

**REGIONAL WATER AUTHORITY
EXECUTIVE COMMITTEE AGENDA
Wednesday, March 24, 2021; 8:30 a.m.**

AGENDA

The Committee will discuss all items on this agenda, and may take action on any of those items, including information items and continued items. The Committee may also discuss other items that do not appear on this agenda but will not act on those items unless action is urgent, and a resolution is passed by a two-thirds (2/3) vote declaring that the need for action arose after posting of this agenda.

The public shall have the opportunity to directly address the Committee on any item of interest before or during the Committee's consideration of that item. Public comment on items within the jurisdiction of the Committee is welcomed, subject to reasonable time limitations for each speaker. Public documents relating to any open session item listed on this agenda that are distributed to all or a majority of the members of the Board of Directors less than 72 hours before the meeting are available for public inspection on RWA's website. In compliance with the Americans with Disabilities Act, if you have a disability and need a disability-related modification or accommodation to participate in this meeting, please contact cpartridge@rwah2o.org. Requests must be made as early as possible, and at least one full business day before the start of the meeting.

Note: Pursuant to the Governor's Executive Order N-29-20, and given the state of emergency regarding the threat of COVID-19, the meeting will be held via teleconference.

We encourage Committee members and participants to join the meeting 10 minutes early. Note that we will use GoToMeeting to share slides and other information during the meeting. Use the link below to join GoToMeeting. If you have a microphone that you can use with your computer, it should be possible to both listen to, and participate in, the meeting through GoToMeeting. If you do not have a microphone, or a headset with a microphone, that plugs into your computer via USB port, you will need to call into the conference line to listen and comment, although you still should be able to view the meeting materials on GoToMeeting. Please do not simultaneously use a microphone through GoToMeeting and the telephone conference line. That combination results in audio problems for all participants.

Meeting Information:

RWA Executive Committee Meeting
Wed, Mar 24, 2021 8:30 AM - 10:30 AM (PDT)

Please join my meeting from your computer, tablet or smartphone.

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Access Code: **640-742-813**

- 1. CALL TO ORDER AND ROLL CALL**
- 2. PUBLIC COMMENT:** Members of the public who wish to address the Committee may do so at this time. Please keep your comments to less than three minutes.

3. CONSENT CALENDAR

a. Minutes of the February 22, 2021 Executive Committee Meeting

Action: Approve Consent Calendar

4. LEGISLATIVE/REGULATORY UPDATE

Information and Presentation: Ryan Ojakian, Legislative and Regulatory Affairs Manager

Action: Take Positions on State Legislation

5. DIRECTORS' COMMENTS

ADJOURNMENT

Next Executive Committee Meeting – April 28, 2021, 8:30 a.m. at the RWA/SGA office, 5620 Birdcage Street, Ste. 110, Citrus Heights, the location is subject to change depending on the COVID-19 emergency.

Next Regular RWA Board Meeting: Thursday, May 6, 2021, 9:00 a.m., at the RWA Office, the location is subject to change depending on the COVID-19 emergency.

The Executive Committee Meeting electronic packet will be available on the RWA website at <https://rwah2o.org/meetings/board-meetings/> to access and print the packet. Notification will be emailed when the Executive Committee meeting electronic packet is complete and posted on the RWA website.

AGENDA ITEM 3: CONSENT CALENDAR

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request an item be removed for separate consideration.

- a. Approve minutes of the February 22, 2021 Executive Committee Meeting

Action: Approve Consent Calendar Items

Attachments:

Minutes of the February 22, 2021 Executive Committee Meeting

1. CALL TO ORDER

Vice Chair York called the meeting of the Executive Committee to order at 8:30 a.m. as a teleconference meeting. Individuals in attendance are listed below:

Executive Committee Members

Ron Greenwood, Carmichael Water District
Michelle Carrey, City of Sacramento
Bill Roberts, City of West Sacramento
Paul Schubert, Golden State Water Company
Tony Firenzi, Placer County Water Agency
Kerry Schmitz, Sacramento County Water Agency
Dan York, Sacramento Suburban Water District
Dan Rich, San Juan Water District

Staff Members

Jim Peifer, Ryan Ojakian, Rob Swartz, Michelle Banonis, Josette Reina-Luken, Monica Garcia, Cecilia Partridge, and Ryan Bezerra, legal counsel

Others in Attendance

Brian Sanders, Greg Zlotnick, Andy Fecko, Alan Driscoll, Mike Huot, Mike Grinstead, David Wheaton, Anne Sanger, Mark Madison, Patrick Lee, and Paul Helliker

2. PUBLIC COMMENT

Mr. Peifer introduced Michelle Banonis as the new RWA Manager of Strategic Affairs. Ms. Banonis formerly worked for the Department of Water Resources and US Bureau of Reclamation.

Mark Madison, Elk Grove Water District, provided information on Sacramento Emergency Rental Assistance (SERA). The program provides state and federal government assistance to help renters with rent and utility bills. Sacramento Housing and Development Agency is administering the program on behalf of Sacramento County. The money can be used to help pay water and utility bills. There are guidelines that customers need to follow to get assistance. Information is posted on the Elk Grove Water District website. There is a short window of time to

apply for assistance. Mr. Madison offered to provide additional information for anyone who contacts him.

3. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code § 54956.9, subdivision (d)(4): One case, concerning Bay-Delta water quality control plan.

Mr. Peifer gave instructions for the Executive Committee members to participate in the Closed Session.

4. REPORT FROM CLOSED SESSION

There was nothing to report from closed session.

5. CONSENT CALENDAR

Minutes of the January 27, 2021 Executive Committee Meeting

Motion/Second Carried (M/S/C) Mr. Rich moved, with a second by Mr. Greenwood, to approve the Consent Calendar items. The motion carried by the unanimous voice vote of all directors present.

6. RWA DUES STRUCTURE AND ALLOCATION

Mr. Peifer said that last year Chair Schmitz appointed a Dues Ad Hoc Committee to reconsider the RWA dues structure, which has remained the same for the past 20 years. The committee has proposed a new dues structure. The new structure provides a declining block rate with a discount for agencies that are not within the American River Watershed.

The Dues Ad Hoc Committee members were Tom Gray, Michelle Carrey, Robert Dugan, Paul Schubert, Ron Greenwood and Kerry Schmitz.

M/S/C Ms. Schmitz moved, with a second by Mr. Roberts, to recommend approval of the Dues Ad Hoc Committee's proposed dues structure and allocation to the Board of Directors. The motion carried by the unanimous voice vote of all directors present.

7. SACRAMENTO CENTRAL GROUNDWATER AUTHORITY

An update on the Sacramento Central Groundwater Authority is a standing agenda item for RWA Board meetings and Executive Committee meetings. Staff is working with the Water Forum to obtain facilitation services that would be paid for through the Department of Water Resources' Facilitation Support Services Program. A joint board meeting is expected between the three authorities to discuss issues regarding potential integration.

8. OFFICE SPACE

RWA has short-term and long-term office space issues. There are benefits with our current office space, but also some shortcomings with the need to accommodate additional staff. In the future, things will change as people are able to work together again and meet in person.

An option to consider is leasing a temporary office space at a downtown Sacramento location that would allow Mr. Ojakian and Ms. Banonis the ability to be in closer proximity to people and places they regularly meet. Mr. Peifer suggested that we identify what our needs are and what our future needs will be in both the short-term and long-term.

It was suggested that an ad hoc committee be appointed to work with staff and study the options to find a logical approach for resolving office space needs. Consideration for office space needs to include parking, a financially feasible location, and meeting room availability.

Mr. Peifer suggested that Vice Chair York meet with Chair Bigley to determine who to appoint for an ad hoc committee. Mr. Greenwood volunteered to be a member of the committee to utilize his real estate background.

9. LEGISLATIVE/REGULATORY UPDATE

Mr. Ojakian, Legislative and Regulatory Affairs Manager, said that the legislature continues to focus on addressing health and economic impacts from the COVID-19 pandemic, wildfire, and affordability with particular focus on housing and homelessness. Two big issues are going to be on water affordability and climate resilience bond. He gave an overview of bills for the Committee's early consideration including AB 315 that would limit liability of landowners for streambed restoration projects, AB 322 would direct funds from electric program investment charge program and direct them towards small power plant biomass, AB 361 extends the Brown Act exemption put in place in response to COVID for future emergencies, and AB 418 is attempting to create a program for public safety power shut offs ensuring that there is appropriate power support for local government agencies including water utilities.

SB 230 creates a program to address constituents of emerging concern, SB 323 would apply the same validation action timeline as other local agencies have to water and sewer service fees, SB 369 would establish the Yolo bypass partnership multi benefit program, and SB 427 would provide the ability to enhance penalties for water theft.

Mr. Ojakian recommended a support position on AB 315, AB 322, AB 418, SB 230, SB 323, and SB 369 with a support if amended position on AB 361.

Mr. Peifer explained that the Regulatory Advocacy Committee and Federal Affairs Committee recommend positions to take and the Executive Committee confirms those positions. At the January meeting, the Federal Affairs Committee directed the Executive Director to send a letter of support on HR 535 and at the February meeting, they directed that a letter of support for HR 1015 be sent.

M/S/C Mr. Williams moved with a second by Ms. Schmitz to take positions on State Legislation as indicated by Mr. Ojakian. The motion carried by the unanimous voice vote of all directors present.

M/S/C Mr. Greenwood moved, with a second by Ms. Carrey, to take positions on Federal Legislation as indicated by Mr. Ojakian. The motion carried by the unanimous voice vote of all directors present.

10. MARCH 11, 2021 RWA BOARD MEETING AGENDA

It was suggested that agenda item 8, Strategic Plan Prioritization Workshop, be deleted from the March 11, 2021 RWA Board meeting agenda.

M/S/C Mr. Roberts moved, with a second by Mr. Schubert, to approve the March 11, 2021 proposed RWA Board meeting agenda deleting agenda item 8. The motion carried by the unanimous voice vote of all directors present.

11. EXECUTIVE DIRECTOR'S REPORT

Mr. Peifer reported that the ACWA D.C. conference begins February 24th.

A Special Board meeting has been scheduled for a coffee and conversation meeting. Three guest speakers will talk about important projects in the region. Jerry Brown will talk about the Sites Reservoir, James Corless will talk about Green Means Go, and Tony Firenzi and Charles Duncan will talk about River Arc.

The Water Forum negotiations are ongoing. A 2 x 4 committee has been created that includes two members of each of the four caucuses to assist in framing the big picture issues that need to be solved. Mr. Schubert and Mr. Peifer are representing the Water Caucus on the committee.

12. DIRECTORS' COMMENTS

Mr. Greenwood said that Carmichael Water District is going through changes in their structure. Their senior management will include a new engineering manager and there is a vacancy for a Finance Manager.

ADJOURNMENT

Vice Chair York adjourned the meeting at 10:02 a.m.

By:

Chairperson

Attest:

Josette Reina-Luken, Board Secretary

AGENDA ITEM 4: LEGISLATIVE/REGULATORY UPDATE

BACKGROUND:

Information and Presentation: Ryan Ojakian, Legislative and Regulatory Affairs Manager

Policy committee hearings are taking place over the next month and RWA must take positions on bill in order to register that position with committees. Staff is recommending positions on the following 17 bills:

AB 339 (Lee D- San Jose) - Would require all local agency meetings to include both an in person and call-in/internet option that has closed captioning. The bill would additionally require language translation of materials and meetings where at least 5 percent of the agencies service area population is non-English speaking. **Staff Recommendation:** Oppose unless amended.

AB 377 (Robert Rivas D- Hollister) - Would revise and recast the process by which water bodies are listed and removed as impaired and require that all waters be impairment free by 2052. **Staff Recommendation:** Oppose

AB 564 (Lorena Gonzalez D- San Diego) - Would establish a policy of the state that all state agencies, boards, and commissions shall utilize their authorities in furtherance of the biodiversity conservation. Would further establish a policy of the state that public agencies shall not approve projects that are inconsistent with or would impair the successful implementation of the strategies to conserve at least 30 percent of the state's "land and costal waters." **Staff Recommendation:** Oppose unless amended.

AB 622 (Friedman D- Glendale) - Would require, on or before January 1, 2024, that all washing machines sold as new in California contain a microfiber filtration. **Staff Recommendation:** Support

AB 652 (Friedman D- Glendale) - Would, on and after July 1, 2023, prohibit the sale of specified products for children under 12, that contains perfluoroalkyl and polyfluoroalkyl substances (PFAS). **Staff Recommendation:** Support

AB 697 (Chau D- Arcadia) - Would re-prioritize the use of funds in the existing "Good Neighbor Fund" under the CNRA. Forest health projects that include approaches and are supported by scientific effective planning, implementing, monitoring of landscape-level, ecological-based forest restoration activities would be prioritized. **Staff Recommendation:** Support

AB 703 (Blanca Rubio D- Baldwin Park) - Would update Brown act requirements on teleconferencing. **Staff Recommendation:** Support

AB 802 (Bloom D- Santa Monica) - Would require the SWRCB to identify the best available technology for filtering microfibers from a commercial laundry facility and would require those facilities to adopt the use of the best available control technology. **Staff Recommendation:** Support

AB 897 (Mullin D- South San Francisco) - Would authorize the establishment of regional climate networks. Would authorize regional climate networks to develop regional climate adaptation plans. Would require the Office of Planning and Research (OPR) to engage with the development of regional climate adaptation plans and make recommendations on funding those adaptation plans. **Staff Recommendation:** Support

AB 921 (McCarty D- Sacramento) - Would update flood control management and requirements in West Sacramento. **Staff Recommendation:** Support

AB 1209 (McCarty D- Sacramento) - Would establish the Green Means Go Grant and Loan Program to award competitive grants and revolving loans to eligible government agencies within the Sacramento region. The program would be administered by the Sacramento Area Council of Governments (SACOG) for qualifying projects (which include sewer and water infrastructure). **Staff Recommendation:** Support if amended.

AB 1250 (Calderon D- Whitter) - Would authorize a water or sewer system corporation to file an application and obtain approval from the California Public Utilities Commission (CPUC) through an order authorizing that water or sewer system corporation to consolidate with a public water system or state small water system. **Staff Recommendation:** Support

AB 1376 (Gray D- Modesto) - Would require the SWRCB to make a state water quality certificate or statement available on its website for a 60-day public comment and review period. **Staff Recommendation:** Support

AB 1434 (Friedman D- Glendale) - Would lower the indoor water use efficiency standards that are part of the overall water use efficiency requirements. **Staff Recommendation:** Oppose

AB 1458 (Frazier D-Discovery Bay) - Would add vegetation management or fuels treatment projects to mitigate the threat or intensity of wildfire to the list of project types exempt from lake and streambed alteration requirements. **Staff Recommendation:** Support

AB 1500 (E. Garcia D- Coachella) – Would place a \$6.7 billion resilience bond to be placed on the ballot in 2022. **Staff Recommendation:** Support if amended.

SB 378 (Lena Gonzalez D- Long Beach) - Would significantly limit the ability of local governments to restrict the installation of wires necessary for broadband. **Staff Recommendation:** Oppose unless amended.

Action: Take Positions on State Legislation

Attachment:
Bills for Discussion

Bills for Discussion March 17, 2021

Bill	Summary- Discussion- Recommendation	Status
AB 9 (Wood)	<p>Summary: States Legislative intent to enact legislation that would increase California’s capacity to prevent and reduce the impact of wildfires.</p> <p>Discussion: Wildfire is among the handful of primary issues the Legislature has indicated they will focus on. Assemblymember Wood is well positioned to be an influential member in shaping legislative wildfire policy. The Governor’s proposed January budget included \$1 billion to address wildfire including \$170 million for forest health and \$76 million for forest sector economic stimulus.</p> <p>Recommendation: Watch</p>	<p>Introduced December 7th</p>
AB 11 (Ward)	<p>Summary: Requires the Strategic Growth Council to by January, 2023, establish up to 12 regional climate change coordinating groups to develop and work on climate adaptation for their communities. Specifies that regional climate change coordinating groups may perform coordination and implementation activities, within their boundaries, to assist local agencies in meeting their greenhouse gas emission reduction goals and may engage in additional specified activities to address climate change including, Increasing efficiency of water use, among other things.</p> <p>Discussion: This is one of several bills [along with AB 51 (Quirk) and a soon to be reintroduced versions of AB 2621 (Mullin)] focused on regional climate actions. Last year RWA took a support if amended position on AB 2621. Several members of the statewide network of regional climate collaborative members have been working behind the scenes on these bills. Their goal is to formalize a process for regional networks, establish regional adaptation plans, and have implementation of those plans be supported by the state. This is something along the lines of IRWMPs and or SGMA approaches modified to meet regional climate change planning needs.</p> <p>Recommendation: Support if amended.</p>	<p>Introduced December 7th</p>
AB 51 (Quirk)	<p>Summary: Requires the Strategic Growth Council, by July 1, 2022, to establish guidelines for the formation of regional climate adaptation planning groups. The bill would require the council, by July 1, 2023, and in consultation with certain state entities, to develop criteria for the development of regional climate adaptation plans.</p> <p>Discussion: This is one of several bills [along with AB 11 (Ward) and a soon to be reintroduced versions of AB 2621 (Mullin)] focused on regional climate actions. Last year RWA took a support if amended position on AB 2621. Several members of the statewide network of regional climate collaborative members have been working behind the scenes on these bills. Their goal is to formalize a process for regional networks, establish regional adaptation plans, and have implementation of those plans be supported by the state. This is something along the lines of IRWMPs and or SGMA approaches modified to meet regional climate change planning needs.</p> <p>Recommendation: Support if amended.</p>	<p>Introduced December 7th</p>

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<p>AB 52 (Frazier)</p>	<p>Summary: Requires the state Air Resources Control board, in each scoping plan update prepared by the state board after January 1, 2022, to include recommendations, in its greenhouse gas emissions scoping plan, to achieve the maximum technologically feasible and cost-effective reductions of emissions of greenhouse gases and black carbon from wildfires. The bill would also express the intent of the Legislature to appropriate an amount from the Greenhouse Gas Reduction Fund for wildfire mitigation and prevention.</p> <p>Discussion: This is one of several wildfire related bills. As opposed to the Governor’s January budget this bill would appear to be targeting the Greenhouse Gas Reduction Fund (GGRF) to fund wildfire related actions. The GGRF is the source of funding for the SAFER drinking water program among other things.</p> <p>Recommendation: Watch</p>	<p>Introduced December 7th</p>
<p>AB 59 (Gabriel)</p>	<p>Summary: Significantly alters the process by which water and sewer connection and capacity charges can be challenged.</p> <p>Discussion: The bill would significantly change the process by which water and sewer connection and capacity charges can be challenged. It would allow for charges to be challenged not when rate structures are established, but when they are implemented. This could mean years after the establishment of the rate structure. It would limit the evidence that an agency could present at a challenge to only data that is publicly available. And it could encourage developers initiating lawsuits because they could be awarded financial gains and not just utility fees.</p> <p>ACWA is taking this bill up at its State Legislative Committee on January 22nd and has an opposed position.</p> <p>Recommendation: Oppose</p>	<p>Introduced December 7th</p>
<p>AB 100 (Holden)</p>	<p>Summary: Establishes a “lead free” performance standard for end use plumbing fixtures, requires labeling of such products, and sets an implementation schedule for compliance with the new standard.</p> <p>Discussion: This is a reintroduction of AB 2060 from last year. RWA did not take a position on AB 2060. The focus of the bill is on the prohibition on lead in “end use” customer side of the meter products.</p> <p>Recommendation: Watch</p>	<p>Introduced December 11th</p>
<p>AB 252 (Robert Rivas D- Hollister)</p>	<p>Summary: Would create a multi-purpose land repurposing grant program in the Department of Conservation for Groundwater Sustainability Agencies, among others. The program would be directed at addressing agricultural land retirement in critically overdraft basins.</p> <p>Discussion: There are reasons to be interested in the development of this program. Could it be expanded so as to look at sustainable supplies that are outside of a GSA’s boundaries? ACWA is proposing to take a support if amended on the bill.</p> <p>Recommendation: Watch</p>	<p>Introduced January 14th</p>

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<p>AB 304 (Quirk D-Fremont)</p>	<p>Summary: Amends the process by which an individual may request oversight of a remedial action over a release of waste.</p> <p>Discussion: This has ramifications for water quality. The bill would limit the ability of individuals to request remedial action if the waste release is being overseen by the Department of Toxic Substances or the State Water Resources Control Board.</p> <p>Recommendation: Watch</p>	<p>Introduced January 25th</p>
<p>AB 315 (Stone D-Scotts Valley)</p>	<p>Summary: Would limit liability of landowners for streambed restoration projects.</p> <p>Discussion: There is a possibility that this could be helpful for side channel restoration work on the American River among other restoration work. ACWA is recommending a watch on the bill at this point in time, largely because they have not heard of this being an issue. RWA is exploring the potential benefits of this liability limitation, but at this point does not see a downside as on the whole it would likely increase opportunities for restoration work.</p> <p>Recommendation: Support</p>	<p>Introduced January 25th</p>
<p>AB 322 (Salas D-Bakersfield)</p>	<p>Summary: Would require that the Energy Commission allocate no less than 20 percent of Electric Program Investment Charge (EPIC) Program funds to bioenergy projects for biomass conversion, as specified.</p> <p>Discussion: This bill is intended to drive state funds toward the development of biomass as part of statewide energy portfolio. Expansion of biomass is linked to expanded implementation of forest health work.</p> <p>Recommendation: Support</p>	<p>Introduced January 26th</p>
<p>AB 339 (Lee D- San Jose)</p>	<p>Summary: Would require all local agency meetings to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public. The bill would further require teleconferenced meetings to include an in-person public comment opportunity. The bill would also require the legislative bodies of the local agency to employ a sufficient amount of qualified bilingual persons to provide translation during the meeting in the language of a non-English-speaking person, in jurisdictions which govern a substantial number of non-English-speaking people, as defined.</p> <p>The bill specifies that no state reimbursement is necessary for these requirements.</p> <p>Discussion: There are a number of bills related to access to public agency meetings accounting for the now widespread use of virtual meetings as a result of the pandemic. This bill would put in place requirements that are mostly consistent with how agencies have been operating, but would also add some provisions that could be costly. Those costs would be borne by public agencies. CSDA is sponsoring a bill (AB 361 -Robert Rivas D- Hollister) on this subject. It is likely that this bill would be more reflective of RWA members interests.</p> <p>Recommendation: Oppose unless amended.</p>	<p>Introduced January 28th</p>

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<p>AB 361 (Robert Rivas D- Hollister)</p>	<p>Summary: Extends the Brown act exemptions put in place in response to COVID to future emergencies.</p> <p>Discussion: There are a number of bills addressing the future requirements under the Brown act. This bill is sponsored by CSDA and is likely to best reflect RWA interests.</p> <p>Recommendation: Support</p>	<p>February 1st</p>
<p>AB 377 (Robert Rivas D- Hollister)</p>	<p>Summary: Would revise and recast the process by which water bodies are listed and removed as impaired and require that all waters be impairment free by 2052.</p> <p>Discussion: This bill is likely to be opposed by numerous entities including ACWA. The bill sets an aspirational goal for achieving water quality standards in California. While the stated intent of the bill is admirable, the implications of the bill are expansive and unclear. As written, the bill is impractical, incredibly expensive, and probably impossible to implement. With all of that said it isn't entirely clear what the impacts would be on RWA members, but the potential exists for those impacts to be expansive.</p> <p>Recommendation. Oppose</p>	<p>Amended March 8th referred to Assembly ESTM</p>
<p>AB 418 (Valladares R- Santa Clarita)</p>	<p>Summary: Would create the Community Power Resiliency Program, administered by Cal OES, to support local government efforts to deploy energy resiliency projects to maintain energy services during deenergization events by electrical corporations or publicly owned electric utilities.</p> <p>Discussion: Public Safety Power Shutoffs are with us to stay for the foreseeable future. It would be helpful to have state support for water agencies to adapt to PSPS events.</p> <p>Recommendation: Support</p>	<p>February 4th</p>
<p>AB 564 (Lorena Gonzalez D- San Diego)</p>	<p>Summary: Would establish a policy of the state that all state agencies, boards, and commissions shall utilize their authorities in furtherance of the biodiversity conservation purposes and goals of certain executive orders. Would establish a policy of the state that public agencies shall not approve projects that are inconsistent with or would impair the successful implementation of the strategies to conserve at least 30 percent of the state's "land and costal waters" as required by executive order N-82-20.</p> <p>Discussion: Executive orders have initiated state action to conserve 30 percent of the states land and costal waters. It is questionable what force of law those executive orders carry. This bill would broadly codify a state policy in law to advance the initiatives in the EO's.</p> <p>Recommendation: Watch/input</p>	<p>February 11th Referred to A&AR and WPW</p>
<p>AB 622 (Friedman D- Glendale)</p>	<p>Summary: Would require, on or before January 1, 2024, that all washing machines sold as new in California contain a microfiber filtration system with a mesh size of 100 microns or smaller.</p>	<p>February 12th Referred to ESTM</p>

Bills for Discussion March 17, 2021

	<p>Discussion: There is increasing attention to microplastics in water. It is likely that the SWRCB put in place testing guidelines for drinking water later this year. Microfibers are believed to be a significant source of microplastics in water.</p> <p>Recommendation: Support</p>	
<p>AB 652 (Friedman D-Glendale)</p>	<p>Summary: Would, on and after July 1, 2023, prohibit a person, including a manufacturer, from selling or distributing specified products for children under 12, that contains perfluoroalkyl and polyfluoroalkyl substances (PFAS) at an unspecified detectable level.</p> <p>Discussion: By and large the issue of addressing PFAS has fallen on water providers. While this bill would not solve a huge portion of PFAS in the environment this would be moving in the right direction. RWA supported SB 1044 (Allen Chapter 308 statutes of 2020) to prohibit the use of PFAS in firefighting equipment and foams last year. SB 1044 is certain to have greater impact on the presence of PFAS in drinking water, but AB 652 could be along the same lines.</p> <p>Recommendation: Support</p>	<p>February 12th Referred to ESTM</p>
<p>AB 697 (Chau D-Arcadia)</p>	<p>Summary: Would reprioritize the use of funds in the existing “Good Neighbor Fund” currently under the CNRA. Forest health projects that include multiple entities representing diverse interests, that are transparent and inclusive, and that have sufficient expertise, capacity, and scientific support to effectively plan, implement, and monitor landscape-level, ecological-based forest restoration activities would be prioritized.</p> <p>Discussion: The bill is sponsored by The Nature Conservancy (TNC) and is intended to advance projects such as PCWA’s French Meadows project. One of the aspects that would be prioritized for funding are projects that protect water infrastructure.</p> <p>Recommendation: Support</p>	<p>February 16th Referred to Asm. Natural Resources</p>
<p>AB 703 (Blanca Rubio D- Baldwin Park)</p>	<p>Summary: Would update Brown act requirements on teleconferencing.</p> <p>Discussion: The bill is sponsored by Three Valley Municipal Water District and is supported by ACWA. It could be important in vehicle in broader Brown act reform discussions.</p> <p>Recommendation: Support</p>	<p>February 16th Referred to Asm. Local Gov.</p>
<p>AB 802 (Bloom D-Santa Monica)</p>	<p>Summary: Would require the SWRCB to identify the best available control technology for filtering microfibers from an industrial, institutional, or commercial laundry facility by an unspecified date. Would require, any entity that operates an industrial, institutional, or commercial laundry facility to adopt the use of the best available control technology to capture microfibers that are shed during washing by an unspecified date.</p> <p>Discussion: This bill would compliment AB 662 (Friedman) but instead of focusing on microplastics in wastewater from home washing machines would focus on industrial washing machines. With the SWRCB likely to implement testing for microplastic</p>	<p>February 16th Referred to ESTM</p>

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	<p>guidelines in drinking water later this year, this is an area that it makes sense to register a position on.</p> <p>Recommendation: Support</p>	
<p>AB 897 (Mullin D-South San Francisco)</p>	<p>Summary: Would authorize the establishment of regional climate networks. Would authorize regional climate networks to develop regional climate adaptation plans. Would require the Office of Planning and Research (OPR) to engage with the development of regional climate adaptation plans and make recommendations on funding those adaptation plans.</p> <p>Discussion: This bill is closely related to AB 11 (Ward) and AB 51 (Quirk) which RWA has previously taken a support if amended position on. Those bills will be dropped, and this bill will become the vehicle to address the issue of regional climate adaptation planning in the Assembly. There is outstanding work to be done on the issue, but RWA staff has been invited to participate with the proponents and author staff on the development of the bill. The bill is also related to the Assembly bond measure (AB 1500 E. Garcia) which has over \$1 billion for implementation of regional climate adaptation planning. The approach is something along the lines of IRWMP with SGMA as the governance model.</p> <p>Recommendation: Support</p>	<p>February 17th Referred to Asm. Natural Resources</p>
<p>AB 908 (Frazier D-Discovery Bay)</p>	<p>Summary: Would require the Natural Resources Agency to prepare a statewide inventory of the natural resources of the state and establish treatment measures necessary to protect those resources.</p> <p>Discussion: This bill relates to the Executive Orders on conservation of 30% of the states lands and coastal waters. This bill also relates to AB 564 (L. Gonzalez) that would establish a state policy to conserve 30% of the state's lands and coastal waters. It is hard to say if legislation will advance this year to codify the executive orders. The executive orders do not have the force of law. A bill could give the executive orders the force of law. If there is an author that is more likely to be sympathetic to our interests it is this author as opposed to L. Gonzalez.</p> <p>Recommendation: Watch</p>	<p>February 17th Referred to Asm. Natural Resources</p>
<p>AB 921 (McCarty D-Sacramento)</p>	<p>Summary: Would update flood control management and requirements in West Sacramento.</p> <p>Discussion: The bill is sponsored by SAFCA. The bill is similar to AB 3226 (McCarty 2020) that RWA supported. ACWA has taken a favor if amended position with the proposed amendment a specific change to the governance body.</p> <p>Recommendation: Support</p>	<p>February 17th Referred to WPW</p>
<p>AB 1209 (McCarty D-Sacramento)</p>	<p>Summary: Would establish the Green Means Go Grant and Loan Program to award competitive grants and revolving loans to eligible government agencies within the Sacramento region for qualifying projects within or benefitting green zones to be administered by the Sacramento Area Council of Governments (SACOG).</p>	<p>February 19th referred to Asm. Trans and H&CD</p>

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	<p>Discussion: SACOG is seeking \$100 million in the budget to support this program. SACOG has presented that one of the most significant areas of funding need is water and wastewater upgrades to advance affordable housing projects in their “green zones”. This presents a significant opportunity to work with SACOG and drive a portion of funding (should the effort be successful) to water and wastewater infrastructure.</p> <p>Recommendation: Support if amended.</p>	
<p>AB 1250 (Calderon D-Whitter)</p>	<p>Summary: Would authorize a water or sewer system corporation to file an application and obtain approval from the California Public Utilities Commission (CPUC) through an order authorizing that water or sewer system corporation to consolidate with a public water system or state small water system.</p> <p>Discussion: The bill is sponsored by the California Water Association. And the IOU’s would like the bill because it will help them to navigate consolidations in a timely fashion. ACWA has a favor on the bill.</p> <p>Recommendation: Support</p>	<p>February 19th referred to ESTM and Utilities and Energy</p>
<p>AB 1376 (Gray D-Modesto)</p>	<p>Summary: would require the SWRCB to make a state water quality certificate or statement available on its website for a 60-day public comment and review period.</p> <p>Discussion: In recent past the SWRCB has used the water quality certificate process as a tool to unilaterally impose conditions that may be inconsistent with other Federal requirements. This bill would help to daylight that and would bring a higher level of accountability to SWRCB staff. The bill is supported by ACWA.</p> <p>Recommendation: Support</p>	<p>February 19th referred to ESTM</p>
<p>AB 1384 (Gabriel D-Encino)</p>	<p>Summary: Would require the Strategic Growth Council to develop and coordinate a strategic resiliency framework that makes recommendations and identifies actions to prepare the state for climate change impacts modeled for 2025, 2050, and beyond. The bill would require specified state agencies to collaboratively engage with regional entities to enhance policy and funding coordination and promote regional solutions and implementation.</p> <p>Discussion: This bill relates to the climate adaptation planning bills (AB 897, AB 11, AB 51). It is not clear at this time exactly if or how it will fit with the development of a climate adaptation planning policy.</p> <p>Recommendation: Watch</p>	<p>February 19th referred to Asm. Natural Resources</p>
<p>AB 1434 (Friedman D-Glendale)</p>	<p>Summary: Would lower the indoor water use efficiency standards that are part of the overall water use efficiency requirements. Specifically, it would lower the standards from 55 GPCD to 48 GPCD until January 1, 2025, from 52.5 GPCD to 44 GPCD until January 1, 2030 and from 50 GPCD to 40 GPCD from January 1, 2030 on.</p>	<p>February 19th referred to WPW</p>

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	<p>Discussion: This portion of the overall water use efficiency legislation was specifically negotiated, and the standards were agree to with the condition that DWR would conduct a study to look at where GPCD stood statewide and evaluate the effects of a change in GPCD on wastewater and recycled water among other things. The bill as proposed clearly reneges on that deal and will have significant consequences on the ability to achieve the overall water uses efficiency standards.</p> <p>Recommendation: Oppose</p>	
<p>AB 1458 (Frazier D-Discovery Bay)</p>	<p>Summary: Would add vegetation management or fuels treatment projects undertaken, carried out, or approved by a state or local governmental agency necessary to prevent or mitigate the threat or intensity of a wildfire to projects exempt from lake and streambed alteration requirements.</p> <p>Discussion: The Department of Fish and Wildlife requires a lake and streambed alteration agreement for any project that would affect a body of water. However, CDFW has broadly interpreted affect a body of water, the current river channel is not where CDFW believe their jurisdiction ends. Some agencies have been required to get lake and streambed alterations permits for forest health work to address wildfire. This bill would add wildfire mitigation work to the narrow list of projects exempt from lake and streambed alteration permits. This could reduce time and costs associated with forest health projects. ACWA has adopted a favor position.</p> <p>Recommendation: Support</p>	<p>February 19th referred to WPW</p>
<p>AB 1500 (E. Garcia D-Coachella)</p>	<p>Summary: Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,700,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.</p> <p>Discussion: It is not clear if this bill or SB 45 will ultimately become the vehicle for a resilience bond, or when or if a resilience bond will come before the voters. There is discussion of late that the target for a bond will be June 2022 and that the dollar amount will be in the \$8-10 billion range. There is a lot of unknowns right now, but there is every reason for RWA to continue to work to have specific funding for conjunctive use include in any vehicle that moves.</p> <p>Recommendation: Support if amended.</p>	<p>February 19th referred to WPW and Asm. Natural Resources</p>
<p>SB 45 (Portantino)</p>	<p>Summary: Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which authorizes the sale of \$5.51 billion in general obligation bonds, upon approval by voters at the November 8, 2022 statewide general election.</p> <p>Discussion: As of now this is the only bond measure introduced. It remains to be seen if the Assembly will have a counterpart bond measure as they did last year. This bill is nearly identical to SB 45 (Allen 2020) which RWA maintained a watch</p>	<p>Introduced December 7th</p>

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	<p>position on. The focus will be on the inclusion of specific funding for conjunctive use.</p> <p>Recommendation: Support if amended</p>	
<p>SB 52 (Dodd)</p>	<p>Summary: Expands the definition of “sudden and severe energy shortage” to include a “deenergization event,” defined as a Public Safety Power Shutoff (PSPS) and would make a deenergization event one of those conditions constituting a state of emergency and a local emergency.</p> <p>Discussion: This bill looks to be taking another run at addressing PSPS events. Last year SB 1099 (Dodd) SB 1185 (Moorlach) were both focused on the use of backup generation during a PSPS event. It is not clear if this is the extent of the bill, but generally speaking backup generation is not subject to the same oversight during a state of emergency as it would be otherwise.</p> <p>Recommendation: Watch</p>	<p>Introduced December 7th</p>
<p>SB 222 (Dodd)</p>	<p>Summary: Establishes the Water Affordability Assistance Fund in the State Treasury. The bill would make moneys in the fund available upon appropriation by the Legislature to the State Water Board to provide a Water Affordability Assistance Program that includes among other things, direct water bill assistance, water bill credits, water crisis assistance, affordability assistance, and short-term assistance to public water systems to administer program components.</p> <p>Discussion: This bill is intended to establish a low-income water rate assistance (WLIRA) program. The funding source is not identified at this time in the bill. In broad strokes it seems that a WLIRA program could be supported if the funding source was not water rate payers. However, the State Water Board report to the Legislature includes water rate payers as one of three options for funding a WLIRA program. Additionally, the required fund expenditure plan proposed in the bill would appear to expand the areas that the Water Board would be working in to include tiered water rates, and ways to retain water system solvency including fixed rates and expanded use of water meters.</p> <p>ACWA may or may not have this bill up at SLC on January 22nd.</p> <p>Recommendation: At this point in time, it would be a support if amended or oppose unless amended. Given there is no identified funding source an oppose unless amended is a difficult position to take politically. Additionally, it does not seem likely that ACWA will take a position that would be out of step with RWA and it may make sense to wait and see what position ACWA takes.</p>	<p>Introduced January 14th</p>
<p>SB 223 (Dodd)</p>	<p>Summary: Would expand upon existing water shutoff prohibitions and would add a requirement for water agencies to have an arrearage management plan, as defined.</p> <p>Discussion: The arrearage management plan could be inconsistent with Prop 218. It would require that one twelfth of a customer’s debt be forgiven with each on time monthly payment. The Author’s factsheet on the bill also states that the bill would</p>	<p>Introduced January 14th</p>

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	<p>allow for ratepayer's "debt (to be) discharged over 12 months, as long as the ratepayer stays current new water and sewer bills." Additional provisions extend the timeframe on existing restrictions on shutoffs that were enacted in SB 998 (Dodd 2018).</p> <p>ACWA may or may not have this bill up at SLC on January 22nd.</p> <p>Recommendation: Oppose unless amended/watch. Again it does not appear that ACWA will take a position that is out of step with RWA and it makes sense to wait and see what ACWA does at this point.</p>	
<p>SB 230 (Portantino D- La Canada Flintridge)</p>	<p>Summary: Would require the State Water Resources Control Board to establish dedicated program called the Constituents of Emerging Concern Program to assess the state of information and recommend areas for further study on, among other things, the occurrence of constituents of emerging concern (CEC) in drinking water sources and treated drinking water.</p> <p>Discussion: This bill is sponsored by CMUA. In theory this bill would help avoid "surprise" establishments of notification level and response level actions. It would require a process by which CEC's are being evaluated over an extended period of time.</p> <p>Recommendation: Support</p>	<p>Introduced January 19th</p>
<p>SB 323 (Caballero D- Salinas)</p>	<p>Summary: Would apply the same judicial action procedure and timelines, as apply to numerous other services, to ordinances, resolutions, or motions adopting, modifying, or amending water or sewer service fees or charges.</p> <p>Discussion: This bill is sponsored by ACWA and is in response to class action lawsuits brought against many water agencies statewide. Specifically, the issue is what is considered to be part of property related services. This bill is part of "building a wall" against these kinds of class action suits.</p> <p>Recommendation: Support</p>	<p>Introduced February 5th</p>
<p>SB 347 (Caballero D- Salinas)</p>	<p>Summary: would create the California Tree Fund (Fund) as a voluntary contribution fund that taxpayers could elect to donate amounts in excess of their personal income tax liability starting January 1, 2021, and until January 1, 2028.</p> <p>Discussion: Voluntary tax check offs do not typically raise significant funds and many of them do not ultimately make the cut off thresholds to persist. There is however interest in some segments of the legislature as well as environmental interest in extreme heat and urban trees is one of the primary tools for addressing extreme heat in communities.</p> <p>Recommendation: Watch</p>	<p>March 7th referred to Senate Natural Resources</p>

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<p>SB 351 (Caballero D-Salinas)</p>	<p>Summary: Would create the Office of Water Innovation at the California Water Commission for the furtherance of new technologies and other innovative approaches in the water sector.</p> <p>Discussion: The bill is frankly about establishing the office of water innovation. Which could be a good or bad thing. However, the author has a track record of looking at ways to advance cutting edge water management actions.</p> <p>Recommendation: Watch.</p>	<p>Introduced February 9th</p>
<p>SB 369 (Pan D-Sacramento)</p>	<p>Summary: would establish the Yolo Bypass Cache Slough Partnership Multibenefit Program to support the development and implementation of projects within the Yolo Bypass and Cache Slough region. The Partnership would be comprised of 15 participating federal, state, and local agencies (including SAFCA) who signed a Memorandum of Understanding in May of 2016.</p> <p>Discussion: ACWA took a favor on a similar bill that died because of COVID last year. codifying the Partnership and authorizing the preparation of a Master Plan, this bill will provide local, State, and federal agencies with the support needed to coordinate and successfully implement multibenefit projects for the Yolo Bypass and Cache Slough region.</p> <p>Recommendation: Support.</p>	<p>Introduced February 10th</p>
<p>SB 378 (Lena Gonzalez D-Long Beach)</p>	<p>Summary: Would significantly limit the ability of local governments to restrict the installation of wires necessary for broadband.</p> <p>Discussion: One of the methods of installation fiber wire involves trenching. It is possible that requiring installation in almost all cases could posse and issue for some RWA agencies existing or planned infrastructure.</p> <p>Recommendation: Pending feedback</p>	<p>February 12th referred to Gov and Finance and Energy, Utilities and communication</p>
<p>SB 403 (Lena Gonzalez D-Long Beach)</p>	<p>Summary: would expand the existing authority that the SWRCB has to order the consolidation with a “receiving system” of: 1) a “water system” that is “at risk” of failing to provide an adequate supply of safe drinking water; and 2) domestic wells that are “at risk” of failing to provide an adequate supply of safe drinking water.</p> <p>Discussion: What is of particular interest/concern is how “at risk” is defined. The SWRCB has a process underway as part of the needs assessment for the SAFER program to develop metrics to define “at risk”. The initial draft of those definitions are reasonable, but this is an imperfect science and what the final draft defines in terms of actual systems will be important. The SWRCB has indicate that the final draft will be out this month.</p> <p>Recommendation: Watch/ support if amended depending on what the SWRCB at risk list looks like.</p>	<p>February 12 referred to EQ and Gov and Finance.</p>

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<p>SB 427 (Eggman D-Stockton)</p>	<p>Summary: Would provide the ability to enhance penalties for water theft up to \$1,000 for a first offense, \$2,000 for a second offense, and \$5,000 for an offense beyond the second offense.</p> <p>Discussion: This bill is sponsored by Elk Grove Water District, and is similar to AB 2095 (Cooper 2020). RWA supported AB 2095. There are some outstanding questions as to if the bill as currently written will apply to all water agencies.</p> <p>Recommendation: Support</p>	<p>Introduced February 12th</p>
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AGENDA ITEM 5: DIRECTORS' COMMENTS