



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

**WEDNESDAY, SEPTEMBER 13, 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 July 12, 2023 Community and Legislative Affairs Committee meeting.

B. ADOPT POSITION OF SUPPORT ON THE WATER EFFICIENCY, CONSERVATION AND SUSTAINABILITY ACT (H.R.5016/S.2654)

Staff recommends that the Committee/Board adopt a position of support on H.R.5016/S.2654, also referred to as the Water Efficiency, Conservation, and Sustainability Act of 2023.

2. INFORMATION ITEMS

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

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

C. GRANTS SEMI-ANNUAL UPDATE (POWERPOINT)

D. 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, JULY 12, 2023
9:00 A.M.**

COMMITTEE MEMBERS PRESENT

Steven J. Elie, Chair
Michael Camacho, Director

STAFF PRESENT

Shivaji Deshmukh, P.E., General Manager
Christiana Daisy, P.E., Deputy General Manager
Kristine Day, Assistant General Manager
Jerry Burke, Director of Engineering
Stephanie Chancellor, External Affairs Analyst
Denise Garzaro, Board Secretary/Office Manager
Brandon Gonzalez Contreras, Technology Specialist I
Michael Hurley, Director of Planning and Resources
Randy Lee, Acting Director of Finance
Scott Lening, Manager of Operations
Alyson Piguee, Director of External & Government Affairs
Wilson To, Technology Specialist II
Ashley Womack, Grants and Government Affairs Officer

STAFF PRESENT via Video/Teleconference

Lucia Diaz, Manager of Facilities & Water System Programs
Don Hamlett, Director of Information Technology
Jennifer Hy-Luk, Executive Assistant
Bonnie Marseilles, Administrative Assistant II
Monica Nelson, Administrative Assistant II
Sushmitha Reddy, Manager of Laboratories
Teresa Velarde, Manager of Internal Audit

OTHERS PRESENT via Video/Teleconference

Michael Boccadoro, West Coast Advisors
Channon Hanna, Carpi and Clay
Laura Morgan-Kessler, 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 June 14, 2023 Community and Legislative Affairs Committee meeting.
- ◆ Recommended that the Board adopt position of support on Support to Rehydrate the Environment, Agriculture and Municipalities Act as Consent Calendar item on the July 19, 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 stated in 2017, WaterReuse CA (WRCA) sponsored legislation AB 574 that required the State Water Board to adopt uniform criteria for permitting Direct Potable Reuse (DPR) through raw water augmentation on or before December 31, 2023. IEUA appears to be on track to meet that deadline. On July 11, 2023, after two years of development, the State Water Board issued an advanced copy of the proposed draft DPR regulations. The 45-day comment period for the formal rulemaking will not begin until July 21, 2023 effectively allowing an extra 10 days for review.

WRCA organized a group of industry experts to evaluate the draft regulations and will be prepared to provide written comments and lead a panel discussion at the September 7 workshop. General Manager Deshmukh explained that he is included in WRCA's review process and expects to submit comments on behalf of IEUA in support of a workable regulatory framework for DPR. General Manager Deshmukh recognized the incredible contributions of Jennifer West, Beth Olhasso, and the West Coast Advisors team for working diligently throughout the process. This moment has been decades in the making and, if approved, will mark a significant advancement in water resources engineering.

Mr. Deshmukh also reported that the Agency participated in National Safety Month in June by providing staff weekly newsletters on a variety of topics, including ergonomics, safe lifting, heat illness, personal protective equipment (PPE), and situational awareness; and were also given weekly safety trivia questions and a chance to receive safety incentives.

4. COMMITTEE MEMBER COMMENTS

There were no Committee member comments.

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 9:29 a.m.

Respectfully submitted,

Denise Garzaro
Board Secretary/Office Manager

*A Municipal Water District

APPROVED: SEPTEMBER 13, 2023

DRAFT

**ACTION
ITEM
1B**

Date: September 20, 2023

To: The Honorable Board of Directors

SD
From: Shivaji Deshmukh, General Manager

Committee: Community & Legislative Affairs

09/13/23

Staff Contact: Alyson Pigee, Director of External & Government Affairs

Subject: Adopt Position of Support on the Water Efficiency, Conservation, and Sustainability Act (H.R.5016/S.2654)

Executive Summary:

U.S. Representative Mike Levin and U.S. Senator Alex Padilla have introduced H.R.5016 /S.2654 respectively, also referred to as the Water Efficiency, Conservation, and Sustainability Act of 2023. The Water Efficiency, Conservation, and Sustainability Act of 2023 assists communities in implementing water-efficiency upgrades as part of a goal to reduce the loss of water in public water systems. Additionally, this act authorizes grants and technical assistance for public water systems that serve disadvantaged communities.

Specifically, these bills would authorize \$50 million per year for five years for a Water Efficiency and Conservation Grant Program; \$40 million per year for five years for a Sustainable Water Loss Control Program; and \$20 million per year for five years for Assistance for Water Efficient Plumbing Code Adoption.

The Association of California Water Agencies (ACWA), the Association of Metropolitan Water Agencies (AMWA), and the Metropolitan Water District of Southern California have all endorsed the legislation.

Staff's Recommendation:

Adopt position of support on H.R.5016/S.2654, also referred to as the Water Efficiency, Conservation, and Sustainability Act of 2023.

Budget Impact *Budgeted (Y/N):* *Amendment (Y/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 2023-24 Legislative Priorities and Policy Principles.

Environmental Determination:

Not Applicable

Business Goal:

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

Attachments:

Attachment 1 - The Water Efficiency, Conservation, and Sustainability Act of 2023 Fact Sheet

The Water Efficiency, Conservation, and Sustainability Act of 2023

Water efficiency is the most cost-effective way to ensure clean, affordable drinking water for communities across the country. Much like energy efficiency measures, improving water efficiency saves consumers money, reduces demand, decreases strain on water supply systems, and saves energy.

However, federal spending on energy efficiency and renewable energy has outpaced spending on water efficiency and water reuse by approximately 80 to 1 since 2000, resulting in millions of gallons of water wasted each year that could otherwise be stored or utilized.

As the Western United States, and much of the Southeast, enters another year of historic drought, investing in resilient water supplies is an increasingly urgent priority for states, water systems, and families facing rising water rates. In a survey completed as part of a 2014 GAO report, 40 out of 50 state water managers expected water shortages in some portion of their state in the next decade.

The “Water Efficiency, Conservation, and Sustainability Act of 2023” would create a suite of options to address water inefficiencies and losses in public water systems.

- ***Water Efficiency and Conservation Grant Program:*** Provides funding to States, municipalities, and water systems to carry out water efficiency incentive and direct installation programs. These programs already exist at many water systems across the country and have helped achieve savings from residential, commercial, and industrial buildings. Authorized at \$50M/year for 5 years.
- ***Sustainable Water Loss Control Program:*** Provides funding and technical assistance to conduct annual water audits, implement controls to address losses, and establish water loss control programs. Managing water loss is a cost-effective way to reduce the need for upgrades and expansions. Water loss control programs include a range of interventions, from fixing leaky pipes to improving metering systems. Authorized at \$40M/year for 5 years.
- ***Assistance for Water Efficient Plumbing Code Adoption:*** Provides funding to State, local, and Tribal governments to assist in the voluntary adoption and implementation of model water-efficient plumbing codes. Similar Federal assistance has been provided for the adoption of energy efficient building codes. Authorized at \$20M/year for 5 years.

For additional information, please contact Angela_Ebiner@padilla.senate.gov

**INFORMATION
ITEM
2A**

Inland Empire Utilities Agency, a Municipal Water District Federal Update

August 31, 2023

A Look Ahead: Congress Returns to Washington

Congress has spent the month of August back at home in their respective districts/states. The Senate is scheduled to return the week of September 4th and the House the week of September 11th. When Members return to Washington, their top focus will be on the Fiscal Year (FY) 2024 appropriations bills. The federal fiscal year ends on September 30th, and to avoid a government shutdown, Congress will need to pass a short-term Continuing Resolution (CR). Given the current political climate in the House, the path forward for the CR will be more difficult than in previous years. In addition, FY24 appropriations, Congress will need to deal with several other authorizations that expire at the end of the month, including Federal Aviation Administration (FAA) authorization, the Farm Bill, the Pandemic and All-Hazards Preparedness Act, the President's Emergency Plan for AIDS Relief and the National Flood Insurance Program.

FY 2024 House vs. Senate Community Project Funding

The chart below provides a side-by-side comparison of community project requests in both the House and Senate FY24 appropriations bills. A couple of important items to note: 1) the Defense, Legislative Branch, and State and Foreign Operations bills were not included in the community project request process, and 2) the House Financial Services and Labor, HHS, and Education bills do not contain any community project requests.

FY24 Bill	House CPF Amount (in millions)	# of House Community Projects (earmarks)	Senate CPF Amount (in millions)	# of Senate Community Projects (earmarks)
Agriculture	\$485	396	\$297	226
Commerce, Justice, Science	\$600	683	\$547.276	460
Energy & Water	\$944.5	90	\$783.22	176
Financial Services	\$0	0	\$188	196
Homeland Security	\$181.2	123	\$120	91
Interior-Environment	\$880	767	\$744	436

Labor-HHS-Education	\$0	0	\$1,429.6	1,074
MilCon-VA	\$294.6	24	\$1,332	125
Transportation-HUD	\$3,969	2,668	\$2,137.5	919

OMB Submits \$40.1 Billion Supplemental Funding Request

The White House Office of Management and Budget (OMB) submitted a \$40.1 billion supplemental funding request to Congress that requests funding for Ukraine, natural disaster relief, and border security. The request details \$13.1 billion for military aid and \$8.5 billion for diplomatic programs related to the ongoing conflict in Ukraine, \$12 billion for the disaster relief fund at the Federal Emergency Management Agency (FEMA), and \$4 billion to fund border security programs at the Departments of Homeland Security (DHS), Health and Human Services (HHS), and State. The full request can be found [HERE](#).

OMB Releases Final BABA Guidance

OMB released its final guide on implementing provisions of the *Build America, Buy America* (BABA) Act included as part of the Bipartisan Infrastructure Law (BIL). The guidance outlines the statutory requirements and domestic sourcing standards for manufactured products, construction materials, iron, and steel used in federally funded infrastructure projects. A summary of the guidance can be found [HERE](#) and the full guidance can be found [HERE](#).

EPA and USACE Release Amended WOTUS Rule

The Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (USACE) released an updated Water of the United States (WOTUS) rule. Following the U.S. Supreme Court decision in May in the *Sackett v. EPA* case, EPA and USACE were required to amend the rule to address language regarding wetlands protections. In the newly released rule, the definition for wetlands regulated under WOTUS are only wetlands with relatively permanent surface water connections to larger waterways. Additionally, EPA and USACE did not put the amended rule out for public comment, citing the “good cause” exception of the Administrative Procedure Act as the agencies claim the rule was being amended to comply with the Supreme Court ruling. The amended rule can be found [HERE](#).

CISA Announces Availability of \$374.9 Million for SLCGP

The Cybersecurity and Infrastructure Security Agency (CISA) announced the availability of \$374.9 million in grant funding for the FY23 State and Local Cybersecurity Grant Program (SLCGP). SLCGP was authorized by BIL and provides \$1 billion in funding over four years to support state and local governments in developing the capabilities to detect, protect against, and respond to cyber threats. Applications are due October 6th and more information can be found [HERE](#).

Reclamation Announces 2024 Operating Conditions for Lake Powell and Lake Mead

The Bureau of Reclamation (Reclamation) released the [Colorado River Basin August 2023 24-month Study](#), which lays out the operating criteria for Lake Powell and Lake Mead. Based on projections in the study, Lake Powell will operate in a Mid-Elevation Release Tier with a 7.48 million acre-feet release in water year 2024. Consistent with existing agreements, Lake Mead will operate in a Level 1 Shortage Condition – an improvement from the Level 2 Shortage Condition announced last year – with required shortages by Arizona and Nevada, coupled with Lower Basin Drought Contingency Plan water savings contributions. These levels will remain in effect until the near-term guidelines from the Supplemental EIS are finalized.

Companion Water Efficiency and Conservation Bills Reintroduced

California Representative Mike Levin (D) and Senator Padilla introduced companion legislation in the House and Senate titled the *Water Efficiency, Conservation, and Sustainability Act of 2023* ([H.R. 5016/S. 2654](#)). The legislation would create three new programs at EPA to address water inefficiencies and losses in public water systems:

- **Water Efficiency and Conservation Grant Program (\$50 million/year for five years):** Would provide funding to states, municipalities, and water systems to carry out water efficiency incentive and direct installation programs.
- **Sustainable Water Loss Control Program (\$40 million/year for five years):** Would provide funding and technical assistance to conduct annual water audits, implement controls to address losses, and establish water loss control programs.
- **Assistance for Water Efficient Plumbing Code Adoption (\$20 million/year for five years):** Would provide funding to state, local, and tribal governments to assist in the voluntary adoption and implementation of model water-efficient plumbing codes.

A fact sheet on the legislation can be found [HERE](#).

Federal Funding Opportunities & Announcements

EPA Publishes DERA NOFO. The Environmental Protection Agency (EPA) published a NOFO for the availability of \$115 million in grant funding under the Diesel Emissions Reduction Act (DERA) for projects that cut pollution from the nation's existing fleet of older diesel engines. Funding can be used to upgrade or replace older diesel-powered buses, trucks, marine engines, locomotives, and nonroad equipment with newer more efficient technologies. Applications are due December 1st and more information can be found [HERE](#).

FEMA Announces \$2.442 Billion in BRIC and FMA Awards. FEMA announced \$2.442 billion in Building Resilient Infrastructure and Communities (BRIC) and Flood Mitigation Assistance (FMA) awards to support hazard mitigation projects by state, local, tribal, and territorial governments. BRIC-funded projects received \$1.8 billion, and FMA-funded projects received \$642 million. The list of projects selected can be found [HERE](#).

Reclamation Releases NOFOs for Three WaterSMART Program Grants. The Bureau of Reclamation (Reclamation) released NOFOs for three grants under the WaterSMART Program, including:

- **Drought Resiliency Projects:** Provides funding for projects that increase water management flexibility and operational resiliency. Applications are due October 31st and more information can be found [HERE](#).
- **Planning and Project Design Grants:** Provides funding for collaborative planning and design projects to support water management improvements, including Watery Strategy Grants, Project Design Grants, and Drought Contingency Plans. There are two application windows: to be considered for FY23, applications are due October 17th, and to be considered for FY24, applications are due April 2nd. More information can be found [HERE](#).
- **Cooperative Watershed Management Program:** Provides funding for activities to develop a watershed group, complete watershed restoration planning activities, and design watershed management projects. There are two application windows: to be considered for FY23, applications are due December 5th, and to be considered for FY24, applications are due September 3rd, 2024. More information can be found [HERE](#).

Federal Agency Personnel/Regulatory Announcements

CEQ Releases Proposed Bipartisan Permitting Reform Implementation Rule. The Council on Environmental Quality (CEQ) announced its proposed Bipartisan Permitting Reform Implementation Rule to revise the regulations for implementing procedural provisions of the National Environmental Policy Act. CEQ is proposing to improve public involvement, provide regulatory certainty, and to consider climate change and environmental justice in decision making processes. Comments are due September 29th and more information can be found [HERE](#).

EPA Initiates Review of Ozone NAAQS. EPA announced a new review of the Ozone National Ambient Air Quality Standards (NAAQS) to update the standards to reflect current ozone conditions and consider new information related to acceptable ozone levels. EPA will consider reports on ozone science from the Clean Air Scientific Advisory Committee and the Ozone Review Panel while conducting the review. Comments are due October 24th and more information can be found [HERE](#).

EPA Releases Nationwide Monitoring Data on 29 PFAS and Lithium. EPA released the first set of data collected under the fifth Unregulated Contaminant Monitoring Rule. The new data will provide EPA with the frequency and levels that 29 per- and polyfluoroalkyl substances (PFAS) and lithium occur in drinking water systems. More information can be found [HERE](#).

FEMA Hosts Summit on Extreme Heat. On August 28th, FEMA hosted a summit on extreme heat for community leaders and officials. The summit focused on sharing tactics

and best practices for dealing with the impacts of extreme heat and related weather conditions. More information can be found [HERE](#).

##

**INFORMATION
ITEM
2B**



August 31, 2023

To: Inland Empire Utilities Agency

From: Michael Boccadoro
Beth Olhasso

RE: August Report

Overview:

Hurricane Hillary brought enough water to the state to bring all but six percent of the state out of drought conditions. A far cry from the start of 2023 when the entire state was experiencing drought conditions. Reservoirs are slowly being drawn down as we near September, but still remain well above average for this time of the year. Carryover storage is expected to be significant as we roll into a new water year.

The highly anticipated draft Making Conservation a California Way of Life/ Water Use Efficiency regulations have been released by the State Water Resources Control Board. Even with a potable reuse “bonus incentive” and extra outdoor irrigation allowance if using recycled water, most water agencies see the mandates proposed by the regulations as unattainable and/or very costly. Significant efforts are underway to make changes to the proposed regulations and the water community will be out in force at the October 6 State Board meeting. IEUA staff have been working closely with member agencies on these regulations.

The first public hearing for the draft Chrome-6 maximum contaminant level (MCL) (10 parts per billion) included hours of testimony. Water agencies testified to the cost of implementation while some environmentalists argued that the regulations don’t go far enough.

The CPUC has approved increased use of the Aliso Canyon Natural Gas Storage Facility heading into the winter season. Aliso Canyon, which leaked significant amounts of natural gas in 2015-16, is a critical piece of energy reliability in Southern California. The gas stored is critical to ensure the lights stay on and homes are heated in the winter months throughout Southern California.

A new study has been submitted to the SWRCB claiming that Sites Reservoir will cause hundreds of thousands of metric tons of methane to be emitted into the atmosphere as organic matter decomposes at the bottom of the reservoir. The Sites Project Authority refutes this study, pointing to conditions in their environmental permits requiring removal of organic matter before the reservoir is filled.

The Legislature is in the final weeks of the first year of the two-year session, ending on September 14. Most of the tough water policy work was done earlier in the session. Water rights bills are either two-year bills or have been amended to remove water community opposition. PFAS legislation is moving fairly easily. The resources/climate bond appears to have stalled at the end of session as the Governor wants only one bond on the March ballot, his priority mental

health/homelessness bond. A resources/climate bond will be revisited next year for the November 2024 ballot.

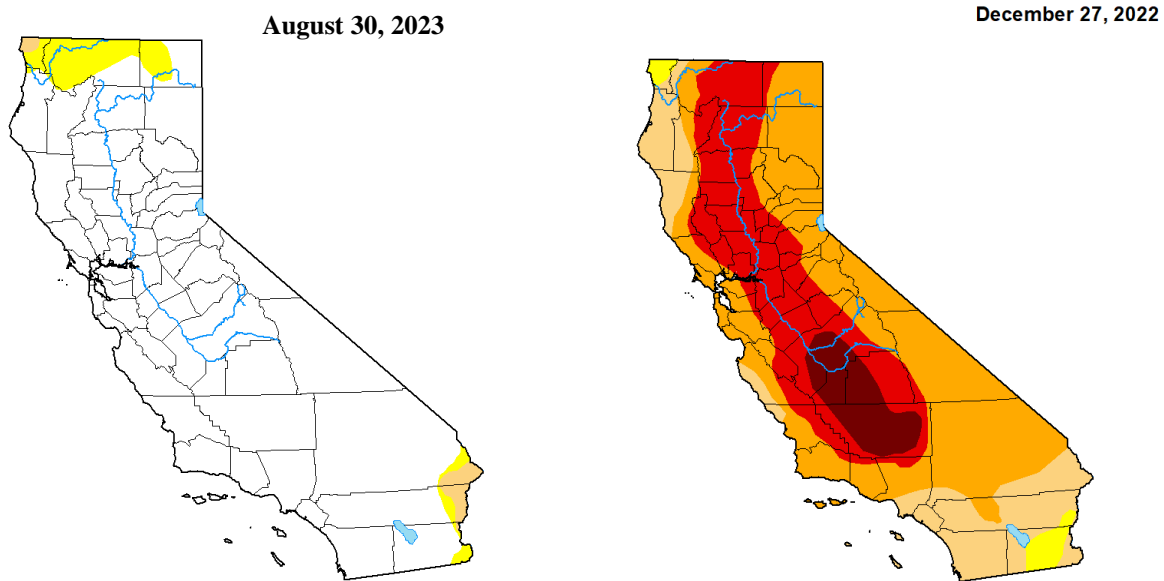
A late session move to counter the “Taxpayer Protection Act” citizen initiative has popped up. ACA 13, coauthored by Speaker Rivas, would require any initiative that looks to change a voter vote threshold to also be passed by the same threshold.

Inland Empire Utilities Agency Status Report – August 2023

Water Supply Conditions

After Hurricane Hillary blew through California, the state went from drought conditions impacting 25 percent of the state, to just 6.6 percent. One year ago, and even as late January 1, 100 percent of the state was in drought conditions.

While, as expected, reservoir levels are declining as summer turns into fall, water levels remain well above average, up and down the state. Lake Oroville is sitting at 139 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 226 percent of average for this time of the year and 87 percent capacity. State Water Project water continues to flow into Diamond Valley Lake, which is at 80 percent capacity.



Water Use Efficiency Regulations Released

The State Water Resources Control Board recently initiated the formal rulemaking for “Making Conservation a Way of Life” by releasing the draft text to implement AB 1668 (Friedman, 2018) and SB 606 (Hertzberg, 2018). The goal of the regulatory framework is to achieve long-term water use efficiency.

The proposed regulation would require urban retail water suppliers to meet a water use objective starting in 2025. The total proposed water budget is based on gallons per capita per day (GPCD), comprised of a residential indoor standard, residential outdoor standard, commercial industrial institutional outdoor standard, water loss, with any variances or bonus incentives (potable reuse) included.

It is important to note that the proposed regulations include several measures important to IEUA: the bonus incentive will allow member agencies to count their proportional share of potable reuse water in their water budget. Second, the proposed regulation, as directed by statute, allows for consideration of “special landscapes” which gives special consideration for outdoor irrigation using recycled water. However, the proposed regulation includes a never-before-discussed provision requiring agencies to get approval annually to use the “special landscape” distinction.

There is a workshop at the SWRCB on October 4- IEUA staff is working with Member Agencies on this issue.

Chrome-6 MCL Update

As previously reported, the SWRCB has proposed a maximum contaminant level for chrome-6 at 10 parts per billion (ppb). The proposal came following six years of review.

The SWRCB held a workshop on the proposed MCL on August 2 where several hours of testimony was taken from stakeholders. While there was significant concern about the cost from stakeholders, key board members indicated support for the MCL, including Chair Esquivel.

Complicating matters, the Office of Environmental Health Hazard Assessment is currently examining “additional information” to consider revising its public health goal (PHG) which is at 0.02 ppb.

Board Member McGuire indicated he is interested in the OEHHA review before final vote on the MCL. “Soon” is the best answer given for when the OEHHA study will be complete.

Water agencies continue to argue the MCL is too stringent and will be very costly and difficult, if not impossible, to comply with- forcing rate increases. Environmentalists are pushing for rapid adoption and even a lower MCL closer to OEHHA’s 0.02-ppb PHG.

A date for final adoption has not been released.

CPUC Adopts Increased Gas Storage at Aliso Canyon

At its August 31 meeting, the California Public Utilities Commission approved a request to increase the allowable supply of natural gas at the Aliso Canyon gas storage facility, agreeing that it is necessary to ensure reliability this winter.

While the facility is on the path to retirement after the 100,000 metric ton methane leak in 2015-16, the CPUC has concluded several times that the facility is vital to ensuring reliable and affordable energy to Southern California.

Despite *significant* opposition from the environmental community, after the natural gas price spikes of winter 2023, that also increased the cost of electricity, the CPUC is careful to ensure the state cannot be blamed should such an issue occur again.

Sites Reservoir in the Spotlight

A new study has been submitted to the State Water Resources Control Board (SWRCB) that challenges the amount of methane that might be emitted from Sites Reservoir, should it ever be built. Research conducted by Friends of the River, who opposes the entire Sites project, and funded by Patagonia (the clothing company) posits that decomposing plants and other organic matter collection near the bottom of the reservoir produce methane that bubbles up to the surface. The report, using newly developed modeling to estimate greenhouse gas emissions over a 100-year period finds that Sites would emit 362,000 metric tons of emissions annually (equivalent to 80,653 cars).

The analysis has been submitted to the SWRCB during the protest period, as the water right permit for the project is considered.

The Sites Project Authority disagrees with the assessment and has presented much smaller estimates of GHGs, using a different calculation method. They point to a condition in their environmental documents that require removal of vegetation from the bottom of the reservoir before it is filled with water.

The [LA Times](#) wrote more about the new study.

Legislation

The Legislature is in the final days of the legislative session, which ends on September 14. There are 766 bills on the Senate and Assembly Appropriations Suspense Files, which will be considered on September 1. Following the Labor Day break, members will spend the final two weeks in their respective chambers working through all the bills that survive the Suspense File.

The Senate recently elected Senator Mike McGuire to be the next President Pro Tem of the Senate. He will transition to the role in January as Pro Tem Toni Atkins is termed out in 2024. Pro Tem-elect McGuire represents a coastal district from Vallejo (near Oakland) all the way to the Oregon border.

ACA 13 is a newly introduced legislative ballot measure that would require any initiative measure amending the Constitution seeking to increase the voter approval requirement to adopt any state or local measure would be approved only if the proportion of votes cast in favor is equal or greater than the highest voter approval requirement that the initiative measure would impose.

This proposed ACA is in direct response to the November 2024 Ballot Initiative: Taxpayer Protection and Government Accountability Act, as described in previous reports. The act would make justification of public water agency fees or charges more difficult and likely result in litigation. The local government would bear the burden of proving by clear and convincing evidence that the amount of the charge is “reasonable” and those charges would have to be imposed by ordinance.

Speaker Rivas is a co-sponsor of ACA 13 which is also supported by ACWA, CSDA, CA League of Cities, CA Assn of Counties and others.

The ACA is in the Assembly Appropriations Committee. Because it is a 2/3 vote bill, it is not subject to regular bill deadlines.

Resources/Climate Bond Update

With just a few days left in the session, it is very unlikely that a resources/climate bond will be considered by the end of the session. The Governor wants voters to focus on his homelessness/mental health bond and is not interested in competition for the March 2024 ballot. The Legislature will have until summer 2024 to pass a measure for the November 2024 ballot.

Water Rights

As previously reported, AB 460 (Bauer-Kahan) has been made a two-year bill. As in print, the bill could have significant implications on the Voluntary Agreements. The author intends to have discussions over the winter with stakeholders to try to reach consensus.

SB 389 (Allen) was amended in July to only allow the SWRCB to request information from a water right holder. It does nothing to change SWRCB enforcement authority. ACWA and other members have removed their opposition to the bill. It awaits action in the Assembly Appropriations Committee.

PFAS

The three PFAS bills moving through the Legislature this year have passed out of the Assembly and are in the Senate for consideration. AB 727 (Weber) is sponsored by CASA and would prohibit PFAS in cleaning products. AB 1423 (Schiavo) would prohibit PFAS in artificial turf. AB 246 (Schiavo) would ban PFAS in menstrual products. They have all taken amendments to appease opponents, but are all still moving and await action in the Senate Appropriations Committee.

AB 727 has taken five sets of amendments to keep moving through the process after facing opposition from the Housing & Commercial Products Association and the California Manufacturers and Technology Association. They are mostly concerned about how the bill would impact polish or floor maintenance products, noting that these products are critical to mitigate wear and tear and extend the life of flooring. The latest set of amendments require a written warning to any retailer selling cleaning products with PFAS and allows them 30 days to remove stock from their shelves, if not sold. The measure passed the Senate Environmental Quality Committee and Judiciary Committee and Senate Appropriations and is awaiting final action on the Senate Floor.

IEUA BILLS— August 31, 2023

Bill Number	Author/Sponsor	Title and/or Summary	Summary	IEUA Position/ Bill Location	Positions Taken by Associations & Regional Agencies
AB 727	Weber/ CASA	Product safety: cleaning products: perfluoroalkyl and polyfluoroalkyl substances.	Would, beginning January 1, 2025, 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. The bill would make a violation of these provisions punishable by a civil penalty not to exceed \$5,000 for a first violation and not to exceed \$10,000 for each subsequent violation, upon an action brought by the Attorney General, a city attorney, a county counsel, or a district attorney.	SUPPORT Senate Floor	CASA Support
AB 1072	Wicks	Water conservation and efficiency: low-income residential customers.	Would declare the policy of the state that all residents have access to water conservation and efficiency programs. The bill would also set forth related findings including that reaching the state's environmental justice goals and commitments requires designing climate adaptation programs so that all households may participate.	WATCH Failed in Asm. Appr.	
AB 1216	Muratsuchi	Wastewater treatment plants: monitoring of air pollutants.	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 has an original design capacity of 425,000,000 gallons or more per day to develop, install, operate, and maintain a wastewater treatment-related fence-line monitoring system in accordance with guidance developed by the appropriate air quality management district. The bill would require the wastewater treatment-related 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.	OPPOSE Senate Floor	CASA OPPOSE CASA asking for a sunset clause
AB 1423	Schiavo	Product safety: perfluoroalkyl and polyfluoroalkyl substances: artificial turf or	Would, commencing January 1, 2024, require a manufacturer or installer of a covered surface, defined as artificial turf or a synthetic surface that resembles grass, proposing to design, sell, or install a field with a covered surface to any party to notify the party at the earliest possible date that the covered surface contains regulated PFAS, as defined. The bill would also prohibit, commencing January 1, 2024, a public entity, including a charter city, charter county, city, or county, any public or private school serving pupils in kindergarten or any of grades 1 to 12, inclusive, a public institution of higher education, other than the University of California, or a private institution of higher education from	SUPPORT Senate Appropriations Committee	

		synthetic surfaces.	purchasing or installing a covered surface containing regulated PFAS, as provided.		
AB 1572	Friedman	Potable water: nonfunctional turf	This bill would make legislative findings and declarations concerning water use, including that the use of potable water to irrigate nonfunctional turf is wasteful and incompatible with state policy relating to climate change, water conservation, and reduced reliance on the Sacramento-San Joaquin Delta ecosystem. The bill would direct all appropriate state agencies to encourage and support the elimination of irrigation of nonfunctional turf with potable water. This bill contains other related provisions and other existing laws.	WATCH Senate Appropriations Committee	ACWA- Oppose unless amended—likely removing opposition—Negotiated amendments remove multifamily housing from the bill
AB 1573	Friedman	Water conservation: landscape design: model ordinance	The Water Conservation in Landscaping Act provides for a model water efficient landscape ordinance that is adopted and updated at least every 3 years by the Department of Water Resources, unless the department makes a specified finding. Existing law requires a local agency to adopt the model ordinance or to adopt a water efficient landscape ordinance that is at least as effective in conserving water as the updated model ordinance, except as specified. Existing law specifies the provisions of the updated model ordinance, as provided. Existing law includes a related statement of legislative findings and declarations. This bill would require the updated model ordinance to include provisions that require that plants included in a landscape design plan be selected based on their adaptability to climatic, geological, and topographical conditions of the project site, as specified. The bill would also exempt landscaping that is part of ecological restoration projects that do not require a permanent irrigation system, mined-land reclamation projects that do not require a permanent irrigation system, and existing plant collections, as part of botanical gardens and arboretums open to the public, from the model ordinance. The bill would require the updated model ordinance to include provisions that require that all new or renovated nonresidential areas install plants that meet specified criteria, and that prohibit the inclusion of nonfunctional turf in nonresidential landscape projects after January 1, 2026. The bill would also revise the legislative findings and declarations to state that the model ordinance furthers the state's goal to conserve biodiversity and provide for climate resilience consistent with state drought efforts to eliminate the use of irrigation of nonfunctional turf. This bill contains other related provisions and other existing laws.	WATCH Senate Appropriations Committee	ACWA- Oppose unless amended
AB 1637	Irwin	Local government: internet websites and email addresses	The California Constitution authorizes cities and counties to make and enforce within their limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws and further authorizes cities organized under a charter to make and enforce all ordinances and regulations in respect to municipal affairs, which supersede inconsistent general laws. This bill, no later than January 1, 2027, would require a local agency, as defined, that maintains an internet website for use by the public to ensure that the internet website utilizes a “.gov” top-level domain or a “.ca.gov” second-level domain and would require a local agency that maintains an internet website that is noncompliant with that requirement to redirect that internet website to a	WATCH- AMENDS TAKE OUT SPECIAL DISTRICTS	CSDA- moves to “watch” with new amends

SB 149	Caballero	California Environmental Quality Act: administrative and judicial procedures: record of proceedings: judicial streamlining.	Infrastructure Package bill on streamlining of judicial review for CEQA challenges	Signed by Governor	Support by ACWA, CMUA, WateReuse
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**INFORMATION
ITEM
2C**



Grants Semi-Annual Update

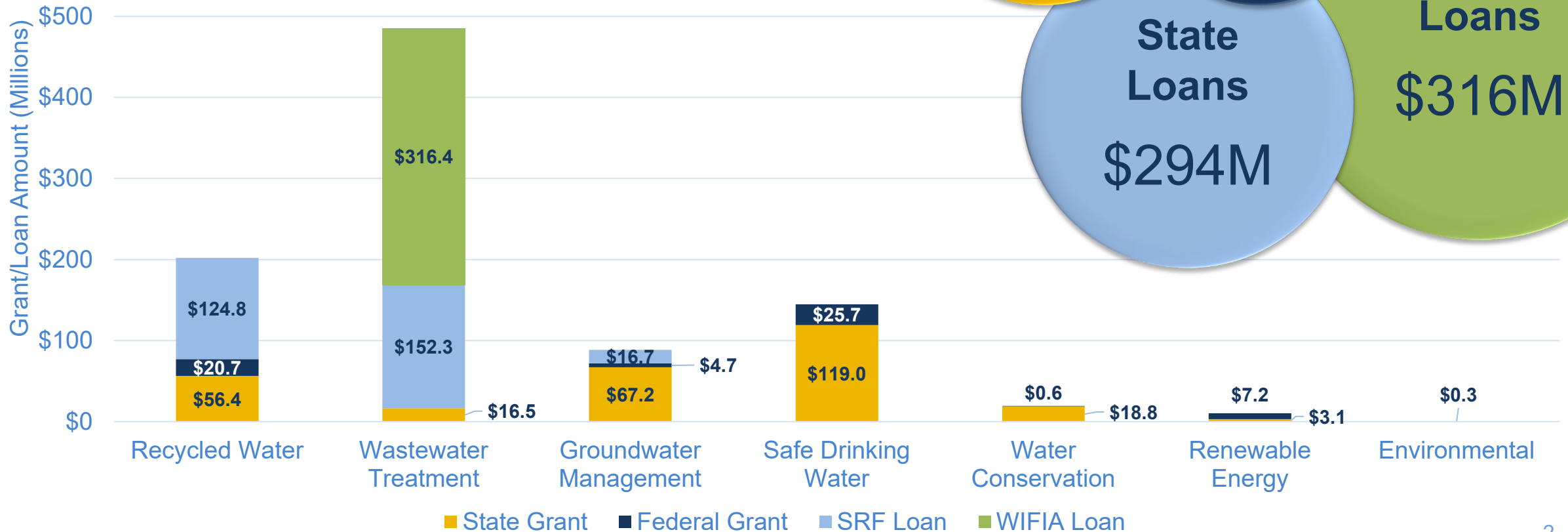
Alyson Piguee

Director of External & Government Affairs

September 2023

Grant & Loan Funding Overview

**Executed Grants + Loans
Since 2000 = \$950M**



State Grants
\$281M

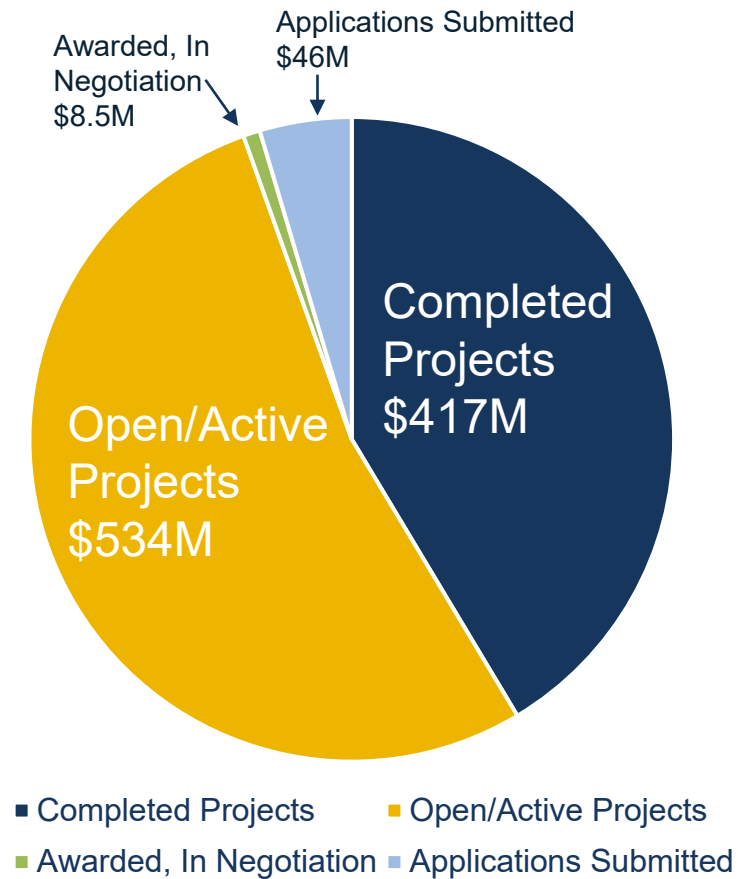
Federal Grants
\$59M

State Loans
\$294M

Federal Loans
\$316M

Grant & Loan Funding Overview

IEUA Grant/Loan Awards since 2000



Funding Agencies for IEUA's Current Agreements and Applications



New Grant Award!

- CA Department of Water Resources: Urban Community Drought Relief Program
 - Requested \$15 million for the Turnkey Turf Transformation Program
 - Awarded \$8.4 million – in negotiation
 - Partnership with Las Virgenes Municipal Water District, Calleguas Municipal Water District, and Upper San Gabriel Valley Water District



CALIFORNIA DEPARTMENT OF
WATER RESOURCES

Chino Basin Program (CBP) Funding

- Working with CBP team to track and forecast funding opportunities
 - Tracking legislation with advocacy partners to identify upcoming water infrastructure funding
 - Flexible strategies to align CBP components with opportunities

CBP >>



RW Intertie



AWPF



Injection Wells



Extraction Wells



External Supplies

CBP Funding – Applications Submitted and Pending

Funding Opportunity	Project	\$ Requested	Status
FEMA Building Resilient Infrastructure & Communities	Rialto Intertie	\$43.5 million	Anticipate decision in fall 2023
USBR Water Recycling & Desalination Planning Program	CBP Planning & Design	\$2.8 million	Anticipate decision in fall 2023



FEMA



— BUREAU OF —
RECLAMATION

CBP Funding – Application Submitted – Not Awarded

- Community Project Request – Senator Padilla
 - \$1.7 million for boring and monitoring wells
 - Request was advanced by Senator Padilla but did not make the Senate Appropriations bill
- Clean Water State Revolving Fund
 - \$65 million for the Rialto Intertie Project
 - Received a score of 12
 - Did not make the Intended Use Plan Fundable List

CBP – State Funding Opportunities

Funding Opportunity	Project	\$ Requested	Status
SWRCB: Water Recycling Funding Program (Grant)	Rialto Intertie	\$15 million	Application to be submitted Fall 2023
SWRCB: Water Recycling Funding Program (Grant)	IEUA/JCSD Intertie	\$15 million	Application to be submitted Spring 2024
SWRCB: Drinking Water State Revolving Fund (Loan)	Advanced Water Purification Facility & Aquifer Replenishing Wells	TBD	Application anticipated to be submitted December 2024
State Delegation: Budget Request (Grant)	Advanced Water Purification Facility	\$50 million	Request to be submitted early 2024

CBP – Federal Funding Opportunities

Program	Funding Availability	Status
USBR Large-Scale Water Recycling Program - Construction	<ul style="list-style-type: none">• \$450 million in total funding available• Capped at 25% of total project costs	<ul style="list-style-type: none">• Feasibility study submitted• Anticipate Notice of Funding Opportunity Fall 2023
USBR Title XVI Water Reclamation and Reuse	<ul style="list-style-type: none">• Approximately \$8 million left on approved feasibility study	<ul style="list-style-type: none">• Approved feasibility study from 2018• Anticipate Notice of Funding Opportunity Fall 2023

Other Funding Activity

Funding Pursued, but not Awarded:

- Community Project Request – Senator Padilla
 - Energy Recovery Project at RP-1
 - Request was advanced but not included in Senate Appropriations bill

Other Funding Opportunities Being Pursued:

- WIFIA Loan for the Entire TYCIP
- US Bureau of Reclamation WaterSMART Drought Resiliency Program
- Planning for FFY 25 Community Project Requests
- Potential Climate Bond
- Energy Funding

Questions?



Congressman Pete Aguilar



State Senator Josh Newman



Congresswoman Norma Torres



Congresswoman Young Kim

**INFORMATION
ITEM
2D**

Date: September 20, 2023

To: The Honorable Board of Directors

SD
From: Shivaji Deshmukh, General Manager

Committee: Community & Legislative Affairs

09/13/23

Staff Contact: Alyson Piguee, Director of External & Government Affairs

Subject: Public Outreach and Communication

Executive Summary:

Staff unveiled the first of its “Time is Always Now” messaging. The first three posts in the re-branded campaign correlate to “Controlling your Controller” and define what a Smart Controller is, how to use it, and available rebates. Future posts will have an increased emphasis on specific water-saving tips, habitual changes, and will continue to be shared on the Agency’s outreach platforms. Additional re-branded collateral will be added to the campaign toolkit for Customer Agency access and use.

Staff is developing a scope and guidelines for the implementation of an education trailer at the Chino Creek Wetlands through the DEW grant. In addition, the grant provides the opportunity to enhance programming; staff is working with Agency partners and the education community to develop new curriculum.

External Affairs staff coordinated with employees to compile Water Quality Staff features in honor of Water Quality Month. Four employees were featured throughout the month and shared their journey on working for water and information on their role.

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

September

- September, National Preparedness Month
- September 15, National Online Learning Day
- September 18, World Water Monitoring Day
- September 18-22, Pollution Prevention Week
- September 19, IT Professionals Day
- September 24, World Rivers Day
- September 25-29, Finance and Accounting Appreciation Week
- September 26, World Environmental Health Day

Media and Outreach

General

- IEUA hosted a tour of RP-5 for members of the Santa Ana Regional Water Quality Control Board. The tour was led by IEUA's Principal Engineer Brian Wilson and participants received updates on the project's progress and IEUA's initiatives.
- The Inland Empire Water Partnership has shifted focus to begin developing additional outreach collateral and messaging for PFAS and constituents of emerging concern (CECs).
- Staff continues to work with the Chino Basin Program team leads, partners, Jacobs, 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. The team is working to develop a series of video shorts that can be included in presentations and shared more broadly. Staff is working with other program team members to help plan for outreach events where CBP can be highlighted. Staff was contacted in August by a reporter for the American Society of Civil Engineers to provide details on the Recycled Water System Expansion for a highlight article.
- External Affairs staff coordinated with employees to compile Water Quality Staff features in honor of Water Quality Month. Four employees were featured throughout the month and shared their journey on working for water and information on their role.
- External Affairs staff worked with Water Quality Lab team members to publish a "Day in the IEUA Water Quality Lab" reel for social media.
- Staff compiled Water Quality Month "throwback" posts, showcasing IEUA's milestones since the Agency's formation.

Water Supply Awareness Efforts

- Staff unveiled the first of its "Time is Always Now" messaging. The first three posts in the re-branded campaign correlate to "Controlling your Controller" and define what a

Smart Controller is, how to use it, and available rebates. Future posts will have an increased emphasis on specific water-saving tips, habitual changes, and will continue to be shared on the Agency's outreach platforms. Additional re-branded collateral will be added to the campaign toolkit for Customer Agency access and use.

Advertising/Marketing

- A Water Discovery/Education Program ad ran on August 12 in the *Chino Champion*.
- A Water Discovery/Education Program ad will run in the September issue of *Inland Empire Magazine*.

Social Outreach and Analytics

- The Agency continues to publish content on LinkedIn and has gained 76 followers since July, with 1,080 page views in the last 30 days (July 24 – August 22).
- August: 25 posts were published to the IEUA Facebook page, 25 tweets were sent on the @IEUAWater Twitter handle, 25 posts were published to IEUA's Instagram grid, and 18 posts were published to the IEUA LinkedIn page.
 - The top three Facebook posts, based on reach and engagement, in the month of August were:
 - 8/8 Chemist, Intern (Finance), Director of Operations and Maintenance, Electrical & Instrumentation Technician I-III (DOQ), Associate Engineer, and Environmental Resources Planner II Hiring
 - 8/1 Wastewater Treatment Plant Operator (Grade OIT-V, DOQ), Senior Financial Analyst, and Hydrogeologist Hiring
 - 8/15 GIS Specialist Hiring
 - The top three Twitter tweets, based on reach and engagement, in the month of August were:
 - 8/22 Water Quality Staff Feature
 - 8/15 Water Quality Staff Feature
 - 8/21 World Water Week
 - The top three Instagram posts, based on reach and engagement, in the month of August were:
 - 8/3 Operator Core Competency Presentation
 - 8/19 Water Quality Lab Recognition Event
 - 8/21 World Water Week
 - The top three LinkedIn posts, based on impressions and reactions, in the month of August were:
 - 8/8 Chemist, Intern (Finance), Director of Operations and Maintenance, Electrical & Instrumentation Technician I-III (DOQ), Associate Engineer, and Environmental Resources Planner II Hiring
 - 8/19 Water Quality Lab Recognition Event
 - 8/8 IERCA Board Meeting
- For the month of August, there were 9,689 searches for a park in IEUA's service area on Yelp and the Chino Creek Wetlands and Educational Park was viewed 437 times.

Education and Outreach Updates

- Staff is working closely with the Chino Basin Water Conservation District to complete the two remaining Garden in Every School® gardens before year end. The bunny fencing

and irrigation system has been completed at Our Loving Savior, and planting is expected to take place in late September/early October when the weather cools. Construction is expected to start at Randall Pepper Elementary School in September.

- Staff is developing a scope and guidelines for the implementation of an education trailer at the Chino Creek Wetlands through the DEW grant. In addition, the grant provides the opportunity to enhance programming; staff is working with Agency partners and the education community to develop new curriculum.

Agency-Wide Membership Updates

Organization	Participant(s)	Date	Topic/Activity
Southern California Water Coalition (SCWC)	Alyson Piguee / Ashley Womack	7/10/2023	SCWC Legislative Task Force Meeting
Association of California Water Agencies (ACWA)	Alyson Piguee	7/14/2023	ACWA State Legislative Committee Meeting
Chino Valley Chamber of Commerce	Shivaji Deshmukh / Christiana Daisy / Alyson Piguee / Lisa Dye / Nicole Slavin	7/27/2023	Chino Valley Chamber of Commerce Business Awards & Recognition Dinner
Southern California Water Coalition (SCWC)	Shivaji Deshmukh / Michael Hurley	7/28/2023	SCWC Quarterly Luncheon - The Crossings at Carlsbad
California Association of Sanitation Agencies (CASA)	Alyson Piguee	8/9/2023 - 8/11/2023	CASA 68th Annual Conference in San Diego
Fontana Chamber of Commerce	Ashley Womack / Elizabeth Hurst	8/10/2023	Fontana Chamber of Commerce luncheon; Arellano Associates presented on Chino Basin Program on IEUA's behalf
Urban Water Institute	Shivaji Deshmukh	8/23/2023 - 8/25/2023	UWI Conference in San Diego