

**A SPECIAL MEETING OF THE BOARD OF DIRECTORS
UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT
602 E. HUNTINGTON DRIVE, SUITE B, MONROVIA, CA 91016
4:00 P.M. – OCTOBER 4, 2021**

AGENDA

SPECIAL NOTICE

Teleconference Accessibility

Pursuant to Executive Order N-29-20 issued by Governor Newsom in response to the COVID-19 pandemic, the Upper District will hold its board meeting via teleconference or the most rapid means of communication available at the time. Instructions to participate in the teleconference are below:

Attendee Zoom Meeting Link
<https://us02web.zoom.us/j/89963478354>

Meeting ID: 899 6347 8354

Telephone Dial:
1 (669) 900-6833 US

Meeting ID: 899 6347 8354

Public comments may be made through teleconference when prompted by the President during the public comment period. Public comments may also be provided by emailing venessa@usqvmwd.org in advance of the meeting. Please indicate "PUBLIC COMMENT" in the subject line.

If you have difficulty connecting to the teleconference line, please call (626) 443-2297 or email ruben@usqvmwd.org. It may take a few minutes to join Zoom or connect via telephone so please join early.

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL OF BOARD OF DIRECTORS
3. ADOPTION OF AGENDA [1]
4. PUBLIC COMMENT
Anyone wishing to discuss items should do so now. The Board of Directors may allow additional input during the meeting. A three-minute time limit on remarks is requested.
5. COMMITTEE REPORTS [2]
 - (a) Government Affairs and Community Outreach (Fellow, Chair – Treviño, Vice-Chair)
Minutes of meeting held on September 16, 2021 enclosed.
6. CONSENT CALENDAR [1]
 - (a) Minutes of a regular meeting of the Board of Directors held on September 22, 2021 at 8:00 a.m.
7. ACTION/DISCUSSION ITEMS [1]
 - (a) Adopt Resolution No. 10-21-626, Proclaiming a Local Emergency and Authorizing Remote Teleconference Meetings of the Legislative Bodies of Upper San Gabriel Valley Municipal Water District for a Period of 30 Days. *(Staff memorandum and Resolution No. 10-21-626 enclosed.)*

Recommendation

Staff recommends that the Board of Directors adopt Resolution No. 10-21-626 as presented.

- (b) Approve staff recommendation for federal legislative bill positions: S. 866, H.R. 2049, S. 2272 and H.R. 4976 which are consistent with Upper District's 2021-22 Legislative Policy Principles adopted by the Board in January 2021. (*Staff memorandum enclosed.*)

Recommendation

Due to a lack of quorum, the Government Affairs and Community Outreach Committee forwarded this item to the Board of Directors without a recommendation from the Committee.

Staff recommends that the Board of Directors approve the recommended federal legislative bill positions as presented.

8. INFORMATION ITEMS (These items are for the information of the Board of Directors and require no action) [2]
 - (a) Press Releases and News Articles.
9. ATTORNEY'S REPORT [2]
10. ENGINEER'S REPORT [2]
11. GENERAL MANAGER'S REPORT [2]
12. METROPOLITAN REPORT [2]
13. WATER QUALITY AUTHORITY REPORT [2]
14. WATERMASTER REPORT [2]
15. AB 1234 COMPLIANCE REPORT [2]
16. DIRECTOR'S COMMENTS [2]
17. FUTURE AGENDA ITEMS [1]
18. ADJOURN TO CLOSED SESSION - NONE
19. ADJOURNMENT - To a regular meeting of the Board of Directors to be held on October 27, 2021 at 8:00 a.m. via teleconference or the most rapid means of communication available at the time.

LEGEND: [1] INDICATES ACTION ANTICIPATED BY BOARD OF DIRECTORS ON THIS ITEM
[2] INDICATES INFORMATION ITEM - NO BOARD ACTION NECESSARY

PRESIDENT ED CHAVEZ, PRESIDING



To request special assistance to participate in this meeting, please contact the Upper District office at (626) 443-2297 or valeria@usgvmwd.org at least 24 hours prior to meeting.





September 16, 2021

TO: BOARD OF DIRECTORS

FROM: GOVERNMENT AFFAIRS AND COMMUNITY OUTREACH COMMITTEE

SUBJECT: MINUTES OF THE GOVERNMENT AFFAIRS AND COMMUNITY
OUTREACH COMMITTEE AND SPECIAL MEETING OF THE BOARD OF
DIRECTORS – SEPTEMBER 16, 2021

Board of Directors:
Anthony R. Fellow, Ph.D.,
Division 1
Charles M. Treviño,
Division 2
Ed Chavez,
Division 3
Katarina Garcia,
Division 4
Jennifer Santana,
Division 5

SPECIAL NOTICE - Teleconference Meeting

Pursuant to Executive Order N-29-20 issued by Governor Newsom in response to the COVID-19 outbreak and as a precaution to protect both staff, its constituents, and elected officials, Upper District held its Government Affairs and Community Outreach Committee meeting and special meeting of the Board of Directors via teleconference on August 2, 2021.

ATTENDANCE:	Anthony Fellow (Chair) Tom Love Patty Cortez Ruben Gallegos Nichol Delgado Venessa Navarrette	Ana Schwab Steve Baker Steven O'Neil Lowry Crook	Ralph Galvan Lenet Pacheco Arrica Jimenez David Muse
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1. **Call to Order.**

2. **Public Comment.** None.

3. **Legislative Update.**

a. **Washington D.C.**

Ana Schwab of Best, Best & Krieger provided an update on the House September work period. Congress is proceeding with the appropriations process and the budget reconciliation. If Congress can do their federal budget through the budget reconciliation, it will mean that the Senate does not need a two thirds majority vote. The Senate will be able to move forward with the simple majority that the Democratic party holds within the Senate. Ana stated that there are number of stipulations and previsions that would have to relate to the rule for budget reconciliation, which in turn, is causing a divide amongst the party. There is negation going on about what is going into the bill, what is not going into the bill, and the size of the bill's budget. Ana stated that the budget for the bill is currently at \$3.5 trillion and did initially proceed through the Senate as a template. Recently, the bill was opposed by Senator Joe Manchin of West Virginia, a key Democratic vote. Senator Joe

August 2, 2021

Manchin expressed that he does not support the budget resolution size, and if the Democratic party loses his vote, the bill reconciliation will not be able to pass. Both chambers are proceeding currently. The House has completed their templates and the Senate is expected to complete their templates within the next week. From there, they are expected to vote on the bill by the end of September. Majority Leader Hoyer is putting a vote forward for a Stop Gap Measure next week for a vote that would provide the federal government a continuing resolution, meaning a continuance of FY21 Appropriations funds, until approximately the 3rd of December.

Ana stated that the Large-Scale Water Recycling Bill (H.R.4099) a bill that Upper District supported, is supported in both the authorization and budget appropriation. This bill is being watched closely to ensure that it is maintained in both the Senate and Congress bills that proceed.

She continued to provide an update on the infrastructure package. Ana stated that the House is expected to take up the Senate infrastructure package at the end of September. When the House does so, it is expected to pass. There was some concern from some of the Democratic Party that the bill needed to be separated from the conversation of appropriations. These members expressed that they had wanted a vote first and it may be possible depending on the budget timeline.

Lowry Cook added that in the reconciliation package that is being developed by the House Transportation and Infrastructure Committee added additional funding for water. The funding included \$125 million for an alternative water source program, \$2 billion for sewer overflow and storm water reuse. He stated that one billion of that funding is specifically for disadvantaged communities.

She also stated that there has been some significant action on the regulatory side. The EPA and Army Corps of Engineers, Waters of the United States Rule, is in the process of being rewritten. Given this, the EPA has put forward the guidance that they, the Army Corps of Engineers, and the subsequent administering agencies will be following the 1986 Waters of the United States Rule and its accompanying guidance. The Biden Administration is in the process of creating new regulations and hope to have those regulations be completed by 2023.

Ana concluded the report by stating that for the first time, the EPA has put forward a comment period on regulating the limits of PFAS, specifically the limits of PFAS/PFOA in industrial situations.

b. Sacramento

Steve Baker of Aaron Read and Associates, provided an update on the 2021 legislative session. Steve stated that the last few weeks had been very busy for the Legislature up until last Friday, which was the end of session. He stated that this end of session went smoothly because of the Legislature worked on the more controversial issues early in the session.

Steve provided an update on the drought issues that Northern California is facing. He stated that the reservoirs are at their lowest, Lake Oroville is no longer generating electricity, and that the American River appears to be more of a creek instead of a river. He also stated that the State Water Board is curtailing senior water rights and is facing litigation and that the agriculture interests are facing hardships with no longer having water for their crops.

August 2, 2021

Steve also provided an update on the budget. He reminded everyone of the bond measures that Upper District supported that focused on greenhouse reduction, drought planning, and water issues. He stated that because of the size of the state budget, the legislature made the decision to shelve those bond measures, and instead fund those priorities out of state budget. The budget included \$4.7 billion for water related projects, including drought and resilience projects and \$2.4 billion of that is for this year. The total of the \$4.7 billion is for the spread of three years and includes up to \$400 million for recycled water projects.

He continued his update by stating that the state budget is continuing to do relatively well. Steve stated that budget revenues are coming in beyond their projections that had been predicted in June and July of this year.

Steve quickly discussed the bills that are included in the package. Steve also discussed the teleconferencing bill. He stated that there were two bills that were consolidated into one with an urgency clause. This means that the measure will go into effect as soon as the Governor signs it. This bill allows local agencies to continue to use teleconferencing pursuant to the provision of the bill, once the COVID-19 emergency expires.

Steve concluded stating that the Legislature will return to session on the first Monday in January.

4. **Federal and State Bill Positions.**

Patty Cortez presented the following federal bill positions:

S.866 (Stabenow): REPLANT Act- SUPPORT

H.R. 2049 (Panetta): REPLANT Act-SUPPORT

S.2272 (Padilla): Lead Free Drinking Water for All Act of 2021-SUPPORT

H.R. 4976 (Slotkin): Ensuring PFAS Cleanup Meets or Exceeds Stringent Standards Act- SUPPORT

Due to lack of committee quorum, the committee was unable to approve staff recommendations and moved the item for full Board consideration.

5. **End of Session State Bill Position Summary**

Nichol Delgado presented the committee with an update on the bills that Upper District took positions on and their end status.

NEXT MEETING: Monday, November 1, 2021 at 4:00 p.m.

cc: General Manager

**A REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT
602 E. HUNTINGTON DRIVE, SUITE B, MONROVIA, CALIFORNIA 91016
8:00 A.M. – September 22, 2021**

**6. (a)
Minutes**

Pursuant to Executive Order N-29-20 issued by Governor Newsom in response to the COVID-19 pandemic, the Upper District held a regular meeting of the Board of Directors via Zoom teleconference on September 22, 2021 at the hour of 8:00 a.m.

ROLL CALL

DIRECTORS PRESENT: Chavez, Treviño, Garcia, Santana, and Fellow.

DIRECTORS ABSENT: None.

STAFF PRESENT: Tom Love, General Manager; Steve O'Neill, District Counsel; Steve Johnson, Consulting Engineer; Evelyn Rodriguez, Director of Finance and Administration; Patricia Cortez, Director of Government and Community Affairs; Nichol Delgado, Government and Community Affairs Representative; Venessa Navarrette, Executive Assistant; Ruben Gallegos, Project Assistant; Priscilla Lu, Accounting/Financial Analyst, and Valeria Rodrigue, Administrative Assistant.

OTHERS PRESENT

Jenny Savron, Drew Atwater, Katano Kasaine, Dan Arrighi, Lenet Pacheco, Kelly Gardner, Anthony Alberti, Jared Macias, Andy Bullington, Stephanie Moreno, Lynda Noriega, Arrica Jimenez, Ben Lewis, Anteneh Tesfaye, Skylar Stephens, Paul Zampiello, Dave Michalko, Brittany Macias, Roy Frausto, Che Venegas, and Ted Gerber.

ADOPTION OF AGENDA

On motion by Treasurer Treviño, seconded by Director Fellow, the agenda was adopted by the following roll call vote:

FELLOW: AYE
SANTANA: AYE
GARCIA: AYE
CHAVEZ: AYE
TREVIÑO: AYE

PUBLIC COMMENT

None.

COMMITTEE REPORTS

Next scheduled committee meeting dates are as follows:
Government Affairs and Community Outreach - October 4, 2021 at 4:00 p.m.
Administration and Finance - October 5, 2021 at 4:00 p.m.
(c) Water Resources and Facility Management – October 6, 2021 at 4:00 p.m.

CONSENT CALENDAR

Director Fellow moved to approve the Consent Calendar items (a) and (b). Treasurer Treviño seconded the motion, which was unanimously approved by the following roll call vote:

FELLOW: AYE
TREVIÑO: AYE
GARCIA: AYE
SANTANA: AYE
CHAVEZ: AYE

Minutes of a regular meeting of the Board of Directors held on September 8, 2021 at 8:00 a.m.

Updated Employee Handbook

**MWD RATE REFINEMENT REVIEW OF
DEMAND MANAGEMENT COST
RECOVERY ALTERNATIVES**

The General Manager gave a brief summary of Metropolitan's new demand management charge, intended to replace the water stewardship rate that has been suspended for two years. He stated that the demand management charge will fund Metropolitan's local resource and conservation programs. He also stated that now is the appropriate time to present demand management cost recovery alternatives to the Board and the producers.

The General Manager then introduced Ms. Katano Kasaine, Assistant General Manager/ CFO from Metropolitan and Mr. Drew Atwater, Manager of Rates, Charges & Financial Planning from Metropolitan.

Mr. Atwater presented Metropolitan's demand management cost recovery and discussed the key reasons for doing demand management, the Demand Management Program results and the complexity of demand management cost recovery. He also summarized the eight alternatives selected by member agencies.

The General Manager, Mr. Atwater and Ms. Kasaine discussed the estimated member agency impacts of the demand management cost recovery alternatives. The General Manager stated that the water stewardship rate was challenged legally by the San Diego County Water Authority. Ms. Kasaine added that member agency impacts will be driven by the result of the pending lawsuit and the decision of the Metropolitan Board.

Vice President Santana, Mr. Atwater and Ms. Kasaine discussed the dramatic impact of one of the demand management cost recovery alternatives to the City of Compton.

Ms. Kasaine reiterated that the Metropolitan Board is looking for more conversations with member agencies before making a decision and adopting a funding mechanism.

President Chavez thanked Mr. Atwater and Ms. Kasaine for their presentation and for providing information to the Board.

INFORMATION ITEMS

The following items listed on the agenda for the information of the Board were read and ordered received and filed:

Press Releases and News Articles

ATTORNEY'S REPORT

District Counsel reported on transactional matters and recent consultations with staff regarding a water fill station agreement, the readiness-to-serve charge and potential alternative revenue sources for the District, amendments to the General Manager's contract, and developing an approach for AB 361 to allow continuation of remote meetings after the September 30th deadline.

ENGINEER'S REPORT

The District Engineer provided a report on hydrologic conditions, basin deliveries, reservoir storage and rainfall averages. He stated that the Baldwin Park Key Well groundwater elevation has dropped to 185.8 feet as of September 17, 2021. He stated that if not for the 150,000 acre feet of water in cyclic storage, the basin would be below historic lows. He also reported on a recent status conference with Judge Duffy-Lewis.

GENERAL MANAGER'S REPORT

The General Manager reported that the new employee will start on October 1st and will be introduced to the Board at a board meeting in October. He then provided an update on the ongoing discussions with the producers regarding the increasing Metropolitan's net readiness-to-serve charge and Upper District rate structure.

ADJOURN TO CLOSED SESSION

A closed session was held pursuant to Government Code Section 54957: Performance Review: General Manager.

President Chavez left the meeting.

RESUME REGULAR MEETING AND REPORT ON CLOSED SESSION

The Board reconvened after closed session. District Counsel reported that the Board met in closed session to discuss the performance review of the General Manager. He added that the Board has completed the review and that the Board may now consider the adjustment to the General Manager's compensation, if desired.

CONSIDER APPROVAL OF GENERAL MANAGER'S PERFORMANCE EVALUATION AND AMENDED CONTRACT

Director Fellow moved to approve a cost of living adjustment of 3.6% for the General Manager. Secretary Garcia seconded the motion, which was approved by the following roll call vote:

FELLOW:	AYE
TREVIÑO:	AYE
GARCIA:	AYE
SANTANA:	AYE
CHAVEZ:	ABSENT

DIRECTORS COMMENTS

Director Fellow reported on an upcoming Metropolitan Board retreat in Temecula. He stated that most directors need more education on Metropolitan's rate refinement process. He then reported on Metropolitan's negotiation with the San Diego County Water Authority to end the lawsuits.

Vice President Santana reported that the San Gabriel Valley Water Association met with legislators and circulated a letter in Sacramento for drought and fire funding. She also reported on a recent Metropolitan presentation to the San Gabriel Valley Council of Governments board.

FUTURE AGENDA ITEMS

None.

ADJOURNMENT

Vice President Santana asked if there were other business to come before the Board. There being none, the meeting was duly adjourned to a regular meeting of the Board of Directors to be held on October 13, 2021, at 8:00 a.m. via teleconference or the most rapid means of communication available at the time.

PRESIDENT

ATTEST

SECRETARY

SEAL



MEMORANDUM



ITEM 7. (a) ACTION

DATE: September 7, 2021
TO: Board of Directors
FROM: General Manager
SUBJECT: Authorize remote teleconference meetings pursuant to the Brown Act Section 54953(e)

RECOMMENDATION

Approve staff recommendation to adopt resolution 10-21-626 authorizing remote teleconference meetings pursuant to the Brown Act Section 54953(e) for meetings of the Upper San Gabriel Municipal Water District's legislative bodies for a period of 30 days from October 4, 2021 to November 3, 2021.

BACKGROUND

On March 17, 2020, Governor Newsom issued Executive Order N-29-20 to, among other things, suspend certain provisions of The Ralph M. Brown Act ("Brown Act"), the California open meetings law, to authorize a local legislative body to hold public meetings via teleconferencing due to COVID-19. The Executive Order expires on September 30, 2021. Governor Newsom recently signed AB 361, which amends the Brown Act to allow legislative bodies to continue to hold a teleconference meeting without complying with the teleconferencing requirements imposed by the Brown Act. To do so, there must be a declared state of emergency and a finding that either: (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the agency determines by a majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health and safety of the attendees; and (3) the legislative body holds a meeting and determines by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health or safety of the attendees.

If the state of emergency remains active or state or local officials have imposed or recommended measures to promote social distancing, the legislative body must renew the resolution every 30 days, by majority vote, to continue to meet under the special teleconferencing provisions. To renew the determination, the legislative body needs to reconsider the circumstances of the state of emergency and find any of the following circumstances exists:

- (1) the state of emergency continues to directly impact the ability of members to meet safely in person, or
- (2) state or local officials continue to impose or recommend measures to promote social distancing.

Holding a meeting under these special circumstances requires compliance with additional safeguards to ensure public access, which are:

1. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of those appearing before the legislative body.
2. In addition to providing notice and posting the time of the teleconferenced meeting, the agency shall also give notice of the manner by which members of the public may access the meeting and offer public comment.
3. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option but does not require the agency to provide a physical location for which the public may attend or comment.
4. The agency shall allow members of the public to access the meeting, and the agenda shall include an opportunity for members of the public to address the legislative body directly and to offer comments in real time.
5. In the event of a disruption, which prevents the agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the agency's control, which prevents the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored.
6. Written or remote public comments must be accepted until the public comment period is formally closed; registration or sign-up to provide or to be recognized to provide public comment can only be closed when the public comment period is formally closed.

In order to continue holding committee and board meetings in October remotely and by teleconference, it is necessary for this Board to make the determination now that as a result of the ongoing emergency, meeting in person would present imminent risks to the health and safety of the attendees. Community transmission rates and spread of the COVID-19 Delta variant remain high, both nationally and locally throughout Los Angeles County. The Centers for Disease Control and Prevention (CDC) indicate that the Delta variant and new emerging COVID variants are highly contagious, more than two times as contagious as previous variants. The CDC is also recommending that everyone wear a mask in public and in indoor settings. These factors considered together could present imminent risks to the health and safety of the attendees at the meetings of Upper District's legislative bodies.

The proposed Board resolution making the determination for continued remote meetings is provided in **Attachment 1**. If necessary, the Board can renew the resolution pursuant to findings as stated above, every 30 days, at which time a subsequent resolution will be adopted.

RESOLUTION NO. 10-21-626**A RESOLUTION OF THE BOARD OF DIRECTORS OF UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE MARCH 4, 2020 PROCLAMATION OF A STATE OF EMERGENCY ISSUED BY THE GOVERNOR OF THE STATE OF CALIFORNIA, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT FOR A PERIOD OF 30 DAYS PURSUANT TO BROWN ACT PROVISIONS ENACTED BY ASSEMBLY BILL NO. 361**

WHEREAS, the Upper San Gabriel Valley Municipal Water District ("Upper District") is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Government Code Sections 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code Section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code Section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the District, specifically, the Governor of the State of California proclaimed a State of Emergency due to the COVID-19 pandemic on March 4, 2020 which proclamation is still in effect, and Los Angeles County Public Health has recommended social distancing; and

WHEREAS, the legislative body meeting in person would accordingly present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors of Upper San Gabriel Valley Municipal Water District does hereby find that the Governor's March 4, 2020 Proclamation of a State of Emergency issued due to the COVID-19 pandemic and the resurgence of COVID-19 cases through the Delta variant has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency and ratify both the March 4, 2020 Proclamation of a State of Emergency by the Governor of the State of California and Los Angeles County Public Health's recommendations for social distancing; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative bodies of Upper San Gabriel Valley Municipal Water District shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code Section 54953, as authorized by subdivision (e) of Government Code Section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Section 54953; and

WHEREAS, all meetings of the legislative bodies of Upper San Gabriel Valley Municipal Water District will be accessible to the public for participation, and the District will give notice of the means by which members of the public may access such meetings virtually and offer public comment.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the District due to the COVID-19 pandemic, and that meeting in person would accordingly present imminent risks to the health and safety of attendees.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The General Manager and legislative bodies of Upper San Gabriel Valley Municipal Water District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) November 3, 2021, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during which the legislative bodies of Upper San Gabriel Valley Municipal Water District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of Government Code Section 54953.

PASSED, APPROVED, AND ADOPTED this 4th day of October 2021.

AYES:

NOES:

ABSTAIN:

ABSENT:

Ed Chavez, President

ATTEST:

Katarina Garcia, Secretary

(SEAL)

APPROVED AS TO FORM:

Steven P. O'Neill, District Counsel



MEMORANDUM



ITEM 7. (b) ACTION

DATE: September 9, 2021
TO: Government and Community Affairs Committee and Board of Directors
FROM: General Manager
SUBJECT: Federal Bill Position Review

RECOMMENDATION

Approve staff recommendations for federal legislative bill positions: S. 866, H.R. 2049, S. 2272 and H.R. 4976 which are consistent with Upper District's 2021-22 Legislative Policy Principles adopted by the Board in January 2021.

Federal Bill Analysis

S.866 (Stabenow): REPLANT Act

Introduced: 3/18/2021 **Status:** Referred to Senate Committee on Agriculture, Nutrition and Forestry

Summary: A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 to promote reforestation following unplanned events on Federal land, and for other purposes. This bill directs the Department of Agriculture (USDA) annually for each of the 10 years after enactment of this bill to transmit to Congress an estimate of the sums necessary to be appropriated, in addition to the funds available from other sources, to replant and otherwise treat an acreage equal to the acreage to be cut over that year, plus a sufficient portion of the backlog of lands found to be in need of treatment to eliminate the backlog within the 10-year period.

Analysis: The Forest Service shall, based on recommendations from regional foresters, create a priority list of reforestation projects that primarily take place on priority land, promote effective reforestation following unplanned events, and may include activities to ensure adequate and appropriate seed availability.

Staff Recommendation: Support

H.R. 2049 (Panetta): REPLANT Act

Introduced: 3/18/2021 **Status:** Subcommittee held in National Parks, Forests and Public Lands on 7/13/2021.

Summary: This bill is identical to S. 866.

Staff Recommendation: Support

S.2272 (Padilla): Lead Free Drinking Water for All Act of 2021

Introduced: 6/24/2021 **Status:** Committee on Environment and Public Works

Summary: The bill amends the Safe Drinking Water Act to increase funding for lead reduction projects, and

for other purposes. The EPA shall establish a grant pilot program for an eligible municipality served by a community water system to carry out lead reduction projects that are demonstrated to exist or are suspected to exist, based on available data, information, or resources, including existing lead inventorying of those eligible entities. An eligible entity that receives assistance shall ensure that all lead service lines being serviced are fully replaced not later than the date than 10 years from the date of funding. Priority will be given to low-income, disadvantaged communities.

Analysis: This bill is co-sponsored by Senator Feinstein and would provide funding to improve safe drinking water in disadvantaged communities serviced by a community water system. ACWA recently recommended a “support” position to its members.

Staff Recommendation: Support

H.R. 4976 (Slotkin): Ensuring PFAS Cleanup Meets or Exceeds Stringent Standards Act

Introduced: 8/6/2021 **Status:** Referred to the following committees: Armed Services, Transportation and Infrastructure and Energy and Commerce

Summary: The bill directs the Secretary of Defense to ensure that removal and remedial actions relating to PFAS contamination. In conducting a response action to address perfluoroalkyl or polyfluoroalkyl substance contamination from Department of Defense or National Guard activities, the Secretary of Defense shall conduct such actions to treat these substances that meets or exceeds the most stringent existing state or federal water quality standard.

Analysis: This bill is co-sponsored by Congressman Khanna, CA-17. The bill recently was reviewed by the ACWA Water Quality committee and is supported by ACWA. With PFAS/PFOA chemicals becoming more prevalent, establishing standards that “meet or exceed” existing water quality standards supports Upper District’s legislative policy for water quality and compliments existing standards for the groundwater basin.

Staff Recommendation: Support

California Drought May Pressure Water Utilities' Margins

Fitch Ratings | September 29, 2021

Fitch Ratings-San Francisco/New York-29 September 2021: The current drought in California could cut into water utility revenues and pressure financial margins, Fitch Ratings says. Statewide water conservation mandates could be announced this fall, and some water agencies have already initiated cutbacks.

After two years of dry conditions, California is experiencing a moderate-to-exceptional drought, and an exceptional drought has been declared for over 88% of the state. The federal Central Valley Project (CVP) and California State Water Project (SWP) provide much of the state's water from the Sacramento and San Joaquin River basins. The largest of the SWP reservoirs, Lake Shasta and Oroville, are only at 25% and 22% capacity, respectively, or 40% and 35% of historical averages. As a result, the SWP water allocation is just 5% of the requested amount, the lowest since the prior drought that ended in 2016. The CVP, which provides water to seven of the state's top-10 agricultural counties, implemented a 0% allocation for agricultural contractors.

Certain areas are exercising locally imposed voluntary or mandatory water conservation. Sacramento announced a stage 2 'water alert', which has targeted up to 20% voluntary water cuts. Marin Municipal Water District has a goal of a 40% reduction in water usage. Santa Clara Valley Water District declared water shortage emergency conditions requiring a mandatory 15% reduction in usage relative to 2019.

This is the second extended drought in California in the past decade. During the five-year drought ending in 2016, the governor imposed mandatory statewide water cuts of 25%, with each water agency required to cut 4%-36% based on gallons per person per day consumed. Water utilities responded by increasing the fixed component of rate structures, increasing rates overall, and/or making continued significant investments in increasing water storage and diversification of supplies. While many utilities experienced one to two years of reduced financial margins, steps taken resulted in rebounds for most, and Fitch did not take any negative actions on water utility credits.

However, due to ongoing droughts, utilities generally have less rate flexibility and fewer tools available to mitigate potentially lower revenues/sales. Utilities' ability to absorb lower revenues is highly dependent on an individual utility's supply portfolio, its financial picture going into a drought and rate affordability in the service area. Most Fitch-rated water utilities are highly rated, reflecting robust margins and rate setting flexibility. Those with margins that are low for the rating category may see greater credit pressures. Utilities that purchase most of their water supply can reduce purchases, somewhat offsetting lower water sales.

The enactment of water cuts under the Colorado River Drought Contingency Plan does not affect California utilities immediately, but material cuts could occur in early 2024 if reservoir

levels do not stabilize or rebound.

Governor Gavin Newsom recently announced a \$15 billion climate package, which includes \$5.2 billion over three years for water and drought resilience. Funds may be spent on projects to secure and expand water supplies and support water and wastewater infrastructure, and should bolster utilities' financial resources and ability to address drought preparedness.

With continued droughts occurring at more frequent intervals, conservation measures could become harsher, leading to even greater stress on water utilities. Forecasts for fall and winter 2021 increasingly reflect the potential for La Niña development, associated with drier conditions in southern California. Most California water utilities carry ESG Relevance Scores (ESG.RS) of '3' for environmental impacts, as utilities are able to manage drought conditions at this time. Fitch's ESG.RS are expressed on a '1' to '5' scale, with '1' indicating irrelevance and '5' being highly relevant for the rating.

DWR Contributes \$16 Million to Support Desalination Research, Improved Energy Efficiency

Published: September 28, 2021

California is facing the real-time impacts of a changing climate evident by our state's historic drought. With limited water supplies, California must look to innovative technologies to meet the demands of the state's growing population. One potential solution is desalination, the method of treating seawater and other salty waters to be suitable for consumption or irrigation.

In an effort to move the research forward and secure a more resilient water supply in the future, DWR has contributed \$16 million to the National Alliance for Water Innovation (NAWI) in support of advancing desalination research.

Led by the Lawrence Berkeley National Laboratory, NAWI is a research association selected by the U.S. Department of Energy (DOE) to serve as the Energy-Water Desalination Hub coordinator for a five-year project dedicated to early-stage desalination research. DOE awarded the project a \$100 million grant.

The program includes more than 180 institutions – including DWR – working toward a goal of water resilience through the development of technologies that treat seawater, brackish water, and tainted groundwater for use in municipal, industrial, agricultural, utility, oil and gas, and other water supply needs.

“Regardless of whether next year is wet or dry, a diverse water supply portfolio can help meet California's existing and future water supply and environmental needs. By investing in this research, DWR strives to move that goal forward,” said Kris Tjernell, DWR deputy director of Integrated Watershed Management.

DWR's contribution will help fund research necessary for operational improvements of existing desalination technologies implemented in California. Where possible, the program will involve existing grantees of DWR's Water Desalination Grant Program.

Desalination is the process of removing salts and minerals from saline water (brackish water and seawater as well as municipal and industrial wastewater) to produce water suitable for consumption, irrigation, and other water supply needs. Although effective, the main drawbacks of desalination are cost and energy requirements, environmental impacts associated with water intake, and brine management.

NAWI and their team of institutions will conduct research to lower the cost and energy of desalination, improve brine management, increase longevity of system components, and develop methods to optimize operational efficiency. It is hoped that the benefits realized in the desalination industry will support other industrial sectors.

Working with NAWI, DWR will review, select, and fund research projects that focus on energy reductions or cost savings for desalination projects.

“DWR's investment in this groundbreaking technology program brings us more than simply additional resources – DWR brings their keen insights into California's current and future water challenges, and clarity on which research investments have the greatest potential to move the needle on California's water supply in the future. We hope this is just the beginning of a lasting partnership between the DWR and the DOE,” said NAWI Executive Director, Peter Fiske.

In addition to energy efficiency, NAWI is seeking to address other key water supply issues impacting California including brine management, low-cost, independent treatment unit development, and oil field (produced) water treatment. For more information about NAWI and their mission, visit www.nawihub.org

A bitter dispute ends as California water agencies pledge cooperation on Colorado River

LA Times | By: Ian James | September 28, 2021



A 2014 photograph of irrigation water gushing through control gates along the Rockwood Canal that channels Colorado River water to produce farms in Brawley in the Imperial Valley.
(Don Bartletti / Los Angeles Times)

Two years ago, a pact to safeguard the West's shrinking water supplies took effect at a ceremony high above the Colorado River.

On a terrace overlooking Hoover Dam, water officials from seven states that rely on the river had gathered to sign a deal in hopes of preventing reservoirs from falling to critically low levels.

The audience that broke into applause included officials from major water districts across the West that supply water to Denver, Phoenix and Los Angeles. But notably absent from the May 2019 ceremony were representatives of California's Imperial Irrigation District, the single largest user of Colorado River water.

Managers of the agricultural irrigation district in the Imperial Valley had been locked in a heated dispute with the state's other water behemoth, the Metropolitan Water District of Southern California, and were suing to challenge the deal.

Now, more than two years later, conditions have grown increasingly dire. As the Colorado River's largest reservoirs sit at their lowest levels on record, and as an unrelenting drought intensified by climate change continues to ravage the West, water managers across the region have acknowledged that greater cooperation and larger steps are needed to prevent the reservoirs from bottoming out.

To that end, the Imperial Irrigation District announced last week that it has agreed to settle its dispute with the MWD — a major shift that means California's two largest

users of the Colorado River will once again be able to work together on ways of taking less water from the river in an effort to address the crisis.

“I think going forward we can basically think more cooperatively as we figure out different solutions or options,” IID General Manager Henry Martinez said. Settling the dispute, he said, opens a door for more “creative discussion with Metropolitan.”

The Imperial Irrigation District had filed the first of two lawsuits against the MWD in April 2019, asking a state court to block a set of agreements called the Drought Contingency Plan. Under the plan, California, Nevada and Arizona agreed to share in water cutbacks to reduce the risks of reservoirs declining to dangerously low levels.

The district’s officials had pushed for making the problems of the shrinking Salton Sea part of the deal, and in their lawsuit called for more analysis of the environmental impacts of the agreement. They had also been pressing for funds from the federal government to help the deteriorating condition of the Salton Sea, where growing stretches of dry lakebed have sent toxic dust billowing into surrounding towns, contributing to high rates of asthma.

In the end, the drought deal that emerged after negotiations didn’t include funding for Salton Sea projects, and members of the IID board decided not to participate in the agreement.

Officials of the MWD and other districts went ahead on their own, approving the agreement without Imperial. When they signed the deal in May 2019, they agreed to shoulder California’s share of potential water cutbacks.

A judge later ruled in favor of the MWD, and an appeal was pending when the two agencies agreed to settle the cases.

By ending the dispute, the Imperial Irrigation District is rejoining other California districts in agreeing to take part in possible water cuts, though its share would be smaller than had originally been discussed during the negotiations a few years ago.

Under the settlement, which was signed this month, the IID will join other agencies in leaving some water in Lake Mead if the reservoir’s level continues falling and

reaches a trigger point for California to begin participating. Water deliveries are already being reduced to Arizona, Nevada and Mexico.

An egret takes flight from marshland at the Salton Sea. The Metropolitan Water District of Southern California, MWD has pledged to support using federal funds to help expand the state's program of building wetlands, restoring habitat and controlling dust along the retreating shorelines.

(Irfan Khan / Los Angeles Times)

The Metropolitan Water District also pledged to support using federal funds at the Salton Sea to help expand the state's program of building wetlands, restoring habitat and controlling dust along the retreating shorelines.

The Imperial Irrigation District delivers water to farmlands that grow much of the nation's vegetables in the winter and also produce hay and other crops.

The Salton Sea has long been sustained by water that drains from farm fields in the Imperial Valley, and its decline has accelerated with the implementation of agreements in which the IID is transferring water to urban areas in Southern California. Its ecosystem is also changing as the lake grows saltier with evaporation, and populations of once-numerous birds such as pelicans and double-crested cormorants have plummeted.

For years, Imperial's officials have pressed for the state to speed up long-delayed projects to build wetlands along the exposed shores of the Salton Sea, warning that windblown dust poses a health hazard in towns with predominantly Latino populations where many people do farm work.

For communities in the Imperial Valley, the Salton Sea "remains a top priority and one that should not be ignored," said Antonio Ortega, an IID spokesperson. "The Salton Sea continues to pose serious environmental and public health challenges that will impact wildlife as well as communities across Southern California."

The two water districts have agreed to “coordinate advocacy efforts to help secure additional state and federal funding to construct much-needed restoration projects at the Salton Sea,” Ortega said.

There have long been tensions between the two districts, but they’ve also had a productive relationship in collaborating on water management and conservation, said John Fleck, director of the University of New Mexico’s water resources program.

Fleck said he was saddened when Imperial didn’t sign on to the Drought Contingency Plan, often called the DCP, because he thought the district had a legitimate beef — not with Metropolitan, but with the state of California.

“Imperial made commitments back in the early 2000s to come up with a plan that would involve using less water,” Fleck said. “And in return, the state of California, so the state leadership, promised to take action to deal with the problems of the Salton Sea. And Imperial kept up its side of the bargain, and the state hasn’t.”

Fleck said the IID officials understandably felt that by conditioning their support on pulling the Salton Sea issue into the deal, “they felt it was the only leverage they had to try to get some concessions.”

When the MWD then agreed to shoulder much of the cuts without the IID, that “took away the political leverage that the IID thought it had — to use the need for a DCP to get more concessions from the state of California and the federal government to deal with Salton Sea issues,” Fleck said. In the end, the result was having one of the major water users on the river left out of the process.

“I think it’s really important that the largest water user in the basin be in the fold, be part of the discussion going forward on solving Colorado River problems,” Fleck said. “The problems of the Colorado River Basin are only going to get harder, and having the major parties collaborating in pursuit of solutions rather than in conflict is enormously important in our ability to solve these problems.”

Under the settlement, Imperial will gain the ability to store some additional water in Lake Mead. The IID officials also agreed to drop a 2020 lawsuit in which they had

accused the MWD of violating an agreement by diverting and using some of their water.

This dispute arose from the details of the Drought Contingency Plan regarding how agencies were supposed to handle water stored in the reservoir.

“When we had negotiated the agreements, part of the agreements gave IID extra storage in Lake Mead, because as part of the DCP, everyone got extra storage,” said Bill Hasencamp, the MWD’s manager of Colorado River resources.

The complications began when negotiations on the deal went longer than originally planned, pushing the signing from 2018 to 2019.

“So, we negotiated a separate bridge agreement with IID that said, since we have extra space in our storage account, we’ll hold your water for a year and then put it into your Lake Mead account when the DCP is approved,” Hasencamp said. “And because they didn’t approve the DCP, that agreement didn’t get approved, and so we didn’t store water for them as they had hoped. We made it clear it was a package. They felt that no, you should have still stored the water for us regardless.”

The MWD received the water because it was considered “unused water” under the terms of a previous agreement, Hasencamp said. Now, with the dispute settled, he added, “we are splitting the water and giving IID 60% back and we’re keeping 40%. So, we’re splitting the disagreement.”

The MWD, headquartered in Los Angeles, supplies water to cities and water districts that serve about 19 million people across Southern California.

With the wrangling behind them, managers of the two agencies said they will resume working together on plans for dealing with the increasingly dire situation on the Colorado River.

“Seven states, two nations, several Native American tribes, countless cities and farms — all rely on the Colorado River’s waters,” said Adel Hagekhalil, the MWD’s general manager. “And yet the current level of reliance is not sustainable. Only by working together can we bring this river into balance.”

The river has long been chronically overallocated under the 1922 Colorado River Compact and subsequent agreements, and the long drought has only worsened the supply-demand mismatch. Much of the river's delta in Mexico dried up decades ago, leaving only patches of natural wetlands.

The 2019 drought deal included two separate agreements: one for the Upper Basin states of Colorado, Wyoming, Utah and New Mexico, and another for the Lower Basin states of California, Arizona and Nevada.

Since the deal was signed at Hoover Dam, the last two years have brought fierce heat and dryness that have intensified the two-decade drought in the Southwest. Scientific research has shown that the Colorado River is sensitive to warming and that rising temperatures unleashed by the burning of fossil fuels are making the drought more severe, contributing to the declines in the river's flow.

The water level in Lake Mead has been declining dramatically and is forecast to continue dropping. The reservoir near Las Vegas, the largest in the country, now sits at just 34% of its full capacity, the lowest level since it was filled in the 1930s after the construction of Hoover Dam.

Lake Powell, the nation's second-largest reservoir, has also fallen to its lowest levels since it was filled in the 1960s.

The federal Bureau of Reclamation has released new projections showing worsening risks of Lake Powell and Lake Mead dropping to critically low levels. The agency's projections show a one-in-three chance of Powell declining so low by 2023 that Glen Canyon Dam would no longer generate electricity.

At Lake Mead, the estimates show a nearly one-in-four chance of the water level dropping below an elevation of 1,025 feet in 2023, a severe shortage level that would bring major water cutbacks across the Southwest. The odds of such a such a shortage, according to the projections, rise to 66% by 2025.

The water in Lake Mead now laps against the shore at 1,067 feet above sea level, just 22 feet above a threshold at which California water districts would begin taking cuts.

With these rapid declines unfolding, water management officials have acknowledged that the existing drought agreement appears insufficient and that additional steps will be needed.

The settlement clears the way for Imperial Irrigation District officials to discuss options more freely with counterparts from the MWD and other water agencies in California. The IID is also likely to play a central role in the next round of negotiations as representatives of the states work to develop new rules for managing shortages after 2026, when the existing rules are set to expire.

“Since IID has a right to about 40% of the Lower Basin’s water, they have to be a part of the solution,” Hasencamp said. “We had figured out a way that we could move on temporarily without them. But it’ll be better with them.”

Desalination can make saltwater drinkable — but it won't solve the U.S. water crisis

The water in the ocean is a tempting resource. Removing salt comes with environmental and economic costs, though.

The Washington Post | By: Michael Birnbaum | September 28, 2021



Waves crash near the Carlsbad Desalination plant in Carlsbad, Calif. The plant, opened more than six years ago, transforms water from the Pacific Ocean into drinking water. (Sandy Huffaker/Corbis/Getty Images)

Anybody with a 5-year-old's knowledge of geography might come up against this conundrum: There's a water shortage in the Western United States. Right next door, there's the Pacific Ocean. Why can't we take some of that big, blue body of water and move it into the increasingly parched territory that borders

it?

The short answer, of course, is that there's salt in the ocean, which isn't good for people, plants and many other living creatures. But as shortages mount, there's increasing interest in the complicated process of desalination, or pulling out salt on a massive scale so that water can be put to use by the thirsty populations who live nearby.

Wells are drying up in California. The Colorado River is thinning to a dribble. The levels of Lake Mead and Lake Powell — the two biggest reservoirs in the United States — are at record lows. There is precedent for large-scale desalination: Persian Gulf countries such as Qatar have precious little drinking water, and they have invested in the costly technology needed to filter the salt out of saltwater and pass the cleaned-up liquid to their entire society.

"Desalination can be a sustainable way to replenish our water cycle," wrote the authors of a European Commission-backed study last year that argued for wider use of desalination around the world, in partnership with efforts to minimize its environmental impact.

But the process is energy-intensive, costly and complicated to manage in an Earth-friendly way. Here's what you need to know.

So, what is desalinated water, anyway?

Desalination is the process of getting salt out of saltwater so that it's drinkable and usable on land. There are two main techniques: You can boil the water, then catch the steam, leaving behind the salt. Or you can blast the water through filters that catch the salt but let the liquid through. The latter is the more modern process, but both methods use a lot of energy.

And is desalinated water safe to drink?

Generally, yes. Desalinated water, provided that it's clean, is perfectly fine to drink, and a lot of it is already being consumed both in the United States and abroad. San Diego inaugurated a vast new desalination plant about six years ago and is on the verge of approving another. Other plants dot the West Coast. Desalination has been in use in energy-rich, freshwater-poor parts of the world for decades — about half of global production is concentrated in the Middle East and North Africa. A United Nations-sponsored study from 2018 estimated that the world produces about 25 billion gallons of desalinated water every day — enough to fill the taps of 25 New York Cities.

But cleaning up the water isn't challenge-free. Salt isn't the only thing that hangs out in seawater: There's also often a lot of boron, which isn't good for crops and in large concentrations might be unhealthy for humans. And it isn't always easy to clean saltwater. Other contaminants can also get in.

"There is an urgent need to make desalination technologies more affordable and extend them to low-income and lower-middle-income countries," Vladimir Smakhtin, director of the United Nations University Institute for Water, Environment and Health, wrote after he co-wrote the U.N. study on desalination. "At the same time, though, we have to address potentially severe downsides of desalination — the harm of brine and chemical pollution to the marine environment and human health."

Why do people get excited about desalination?

At its best, desalination is an attractive technology: It takes a relatively abundant but unusable resource, seawater, and turns it into something useful for freshwater-starved regions. And as time passes, it's becoming more efficient, less costly and more possible to fuel with renewable energy, easing the environmental impact. Eventually, backers hope, extracting the minerals from the high-salt leftovers will become economically viable, even though it's usually not right now.

At best, said the authors of the E.U. study, desalination can be "a far-reaching, climate change mitigating, water security solution."

Is desalination bad for the environment?

Opponents of desalination have long said that the technique isn't a panacea because it hurts the environment even as it cleans up water for human consumption. There are a few big challenges. Pulling saltwater into desalination plants can hurt fish and other marine life if it isn't done carefully. Then there's the energy needed to clean up the water, and the brackish, salty waste that is left after the clean water is filtered out.

Proponents of desalination "think it's table salt. They think the ocean can sustain the damage, but over 50 years, the ocean cannot sustain the damage, and neither can the atmosphere," said

Susan Jordan, the executive director of the California Coastal Protection Network and a longtime critic of big desalination projects in her state.

The world's biggest plant to capture CO2 from the air just opened in Iceland

There's no question that desalination is energy-intensive. And if that energy comes from dirty sources, desalination can lead to a paradoxical outcome: It can unleash greenhouse gases, worsening global warming, increasing droughts and therefore the need for more desalination.

The most modern desalination plants use significantly less energy than their predecessors. And proponents are looking for ways to use renewable energy to power the process.

A separate challenge is brine, the hyper-concentrated, salty fluid that is flushed away from the freshwater. If it is simply pumped straight back into the sea, the dense substance sinks to the bottom of the ocean floor and suffocates marine life. There are techniques to spread it over greater territory in the sea, diluting its impact.

"We call it the blanket of death because it settles on the floor, and it kills everything," Jordan said.

Can desalination solve the water crisis?

Alone, no. But it might help as part of a broader range of efforts to cut water use and increase water supplies. Its technologies are growing more energy-efficient, and there are new ways to reduce the environmental harm of the salty wastewater. And it could be used in especially parched parts of the world where water is desperately needed and where there are few alternatives.

"The benefits of desalination go beyond the single-use value of the water produced," the authors of the E.U. study argued last year, advocating for wider use of desalination in more-vulnerable and poorer regions of the globe. The technology can provide "plentiful water for human use, with all the benefits that entails, while helping preserve and restore ecosystems." But in the United States, even proponents of the technology say desalination is likely to supply only a sliver of the American West's water needs in the coming years, leaving some of the biggest water users — notably the agriculture industry — to look for water elsewhere.

Los Angeles recently unveiled a \$3.4 billion proposal to recycle and reuse its wastewater, for example, instead of treating the waste and pumping it into the ocean, as is currently done. Advocates say the change would significantly ease the pressure on the city's water sources further north in California and the Colorado River — all without the need to lean more heavily on desalination.

"Conservation, recycling, all of those things are important first," Jordan said. "And if you can't solve your water supply problem, then that's when we say, 'Do desal, but do it right.'"

Could LA water recycling be a miracle for parched West?

GreenWire | By: Jeremy P. Jacobs | 09/27/21



In this 2016 file photo, a sign urges water conservation in front of recycled wastewater in a holding pond used to recharge an underground aquifer at the Orange County Water District recharge facility in Anaheim, Calif. Chris Carlson/AP Photo

With severe drought strangling the West, the country's largest water provider has embarked on a multibillion-dollar project that could help them cope with increasingly frequent shortages exacerbated by climate change.

The Metropolitan Water District of Southern California wants to recycle Los Angeles' wastewater, creating a new supply stream that would significantly reduce the city's reliance on imported water from Northern California and the Colorado River.

It would mark a new paradigm in Western water infrastructure. Instead of the dam-building and constructing massive pipelines and aqueducts to connect far-flung rivers to cities, Metropolitan's proposal focuses on producing "new" water locally. And it seeks to utilize what has historically been wasted; Los Angeles' wastewater is currently treated and discharged into the Pacific Ocean.

"Anything with respect to water recycling is a positive. It's a new source of water to augment surface and groundwater supplies," said Jack Simes, acting area manager of the Bureau of Reclamation's Southern California Area Office. "Certainly with the challenges that we are all facing, especially on the surface water side, this is a supply source to help fill that gap."

Fully built, the Regional Recycled Water Program would produce up to 150 million gallons a day — enough water to supply 500,000 homes.

It isn't cheap. Metropolitan estimates that it would cost at least \$3.4 billion to build.

But other states, seeing the potential benefits of the project in reducing California's reliance on the Colorado River, are chipping in.

Nevada has inked a deal to help fund the exploratory phases. In return, if the project is built, it would get to take some of the water allocated to California that it doesn't need out of Lake Mead, the lower basin's main reservoir.

Arizona is in the process of finalizing a nearly identical deal.

The project "is an important step toward addressing the long-term challenges in the Colorado River basin," said Chuck Collum, Colorado River programs manager for the Central Arizona Project, which shuttles the river's water to Phoenix and elsewhere.

"What it's focused on is trying to put an unused resource back into the system," he added. "It has the potential to benefit all the users in the lower basin."

Solutions are needed as the water situation up and down the Colorado River continues to deteriorate due to climate change and a two-decade-long megadrought that some scientists are now saying may be a new, drier normal.

The Colorado River provides water to 40 million Americans.

Last week, Reclamation reported that water levels at Lake Powell, the main reservoir in the upper basin that is used to send water downriver to Lake Mead and the Lower Basin states, are dropping precipitously. Reclamation's latest projections suggest there is a 1-in-3 chance that levels will fall below what is needed for the dam to produce hydropower as early as next July (*Greenwire*, Sept. 23).

"The latest outlook for Lake Powell is troubling," Reclamation's Upper Colorado Basin Regional Director Wayne Pullan said in a statement. "This highlights the importance of continuing to work collaboratively with the Basin States, Tribes and other partners toward solutions."

Reclamation also last month declared a shortage on the Colorado River for the first time ever — because of Lake Mead's plunging water level — triggering cuts for Arizona, Nevada and Mexico (*Greenwire*, Aug. 16).

And in California, residents have so far failed to meet Democratic Gov. Gavin Newsom's July request to cut their water use by 15%. The state announced last week that Californians had only saved 1.8%. (*Greenwire*, Sept. 22).

Those factors have increased attention on water recycling and have infused programs like Metropolitan's with a new sense of urgency, said Rep. Jared Huffman (D-Calif.).

"The drought in the Colorado River basin and broader Western drought has refocused people on not only water recycling, but really doing it at a much greater scale than anyone previously thought about," said Huffman, the chair of the House Natural Resources Subcommittee on Water, Oceans and Wildlife.

Huffman is a co-sponsor of legislation, [H.R. 4099](#), that would create a new \$750 million federal grant program for large-scale wastewater recycling programs like Metropolitan's.

"Many of these large-scale recycling projects are going to have public benefits beyond just giving Metropolitan more water to sell. They are going to help solve really vexing water conflicts. They are going to help keep the economy afloat during the droughts we know are coming."

The era of building new dams to solve water issues is over, he said.

"It's so much more utility in a climate crisis future," he said, "than just building a new dam and hoping the hydrology of the future looks like the hydrology of the past."

The ambition and scale of the Los Angeles project is partly the result of Metropolitan's size. No other utility has the resources and capacity to take on such a massive project.

Metropolitan is the largest wholesale water provider in the country, providing water to 19 million people across Southern California. It has existing infrastructure it can use for the project, though some 65 miles of new large diameter pipes would have to be built.

The utility is partnering the Los Angeles County Sanitation Districts, which treats the city's wastewater. Their plant in Carson, Calif., one of the largest in the country, produces the country's biggest discharge of treated wastewater into the Pacific Ocean.

Metropolitan would turn that facility into an advanced treatment facility that it would own and operate, said Mickey Chaudhuri, Metropolitan's assistant chief of operations. It would use a three-step filtration process, including reverse osmosis and ultraviolet light to clean the water, then shuttle it using an extensive conveyance system through Southern California's urban areas.

Currently, Metropolitan is planning for "indirect potable reuse," meaning the water from the Carson facility would be funneled underground into aquifers or into reservoirs before it is later taken out, treated again, and added to the drinking water supply.

But by the end of 2023, California is scheduled to issue guidance on direct potable reuse, which would skip that intermediate step and, if the technology proves effective, streamline the process.

In that scenario, the treated water from the Carson plant would be blended with Metropolitan's imported water from Northern California and the Colorado River before being treated again and shipped to the region's taps.

The extra treatment upfront may cost more, Chaudhuri said, but it would allow Metropolitan to more efficiently use its existing infrastructure.

"The benefit is you are able to utilize existing infrastructure and deliver that water everywhere you are currently delivering," he said.

Los Angeles Mayor Eric Garcetti has unveiled a plan for the city to recycle all of its wastewater by 2035, turning it into a third of its drinking water.

Currently, the city gets around 2% of its water from recycled sources.

The city, via the Los Angeles Department of Water and Power, is also developing a second project separate from Metropolitan's.

South of Los Angeles, Orange County has been recycling its wastewater for more than a decade, using it to replenish groundwater aquifers. San Diego is considering another project.

In total, Metropolitan estimates that all of the California projects would cost \$15 billion.

Metropolitan's would be among the largest ever built. The current plan would generate 168,000 acre-feet per year (an acre-foot is about 326,000 gallons, or enough for one Los Angeles family for a year). The water would cost about \$1,800 per acre-foot, Chaudhuri said, and the extra cost would be spread over the rates of all of the retail water agencies Metropolitan sells water to. That's more than current imported water costs Metropolitan — about \$1,000 per acre-foot — but cheaper than desalination, which is about \$2,300 per acre-foot.

Metropolitan has already opened a \$17 million demonstration facility for the technology.

If fully constructed, it will position Metropolitan as a linchpin in addressing two major problems facing California's urban water supply: a drying Colorado River and increasing challenges surrounding importing water from Northern California via the Sacramento-San Joaquin River Delta east of San Francisco.

"This program," Chaudhuri said, "offers a pretty significant opportunity to play a role in both California water management and the Colorado River basin."

It would also build more flexibility into the state and regional water supply for both cities and farms, said Alvar Escriva-Bou of the nonpartisan Public Policy Institute of California.

In a recent paper, he noted that Metropolitan's total amount of imported water has continued to decline in recent years due to reduced supply from the Colorado River and regulatory hurdles in Northern California.

Climate change will likely exacerbate those factors.

The recycling program would allow Metropolitan to enter into exchanges and other partnerships — like those with Nevada and Arizona — to more efficiently use the resource, including in California's agricultural areas.

"Utilities' agencies are looking to this type of partnership more and more," he said. "I think there's a new era to looking beyond just your local area — or even region — for partnerships."

Metropolitan is just beginning its environmental review of the project, which will likely take two to three years. It hopes to begin construction in 2024.

But it — along with Arizona and Nevada — are calling for more federal involvement because of the regional impact it could have.

"This is a perfect opportunity for federal investment — and not just in Metropolitan's project," said Cora Kammeyer of the Pacific Institute, a nonpartisan think tank that focuses on water issues. "Throughout the United States and in the West, there's a huge need for water infrastructure investments."

New Report Recommends Financing and Policy Pathways for Full Scale Adoption of Localized Water Infrastructure

WaterNow Alliance | By: Caroline Koch & Melissa Kelly

It is no secret that in order to tackle its ongoing and future water challenges spanning drinking water, wastewater, and stormwater systems, the nation needs to significantly increase its investments in water infrastructure and management solutions. Facing ever-increasing stressors on water systems—aging infrastructure, drought, flooding, contaminated runoff—communities are looking for ways to build sustainability, create resilience to climate change, protect water quality, and equitably secure local water supplies for everyone. Localized water infrastructure (LWI)—distributed systems that extend beyond centralized water infrastructure and are located at or near the point of use—offers these sustainable, resilient, and equitable solutions. LWI includes improvements, devices, and technologies installed onsite that enhance a utility system by deferring or delaying the need to expand centralized systems or reducing the scale of expansion needed. LWI's full potential remains untapped.

To jumpstart the journey and explore the legal and policy reforms needed to address barriers to more widespread financing and implementation of innovative, localized water strategies, in September 2019, the University of California, Irvine School of Law Center for Land, Environment, and Natural Resources (CLEANR) and WaterNow Alliance convened a workshop roundtable to bring together water policy experts, including leaders at the forefront of implementing such strategies for a dialogue around community successes, lessons learned, and the financial, legal, and policy solutions needed to advance public water utilities' full-scale adoption of LWI. Building on these deliberations, CLEANR and WaterNow's new report makes nine recommendations to overcome the financing, institutional, and legal & policy barriers to large scale adoption of LWI:

1. Access municipal bonds for LWI
2. Establish dedicated revenue streams for LWI
3. Prioritize LWI projects for federal & state grants and loans
4. Leverage state & federal tax codes
5. Develop new decision support tools
6. Create alternative water service business models
7. Create new pathways for collaboration
8. Create new laws and policies to support LWI
9. Update existing laws and policies to clear barriers to LWI

The report also identifies roughly two dozen achievable, practical action items local water agencies, as well as state and federal governments, non-governmental organizations, and universities can take to make these recommendations a reality.

LWI implementation at scale is possible. Public utilities have access to mechanisms to finance large-scale LWI investments just as they do for conventional infrastructure. The tools to counteract the institutional inertia that keeps the bulk of water utilities' resources and decision

making flowing exclusively towards conventional approaches are already available or are readily achievable with the support from water industry partners, NGOs, and academia. Finally, a growing number of federal, state, and local policies that authorize, incentivize, and prioritize LWI provide solid models for other communities as they work to shift towards these sustainable, resilient water resource management options.



GOVERNOR NEWSOM SIGNS \$15 BILLION CLIMATE RESILIENCE PACKAGE

BY ACWA STAFF SEP 23, 2021 NEWS RELEASES

SACRAMENTO – Association of California Water Agencies (ACWA) Executive Director Dave Eggerton issued the following statement in response to Gov. Gavin Newsom signing legislation today that authorizes more than \$15 billion in budget year 2021-'22 for climate resilience, including funding for drought response and long-term water resilience.

"ACWA applauds the foresight demonstrated by the Legislature and the Governor in making possible this long-term commitment to building climate resilience. Our ability to effectively respond to the drought we are experiencing today and those to come requires state and federal investment in every tool in the toolbox of local water management. This ranges from conservation efforts to improving the aging infrastructure that stores and delivers our state's water supplies, as well as enhancing the operation of those systems by embracing innovation such as Forecast-Informed Reservoir Operations (FIRO). The state's actions today to invest in water infrastructure will ultimately make a generational difference in how we achieve climate resilience by protecting our environment and sustaining our quality of life.

"Today marks a significant step toward successfully answering the many challenges inherent to climate change adaptation, and ACWA encourages the investment of additional funding to strengthening California's water resilience."

Background

The funding package signed by Newsom today includes 24 bills covering a wide range of areas of interest to ACWA member agencies, including water quality, drought resilience and wildfire prevention and forest health. A \$1.5 Billion Wildfire and Forest Resilience Package builds on a \$536 million early action package in April ahead of peak fire season, and an additional \$988 million in 2021-'22 will fund projects to reduce wildfire risk and improve the health of forests and wildlands.

The package also includes the following funding allocations specifically related to water and wastewater issues included in SB 170 by Sen. Nancy Skinner (D-Berkeley):

\$650 million for drinking water projects

\$650 million for wastewater projects

\$200 million for small community drought relief

\$200 million for multibenefit projects

\$200 million for groundwater cleanup and water recycling projects

\$30 million for PFAS remediation

\$197 million for the Urban Flood Risk Reduction Program

\$180 million for Sustainable Groundwater Management Act implementation

\$165 million to the California Natural Resources Agency for water resilience projects that improve environmental conditions to promote recovery of native fish species in the Sacramento-San Joaquin watershed

\$100 million for urban community drought relief

\$100 million for water conveyance projects

\$101 million to the Department of Water Resources for immediate drought support

\$25 million for watershed climate studies

\$20 million for an Aqueduct Solar Panel Pilot Study

\$50 million to the Department of Conservation to implement the Multibenefit Land Repurposing Program for groundwater sustainability projects that reduce groundwater use, repurpose irrigated agricultural land, and provide wildlife habitat

\$40 million for the Salton Sea

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ACWA APPLAUDS NEWSOM FOR SIGNING SB 323 INTO LAW

BY ACWA STAFF SEP 23, 2021 NEWS RELEASES

SACRAMENTO – The Association of California Water Agencies (ACWA) is applauding Gov. Gavin Newsom for signing SB 323, which will help provide financial stability for public agencies by creating a 120-day statute of limitations for challenges to new water and sewer rates.

SB 323, sponsored by ACWA and authored by Sen. Anna Caballero (D-Salinas), extends the timeframe for challenging fees that fund other essential government services to water and sewer rates assessed by public agencies. It also requires agencies to inform customers of this new legal protection prior to the adoption of a new rate structure to help ensure transparency and public participation during the rate-setting process.

"Simply put, this bill strikes a balance between protecting the rights of ratepayers and allowing public water and sewer agencies more financial certainty," said ACWA Executive Director Dave Eggerton. "That security is essential in order for agencies to maintain a stable budget, fund critical infrastructure projects and provide reliable water and wastewater services to the public."

The bill received broad bipartisan support throughout the legislative process.

"ACWA appreciates Senator Caballero's support in recognizing the need for water and sewer rates to be given the same legal guardrails as other fees and charges and authoring the bill to resolve this important issue," Eggerton said.

Caballero reiterated a similar sentiment.

"Thank you Governor Newsom for your signature on SB 323," she said. "This bill will allow customers to bring challenges within a reasonable period of time, so that water agencies can start to regain some fiscal stability. I am proud to have worked on this issue with the agencies that provide such essential services to our communities."



WATER BOARD RECEIVES FIRST REPORT ON WATER CONSERVATION RESULTS

BY ACWA STAFF SEP 22, 2021

The State Water Resources Control Board on Sept. 21 received updates on the drought that included water conservation data reported by urban retail water suppliers.

The data compared water use in July 2021 with water use in July 2020. It showed that statewide residential water use fell 1.8% within the same month that Gov. Gavin Newsom issued his call for Californians to voluntarily reduce water use by 15% from what they used in 2020.

ACWA Regulatory Relations Manager Chelsea Haines provided comments during the meeting, assuring the State Water Board that ACWA members take the voluntary conservation mandate seriously and describing the numbers as a promising start.

Representatives from several ACWA member agencies also provided comments during the virtual meeting, highlighting their extensive customer education campaigns, conservation programs and efforts to make local water supplies more drought resilient. Many reminded the Board that it takes time to launch large-scale efforts to notify customers and therefore July's figures aren't a true representation of their efforts. Multiple agencies also provided impressive conservation numbers within the broader context of the last drought.

At the same meeting, board members heard how DWR is preparing to launch a refreshed Save Our Water campaign for fall, which will help amplify the conservation message statewide. Save Our Water originated during the last drought from a collaborative effort that continues between ACWA and DWR, which manages the program.

ACWA Executive Director Dave Eggerton issued a statement through a news release that underscored the contributions made by local agencies toward resiliency.

"Local water agencies are implementing comprehensive actions, including water conservation and local resiliency projects, to ensure water supply reliability and promote the efficient use of water," Eggerton said. ACWA believes the best path forward in responding to the drought is through a continued partnership between local water suppliers and state and federal agencies that empowers and builds on local water management planning to inform decisions that are best for their communities to strengthen climate resilience."

Californians falling far short on water conservation as drought worsens

Gov. Gavin Newsom asked for 15% reductions, but in July urban users cut use by just 1.8%

The Mercury News | By: Paul Rogers | September 21, 2021



San Luis Reservoir, a major water source located between Gilroy and Los Baños, is just 12% full on Thursday, Sept. 16, 2021. (Nhat V. Meyer/Bay Area News Group)

Facing a severe and deepening drought, California received its first report card for water conservation on Tuesday. The news wasn't good.

Driven by a lack of conservation in Southern California, the state's largest cities and water districts cut statewide urban water use by just 1.8% in July compared to July 2020 — far short of Gov. Gavin Newsom's call for a 15% statewide voluntary reduction.

Of 376 cities and water districts that reported numbers to the State Water Resources Control Board, only 26, or 7%, met or exceeded the target.

"This drought is very serious," said Karla Nemeth, director of the State Department of Water Resources. "In particular, how quickly it has developed. So, we need people to be paying attention and acting now."

The North Coast region of the state was the only one of 10 that met the target, reducing water use 16.7% amid some of the most severe water shortages in California. Next was the Bay Area, which cut use 8.4%, followed by the Central Coast, at 5.2%.

Most of Southern California showed no significant conservation. The South Coast region, which includes Los Angeles, Orange County and San Diego, cut water use by only 0.1%.

Water experts said that if this winter is dry, many parts of the state will be in an emergency.

"The new conservation numbers are both extremely disappointing and not surprising," said Peter Gleick, founder of the Pacific Institute, a nonprofit water research organization in Oakland. "They show that unless there is really a strong message from the top about the need to conserve, the public doesn't respond. And we didn't get that strong message either from the governor's office or from the Southern California water agencies."

Some state water officials said they expect to see improvement.

"It is important to note that conservation takes time to boot up," said Joaquin Esquivel, chairman of the state water board. "We saw that in the last drought as well."

Southern California received slightly more rain than much of Northern California this winter. Local officials there have noted new supply projects built in the past 20 years, including Diamond Valley Reservoir in Riverside County and a \$1 billion ocean desalination plant in Carlsbad near San Diego, have helped.

But much of Southern California relies on water from the northern part of the state.

And after the two driest years since 1976-77, many of Northern California's largest reservoirs are dangerously low. On Tuesday, the largest, Shasta Lake, was just 25% full. The second largest, Lake Oroville in Butte County, was at 22% capacity, the lowest level since it was built in 1969. More locally, the 10 reservoirs in Santa Clara County are just 12% full. Marin County's reservoirs are projected to run completely dry by next summer.

Even so, Nemeth said that Newsom is not planning to announce statewide mandatory water conservation targets right away, the way Gov. Jerry Brown did in 2015 during the state's last drought. Brown's rules — which came after lackluster voluntary conservation and resulted in the state hitting its goal of 25% savings by 2016 — were controversial, she noted. Some cities said then that they had sufficient supplies, and Brown's cutbacks cost them millions of dollars in lost water sales.

Instead, this time Newsom and other state leaders plan to wait until November to see how cities and water districts ramp up conservation on their own, she said. Many are still allowing lawn watering three or more days a week.

"They said, 'We can manage our own supplies,'" Nemeth said of local water districts. "If they want to do it, they should do it. But make no mistake. Gov. Newsom will step in with something mandatory if they are not able to meet their numbers and we continue to see these trends deepen."

Nemeth also said Tuesday that cities and farms across the state should brace to receive no water next year from the State Water Project if this winter is dry again.

A few communities reported dramatic savings, particularly in Sonoma and Mendocino counties, which saw some of the driest conditions in recorded history during the past two winters.

Healdsburg cut water use 54% this July compared to the prior year, the most of any city in California. Because of state cutbacks on pumping from the Russian River, Healdsburg officials banned all lawn watering this summer, with fines of up to \$500 for violators. Also leading the pack statewide was Cloverdale with 37%, Daly City with 36% and Petaluma with 25%.

The cities farthest from the goal were Chowchilla, in the Central Valley, which increased water use 35% and El Segundo in Los Angeles County, which increased by 31%.

There were major differences between Northern California and Southern California.

Residents of Los Angeles increased water use by 1%. So did San Diego.

But the Bay Area went in the other direction. The 1 million people who receive water from San Jose Water Company cut their use by 11%. Similarly, San Francisco cut by 10%, the East Bay Municipal Utility District saw an 8% drop, Contra Costa Water District reported a 7% decline, and the Alameda County Water District cut by 6%.

"We are heading in the right direction," said Liann Walborsky, a spokeswoman for the San Jose Water Company. "Our customers are hearing the call to action. This is very good news."

The company is expected to decide in the next month whether to put in place water budgets and surcharges for San Jose residents for the first time in four years. The intent would be to meet tougher conservation rules from the Santa Clara Valley Water District, which declared a drought emergency this summer in part because its largest reservoir, Anderson, near Morgan Hill, is empty for earthquake repairs.

At East Bay MUD, which has asked its customers for a 10% voluntary reduction, the rules could tighten in the coming months if the winter is dry, said spokeswoman Andrea Pook.

"We're grateful for the conservation that our customers are doing," she said. "We can and should do more."

**Summary Report for
The Metropolitan Water District of Southern California
Board Meeting
September 14, 2021**

CONSENT CALENDAR ITEMS – ACTION

The Board:

Authorized an increase of \$185,000 to an agreement with Rincon Consultants, Inc. for a new not-to-exceed amount of \$1 million for services related to the preparation of a Climate Action Plan and CEQA documentation. **(Agenda Item 7-1)**

Awarded \$11,604,521 contract to Ameresco, Inc. to construct Battery Energy Storage System Facilities at the Jensen and Skinner plants; and authorized increase of \$550,000 to agreement with Stantec Inc., for a new not-to-exceed total of \$1,450,000, to provide technical support. **(Agenda Item 7-2)**

Authorized an agreement with HDR Engineering, Inc. in an amount not to exceed \$635,000 for engineering services to replace the 2.4 kV power line to Black Metal Mountain communications site. **(Agenda Item 7-3)**

Authorized the General Manager to sponsor the California Resiliency Challenge with a \$200,000 contribution and renew Metropolitan's seat on the Steering Committee. **(Agenda Item 7-4)**

Declared that the two subject parcels are surplus land and not necessary for Metropolitan's use based on the written grounds set forth in the staff board letter and authorized their disposal at fair market value under Metropolitan's surplus land disposal policies and procedures. **(Agenda Item 7-5)**

Provided price and terms direction on a possible real property purchase. **(Agenda Item 7-6) (heard in closed session at committee)**

Authorized an increase in the maximum amount payable under contract with Ryan & Associates, Attorneys at Law, for advisory legal services related to real estate and commercial leasing law by \$100,000 to a maximum amount payable of \$200,000. **(Agenda Item 7-7)**

Authorized the General Counsel to increase the amount payable by amendment of contract with Theodora Oringher PC for legal services by \$200,000 for an amount not to exceed \$1,100,000. **(Agenda Item 7-8) (heard in closed session at committee)**

Authorized the General Counsel to settle matters consistent with Board Letter 7-9. **(Agenda Item 7-9) (heard in closed session at committee)**

CONSENT CALENDAR OTHER ITEMS – ACTION

Approved Committee Assignments. (**Agenda Item 6B**)

OTHER MATTERS AND REPORTS

Presented of 5-year Service Pin to Director Gloria Cordero, representing the city of Long Beach.
(**Agenda Item 5G**)

**THIS INFORMATION SHOULD NOT BE CONSIDERED THE OFFICIAL MINUTES
OF THE MEETING.**

All current month materials, and materials after July 1, 2021 are available on the public website here: <https://mwdh2o.legistar.com/Calendar.aspx>

This database contains archives from the year 1928 to June 30, 2021:
<https://bda.mwdh2o.com/Pages/Default.aspx>

Summary Report for the San Gabriel Basin Water Quality Authority September 15, 2021

Action/Discussion

1. Audited Financial Statements for the Fiscal Year Ended June 30, 2020.
The audited financial Statements for the fiscal year ended June 30, 2020 was ordered received and filed.
2. ACWA Region 8 Election for the 2022-2023 Term.
The Board reviewed and approved the ballot selection of ACWA Region 8 officers and board members for the 2022-2023 term.

Future Board and Committee Meetings

Administrative/Finance Committee Meeting – Tuesday, October 12, 2021 at 10:00 a.m.

Legislative/Public Information Committee Meeting – Wednesday, October 13, 2021 11:00 a.m.

WQA Board Meeting – Wednesday, October 20, 2021 at 12:00 p.m.

Summary Report for the
Main San Gabriel Basin Watermaster
Regular Board Meeting
September 1, 2021

Public Hearing on Proposed Waiver of Assessments

The Board unanimously approved the waiver of the Replacement Water Assessments associated with SGVWC's Plant B6 discharge.

Request to Accept Late Temporary Transfer/Lease of 118.00 AF of Prescriptive Pumping Right from IBY Property Owner, LLC to Azusa Valley Water Company for FY 2020-21

The Board unanimously approved and accepted the late lease as presented.

Attorney's Report

The Attorney confirmed that the conference regarding the Main San Gabriel Basin conditions before the presiding judge is scheduled for September 9, 2021.

Engineer's Report

The Consulting Engineer reported on current basin and water supply conditions as well as canyon storage. He then stated that all three landfills were inspected and found to be operating normally with no violations.

Executive Officer's Report

The Executive Officer reported that production for FY 2020-21 was 206,596.17 AF. He also provided a brief overview regarding a communication with Upper District on the delivery of about 39,000 AF of wet water through USG-3 to the Main Basin.



MEMORANDUM



15. DIRECTORS' REPORT (AB 1234)

Directors' Activity Report – (AB 1234) *In accordance with CA Government Code Section 53232.3 (d)* September 2021

ANTHONY R. FELLOW, Division 1

Date	Event	Description
	No reportable activity.	

CHARLES M. TREVIÑO, Division 2

Date	Event	Description
September 16 - 19	California Contract Cities Association (CCCA) Fall Educational Summit 2021	Discussions: Ladies Leading the Way in L.A., In the Zone: Trust Funds and Affordable Housing, An Update From L.A. County's Top Cop, Reducing Recidivism Alternatives to Incarceration, There's a Drought No Doubt, Innovative Clean Transit – That's How we Roll, Getting More Bang For Your Buck From ARP, Work-From-Home: Legal and Management Challenges and Opportunities For Public Agencies, Homelessness and Mental Health, Getting Fired Up With The Chief Keynote speakers LA Supervisors Janice Hahn, Sheriff Alex Villanueva, General Manager of the Water Replenishment District of Southern California, Stephen Tucker, General Manager of Metropolitan Water District of Southern California, Adel Hagekhalil, Author Jeffrey Barnes, LASD Captain John Gannon.

ED CHAVEZ, Division 3

Date	Event	Description
September 16 - 19	California Contract Cities Association (CCCA) Fall Educational Summit 2021	Discussions: Ladies Leading the Way in L.A., In the Zone: Trust Funds and Affordable Housing, An Update from L.A. County's Top Cop, Reducing Recidivism Alternatives to Incarceration, There's a Drought No Doubt, Innovative Clean Transit – That's How we Roll, Getting More Bang For Your Buck From ARP, Work-From-Home: Legal and Management Challenges and Opportunities For Public Agencies, Homelessness and Mental Health, Getting Fired Up With The Chief Keynote speakers LA Supervisors Janice Hahn, Sheriff Alex Villanueva, General Manager of the Water Replenishment District of Southern California, Stephen Tucker, General Manager of Metropolitan Water District of Southern California, Adel Hagekhalil, Author Jeffrey Barnes, LASD Captain John Gannon.

KATARINA GARCIA, Division 4

Date	Event	Description
	No reportable activity.	

JENNIFER SANTANA, Division 5

Date	Event	Description
	No reportable activity.	