), registration for the April 20th session can be found [HERE](#), and more information on the NPRM can be found [HERE](#). Comments will be due 45 days after publication in the *Federal Register*.

Reclamation Announces CVP 2023 Water Supply Allocation Increases. Reclamation announced it is increasing Central Valley Project (CVP) 2023 water supply allocations for North-of-Delta, South-of-Delta, and Friant Division Contractors. Reclamation will continue to monitor water supply conditions and update CVP allocations as necessary throughout the year. More information can be found [HERE](#).

##

**INFORMATION
ITEM
2B**



March 30, 2023

To: Inland Empire Utilities Agency

From: Michael Boccadoro
Beth Olhasso

RE: March Report

Overview:

With another atmospheric river drenching the state as March turns to April, regulators are now managing state reservoirs for flood control and trying to get as much water into storage, both above and below ground. The Sierra snowpack is at 234 percent of April 1 average. Reservoir spillways are open up and down the state as managers try to ensure there is enough room for anticipated snow melt. The Governor stopped short of calling the drought over, but did lift 48 drought-related provisions from emergency orders including ending the requirement that local water agencies implement Level 2 drought contingency plans. Notably he also announced that the State Water Project allocation will increase to 75 percent.

An appeals court ruled that the SWRCB does not have to consider “waste and unreasonable use” when issuing waste discharge permits to POTWs. LA Waterkeeper sued the SWRCB over four LA-based POTW permits.

As the state tries to manage electric supply for increased demand, the Legislative Analyst’s Office warns that the Governor’s budget proposal to have the state become a “central procurement entity” for utilities might be moving too fast without enough consideration as to necessity and ratepayer impacts.

The framework to “Make Conservation a California Way of Life” has had its first public hearing at the SWRCB. The framework that implements the Urban Water Use Objectives outlined in SB 606 (Hertzberg, 2018) and AB 1668 (Friedman, 2018) has been met with significant criticism from the water community. Several new items, including completely new regulations on non-functional turf, were inserted into the framework that have never been discussed in the three years of workgroups at DWR.

With the salmon fisheries closed, likely for the year, regulators and fishermen hope that the flood habitat and increased natural Delta flows will help improve the dismal Chinook numbers returning to critical rivers. Salmon populations are directly related to water-supply availability for south of Delta interests.

Legislators are working feverishly on the 2,600 bills introduced this year. Spot bills are being amended as legislators determine which bills be considered in year one of the two-year session.

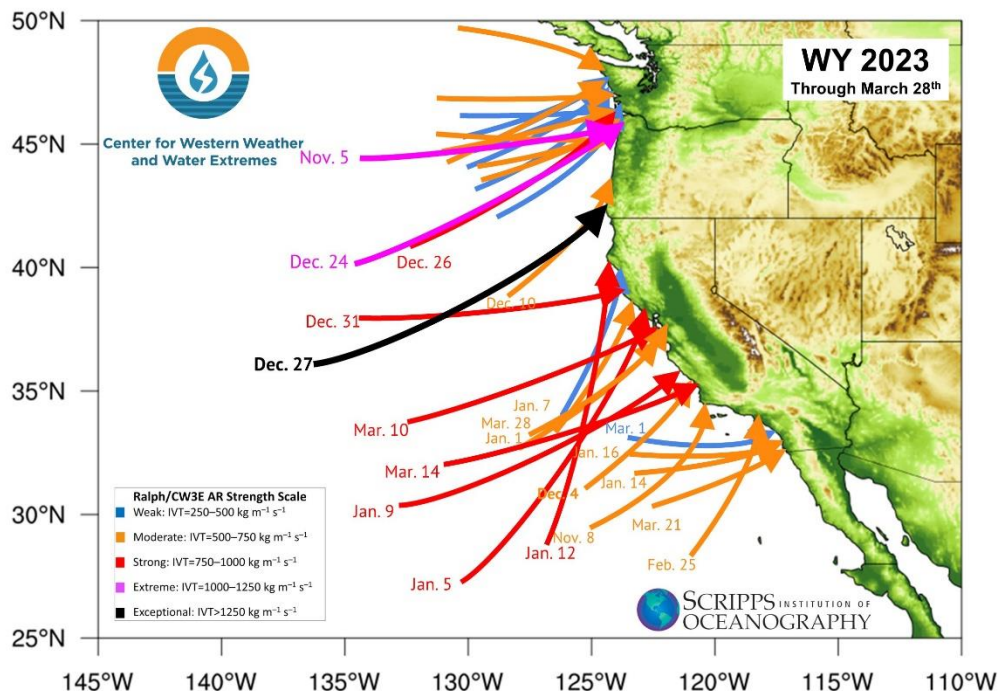
Inland Empire Utilities Agency

Status Report – March 2023

Water Supply Conditions

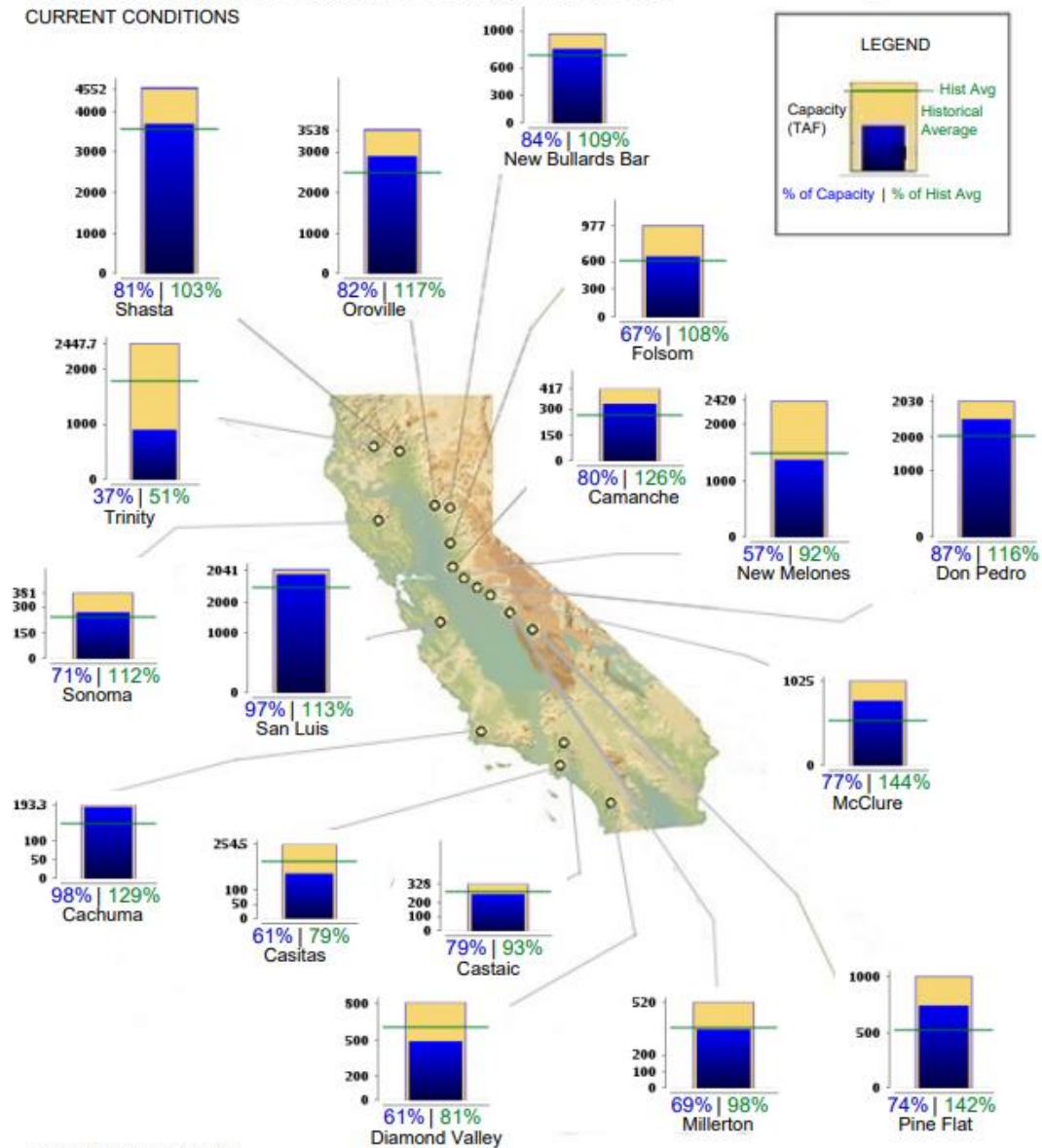
The Veranal Equinox has come and gone, but there is no sign of spring in California. The 18th atmospheric river of the season has hit California bringing another several feet of snow to the Sierras, where snow accumulation is hitting record levels. The statewide snowpack has rebounded after a few warmer weeks and is sitting at 233 percent of April 1 averages. Reservoirs are now being managed for flood control, with many spillways throughout the state releasing water to ensure there is room for all the snow when it starts melting. Lake Oroville is sitting at 117 percent of historical average and 82 percent capacity. San Luis Reservoir, the main south-of-Delta storage facility for the State Water Project, is at 113 percent of average for this time of the year and 97 percent capacity. As widely reported, State Water Project water is currently flowing into Diamond Valley Lake, which is at 64 percent capacity, and rising.

The Governor has rescinded 48 of his emergency drought orders, including voluntary 15 percent conservation and mandatory implementation of water shortage contingency plan level two actions. At the same time he announced the termination of these orders, he also announced the State Water Project allocations would increase to 75 percent.



CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS CURRENT CONDITIONS

Midnight - March 28, 2023



Updated 03/29/2023 03:48 PM

Court Rules SWRCB Finding Not Required for Wastewater Permits

In 2017, LA Waterkeeper challenged the SWRCB's renewal of permits for allowing four POTWs to discharge treated wastewater into the LA River and the ocean. LA Waterkeeper argued that the Board has a duty to prevent the waste an unreasonable use of water by failing to evaluate the discharge permits to see if the quantities discharged were reasonable, whether the water could be recycled or otherwise put to a better use before approving the permits and that the regional board issued permits without conducting the required CEQA findings.

A lower court ruling ruled that the SWRCB did have a duty to evaluate whether the amount of wastewater being discharged was reasonable before issuing a permit, but the regional board does not have a similar duty. Waterkeeper, the SWRCB and City of LA all appealed the ruling. Recently the appellate court rejected Waterkeeper's position, affirming that neither the CA Constitution nor the Water Code imposes any limits on the State Board's discretion in regard to preventing unreasonable use of water and that the Legislature has opted not to include a reasonable use assessment as part of the waste discharge permitting process.

The courts also held that CEQA review was not triggered by the issuance of the permits because wastewater permits are exempt from CEQA review under the Water Code.

LAO Warns Against Centralized Energy Procurement Proposal

Governor Newsom's proposal for a new "central procurement" process for the state to secure energy was recently challenged by the Legislative Analyst Office. Centralized Procurement, not to be confused with "regionalization" as discussed last month, would expand on the Strategic Reliability Reserve that authorizes DWR to secure electrical generation to create additional capacity during extreme energy grid events by allowing DWR to use the Reserve for new energy storage systems, new emergency and temporary generation, generation facilities using clean, zero-emission fuel technology and the extension of operations at existing facilities planned for retirement.

The proposal comes as part of the budget process, which the LAO contends is not the appropriate venue to publicly vet such a significant proposal. They also note that this proposal will significantly raise rates and has not been properly vetted to assess the risks compared to the potential public benefits.

The State Water Contractors are closely looking at the proposal to ensure that there aren't any undue burdens on State Water Contractors, as their energy procurement is connected with DWR procurement.

This measure will continue to be debated as part of the budget process, but not ultimately decided until later this summer.

Making Conservation a Way of Life

The State Water Resources Control Board released their proposed regulatory framework for implementing SB 606 (Hertzberg, 2018) and AB 1668 (Friedman, 2018) which directed DWR and the SWRCB to establish the basis for calculating the Urban Water Use Objective. The overall objective is comprised of the indoor gallons per capita daily standard identified in SB 1157 (Hertzberg, 2022), the outdoor irrigation standard, commercial, industrial and institutional performance measures, and associated variances.

DWR facilitated several workgroups for parties to craft individual pieces of the standard over the last four years, and passed those recommendations onto the SWRCB for final adoption. Many parties were surprised to see several provisions never discussed in the workgroups show up in the proposed framework.

The SWRCB held a workshop in late March to discuss the framework and there was significant comment from the water community on some of the more controversial pieces, such as the outdoor irrigation efficiency standard that was lowered beyond what DWR recommended. ACWA, WaterReuse and others are working on comment letters in response to the framework and will continue conversations with board members and staff.

Will the Salmon Come Back?

Consecutive years of drought severely impacted salmon populations throughout California. The state has delayed all commercial salmon fishing until at least May, and likely the entirety of 2023. Out of an expected 196,000 Chinook Salmon expected to return to the Sacramento River to spawn, only 60,000 returned, according to the Department of Fish and Wildlife.

The flood conditions the state is currently experiencing should help populations rebound. The floodplain habitat that has been created by the deluge of water this winter, an increase in hatchery production, and increased thru-Delta flows give environmentalists and fisherman hope that populations can rebound in the next couple of years.

Legislation

Legislators have been working on the over 2,600 bills that have been introduced in 2023. With nearly 40 percent introduced as spot, or intent bills, members have been amending substantive language into the measures they seek to move this year. The deadline for bills to move out of policy committees is April 28, so the next few weeks will be very busy with committee hearings.

Water Rights

Water rights remains the hot topic among legislators this year, with a number of bills trying to address issues that arose when the SWRCB issued curtailment orders in parts of the state over the summer. There is concern that several of the measures could impact the Voluntary Agreements. AB 460 (Bauer Kahan), AB 1337 (Wicks) and SB 389 (Allen) are the three major water rights bills. Metropolitan is working to assess the impacts and provide feedback to member agencies.

Resources Bonds

Several bond measures that have been introduced in the current session. As reported previously, the Governor called for a Resources Bond when he presented his January 10 budget. Senator Ben Allen (D-Santa Monica) and Assemblymember Eduardo Garcia (D-Coachella) have both introduced placeholder language for a resources bond. SB 867 does not include specific funding allocations while AB 1567 has general language for a \$15 billion bond. It is expected that discussions on these bills will continue until 2024. Final language does not need to be passed until July of 2024 to make it onto the November 2024 General Election Ballot. SB 867 had its first hearing in Senate Natural Resources and Water on 3/28. While the measure still does not include substantive language, it was passed out of the committee.

PFAS

There are a number of PFAS bills that are still in spot form, but so far, they continue to focus on different types of source control- nothing yet on requiring POTWs to do any extra removal.

AB 727 (Weber) is sponsored by CASA and would prohibit PFAS in cleaning products. AB 1432 (Schiavo) would prohibit PFAS in artificial turf.

Onsite Reuse

SB 754 (Cortese) would require all new buildings, including residential buildings, to be “drought proofed,” which the bill defines to be dual plumbed to capture, treat and reuse all sources of water, except black water.

**INFORMATION
ITEM
2C**

Date: April 19, 2023

To: The Honorable Board of Directors

SD
From: Shivaji Deshmukh, General Manager

Committee: Community & Legislative Affairs

04/12/23

Staff Contact: Shivaji Deshmukh, General Manager

Subject: Public Outreach and Communication

Executive Summary:

- April, Records and Information Management Month
- April 15-22, CA Native Plant Week
- April 16-22, Environmental Education Week
- April 19-20, IEUA/City of Chino Earth Day Celebration
- April 22, DEA's Natl. Prescription Drug Take Back Day
- April 23, World Laboratory Day
- April 26, Administrative Professionals' Day

Staff celebrated Fix a Leak Week with a leak detection kit giveaway during business hours.

Staff worked with our Customer Agencies and the Water-Use Efficiency (WUE) team on a FOG collaboration post and a WUE 20th Anniversary reel series, respectively.

Staff is updating its "Time is Now" message to coincide with current drought conditions.

Staff's Recommendation:

This is an informational item for the Board of Directors to receive and file.

Budget Impact *Budgeted (Y/N): Y Amendment (Y/N): Y Amount for Requested Approval:*

Account/Project Name:

Fiscal Impact (explain if not budgeted):

Prior Board Action:

N/A

Environmental Determination:

Not Applicable

Business Goal:

IEUA is committed to providing a reliable and cost-effective water supply and promoting sustainable water use throughout the region.

IEUA is committed to enhancing and promoting environmental sustainability and the preservation of the region's heritage.

Attachments:

Attachment 1 - Background

Background

Subject: Public Outreach and Communication

April

- April, Records and Information Management Month
- April 15-22, CA Native Plant Week
- April 16-22, Environmental Education Week
- April 19-20, IEUA/City of Chino Earth Day Celebration
- April 22, DEA's Natl. Prescription Drug Take Back Day
- April 23, World Laboratory Day
- April 26, Administrative Professionals' Day

Media and Outreach

General

- Staff continues to work with the Chino Basin Program team leads, partners, and Arellano Associates to develop and implement an outreach strategy for additional program communication, roadshow scheduling, identifying collaboration and partnership opportunities on shared media, and more. Program Staff have begun leading stakeholder presentations to provide outreach on the Chino Basin Program to local community organizations.
- Staff recognized Procurement Month and Employee Appreciation Day with staff features of three members of the Agency's Contracts and Procurement team.
- Staff continues to promote the 2023 Earth Day Celebration on Agency social channels.
- Staff recognized Groundwater Awareness Week with posts highlighting groundwater saving tips, GWR team features, groundwater educational activities, and milestone highlights.
- Staff celebrated Fix a Leak Week with a leak detection kit giveaway during business hours. In just four days, 50 kits were distributed to residents.
- Staff is working with its customer agency representatives and the Agency's Collections team to expand upon messaging related to FOG (fats, oil, and greases) and the impacts on sewer systems. A collaboration post among the City of Chino Hills, MVWD, and CVWD was published to Agency social channels and shared to the respective collaborating agencies channels. Other FOG outreach collaboration efforts are being finalized.
- Staff worked closely with the Agency's Water-Use Efficiency team to recognize Water-Use Efficiency's 20th anniversary on Agency social channels through a reel series. The series will inform residents of various water-use efficiency resources. The first video in the series was published on March 21 and has received over 1,100 impressions across all platforms.
- Staff published a reel on World Water Day. This year's theme focused on "being the change" in how water is used/managed. The reel posted to social media has received over 500 impressions to-date.

- Staff is working closely with the Agency’s Safety unit to facilitate public outreach communication as required for updates to the Agency’s Hazard Mitigation Plan.
- Staff worked with collections team to provide FOG can lid covers to the community during a touch-a-truck event at Cal Aero Preserve Academy.

Drought Awareness Efforts

- Staff is coordinating with customer agencies on messaging geared towards conservation and the irrigation of trees.
- Staff is continuing to work closely with the Water-Use Efficiency team on promoting the turf replacement program.
- Staff will continue to work with customer agencies on drought messaging and outreach. Staff is drafting message points and creative for outreach and will be adding these assets to the drought communication toolkit for customer agencies.
- Staff is in the process of updating its “Time is Now” message to coincide with current drought conditions. The messaging will still consist of timely facts, video shorts, and water-saving tips shared to the Agency’s social media channels.

Advertising/Marketing

- A Fix a Leak Week ad ran on March 18 in the Chino Champion.
- A Fix a Leak Week ad ran on March 19 in the Daily Bulletin.
- An Earth Day Event banner ad ran in March in La Opinion.
- An Earth Day Event ad ran on March 29 in La Opinion.
- A “Time is Now” ad will run in the April Earth Day Supplement in La Opinion.
- An Earth Day Event ad will run in the April issue of Inland Empire Magazine.

Social Outreach and Analytics

- The Agency continues to publish content on LinkedIn and has gained 63 followers since February, with 813 page views in the last 30 days (February 27 – March 28).
- March: 28 posts were published to the IEUA Facebook page, 28 tweets were sent on the @IEUAWater Twitter handle, 28 posts were published to IEUA’s Instagram grid, and 19 posts were published to the IEUA LinkedIn page.
 - The top three Facebook posts, based on reach and engagement, in the month of March were:
 - 3/16 FOG Collab Video with CVWD, City of Chino Hills, and MVWD
 - 3/14 RP-1 Feature
 - 3/21 Maintenance Supervisor, Accounting Technician I-II (DOQ), Pretreatment and Source Control Inspector I/II (Flex), and Technology Specialist I Hiring
 - The top three Twitter tweets, based on reach and engagement, in the month of March were:
 - 3/16 FOG Collab Video with CVWD, City of Chino Hills, and MVWD
 - 3/21 Vice President Steve Elie and MWD Manager of Resource Planning & Development Brandon Goshi at ASBCSD Dinner
 - 3/22 Fix a Leak Week Giveaway Reminder
 - The top three Instagram posts, based on reach and engagement, in the month of March were:
 - 3/7 Intern (Groundwater Recharge) Hiring

- 3/21 WUE 20th Anniversary Reel
- 3/22 World Water Day Reel
- The top three LinkedIn posts, based on impressions and reactions, in the month of March were:
 - 3/8 Groundwater Awareness Week – GWR Team Highlight
 - 3/23 New Splash Feature – Michelle Vizcarra
 - 3/21 Vice President Steve Elie and MWD Manager of Resource Planning & Development Brandon Goshi at ASBCSD Dinner
- For the month of March, there were 8,823 searches for a park in IEUA’s service area on Yelp and the Chino Creek Wetlands and Educational Park was viewed 506 times.

Education and Outreach Updates

- Staff is coordinating with the city of Chino to plan for this year’s in-person two-day Earth Day event.
- Field trip dates for the Water Discovery Field Trip Program are filling up. Dates are booked from February through May, with only a few available dates remaining. Recent field trip dates have been rescheduled due to the rain.
- Staff is continuing to work on closing out the last year of the Garden in Every School® program. The recent rain has continued to delay progress on the two remaining schools.
 - Randall Pepper Elementary in Fontana is completing final clean-up of the site to prepare for construction to begin. Chino Basin Water Conservation District will be completing the construction.
 - Our Loving Savior’s garden construction is completed. The school has confirmed that the bunny fencing will be completed shortly, unfortunately the weather has slowed down the progress of the fencing. Planting and the dedication will be scheduled this spring.
- The 2023 Water is Life Student Art Poster Contest concluded on March 22, 2023. Staff collected over 300 poster submissions from schools across IEUA’s service area.
- Staff continues to provide support to Chino Hills High School and Upland High School for the Metropolitan Water District’s new program, Water Engineering 4 Good.

Agency-Wide Membership Updates

California Association of Sanitation Agencies (CASA)	January 25-27, 2023	Kristine Day	CASA Winter Conference 2023 Navigating Uncharted Water
Clean Water SoCal Air Quality	February 7, 2023	Richard Lao	Air Quality Committee Meeting
California Association of Sanitation Agencies (CASA)	February 8, 2023	Richard Lao	Air Toxics Subgroup Meeting
California Association of Sanitation Agencies (CASA)	February 8, 2023	Richard Lao	Advanced Clean Vehicle Subgroup Meeting

Association of California Water Agencies (ACWA)	February 15, 2023	Pietro Cambiaso	Quarterly Water Quality Committee
Association of California Water Agencies (ACWA)	February 15, 2023	Sarah Recinto and Pietro Cambiaso	Quarterly Energy Committee
California Association of Sanitation Agencies (CASA)	February 16, 2023	Richard Lao	Regulatory Working Group Biosolids Meetings
California Association of Sanitation Agencies (CASA)	February 16, 2023	Richard Lao	Regulatory Working Group Water Meeting
California Association of Sanitation Agencies (CASA)	February 23, 2023	Richard Lao	Air Quality, Climate Change, & Energy (ACE) Workgroup Meeting