

# MEMORANDUM



## ITEM 7. (d) ACTION

**DATE:** December 6, 2021  
**TO:** Government and Community Affairs Committee and Board of Directors  
**FROM:** General Manager  
**SUBJECT:** Revise the 2021-2022 Legislative Policy Principles and authorize the General Manager and/or the Director of Government Affairs to direct advocacy consultants on positions consistent with these principles.

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### **Recommendation**

Revise the 2021-22 Legislative Policy Principles and authorize the General Manager and/or the Director of Government Affairs to direct advocacy consultants on positions consistent with these principles.

### **Background**

Consistent with the 2-year legislative policy cycle, these principles will provide general guidance by which the General Manager and/or the Director of Government Affairs are authorized to direct resources to advocate bill positions that are consistent with advancing Upper District's mission and strategic goals.

The 2021-22 Legislative Policy Principles considers the legislative focus of: Metropolitan Water District of Southern California, Association of California Water Agencies, San Gabriel Valley Water Association, WaterReuse, and California Special District Association.

### **Upper District Legislative Priorities**

- Support initiatives and funding that will advance the research and development of local water resources including recycled water, groundwater storage and stormwater projects.
- Support administrative/legislative actions and funding to facilitate watershed restoration projects.
- Support legislation or administrative action that **strongly** protects existing water rights and **oppose legislative action that would infringe upon existing water rights or is inconsistent with water rights priorities/adjudications.**
- Support actions to ensure progress on Delta Conveyance and California EcoRestore.
- Support administrative/legislative actions and funding for water quality projects that treat, monitor and/or remediate per-and polyfluoroalkyl substances.
- Support administrative/legislative actions to secure funding to help public water systems offset the costs associated with COVID-19.

- Support tax exemptions for water conservation/efficiency incentives including, but not limited to, turf removal, local stormwater capture (e.g., rain barrels, cisterns), and other measures to reduce consumption of water or enhance the absorption and infiltration capacity of the landscape.
- Support continued funding for water efficiency programs including but not limited to U.S. EPA's WaterSense program.
- Support legislation and funding for ACOE projects including but not limited to sediment removal and dam safety.

## **2021-22 Legislative Policy Principles**

### **A. Water Resource Management**

**SUPPORT** administrative/legislative action and state funding to expedite the development of recycled water, groundwater, and stormwater as beneficial water resources.

**SUPPORT** administrative/legislative action that streamlines the regulatory oversight of recycled water use.

**SUPPORT** integrated water resources portfolio planning by advocating for clear, concise, and streamlined regulations/policies.

**SUPPORT** groundwater storage policy is implemented in a way that protects existing water rights, water users and the environment.

**SUPPORT** administrative/legislative actions that help achieve the state's recycled water goals while limiting one-size-fits-all mandates on the uses of recycled water and specific reductions of wastewater discharges.

**SUPPORT** administrative/legislative actions that promote stormwater as a beneficial resource and facilitate the funding and permitting of stormwater capture projects.

**SUPPORT** administrative/legislative actions that require consideration of cost/benefits, local uses for recycled water and stormwater capture projects, and available state funding to implement programs that mandate reduction or reuse of ocean discharges.

**SUPPORT** legislative/administrative actions and funding to accelerate new local supply development, including recycled water, water quality treatment, groundwater remediation and storage, water loss detection and repair, and water conservation measures.

**SUPPORT** administrative/legislative actions and funding that help enhance local watershed management in the San Gabriel River Watershed that provide water quality benefits, enhanced reliability and mitigates the effects of wildfires.

## **B. Conservation**

**SUPPORT** tax exemptions for water conservation or efficiency incentives for measures including, but not limited to, turf removal, rain barrels, cisterns, and other measures to reduce consumption of water or enhance water use efficiency.

**SUPPORT** funding for water conservation and water-use efficiency programs such as the U.S. EPA WaterSense program, and other water efficiency programs that provide assistance to disadvantaged communities.

**SUPPORT** legislation that advances Conservation as a California Way of Life in a manner that maintains flexibility and control of water resources management decisions at the local and regional level.

**SUPPORT** legislation or administrative actions that create new conservation mandates or regulations are based on science, recognize regional distinctions and potential impacts to wastewater operations and recycled water projects.

**SUPPORT** administrative/legislative actions and funding for demand management activities, with an emphasis on funding for disadvantaged communities, and new local supply projects to conserve existing supplies and prepare for a dry future.

**SUPPORT** administrative/legislative actions and funding to reduce water loss. Support the development and implementation of flexible water loss standards for both retail and wholesale water systems.

## **C. Imported Water Supply**

**SUPPORT** administrative/legislative action and funding that advances Delta conveyance and California EcoRestore in support of the state's coequal goals of water supply reliability, Delta ecosystem restoration and the Governor's California Water Resilience Portfolio.

**SUPPORT** for implementation of state policies adopted as part of the 2009 Delta Reform Act and water management package, including clarification of the monitoring, reporting, and enforcement provisions related to in-Delta diversions.

**SUPPORT** administrative/legislative action and funding for new or expanded water infrastructure that complements the State Water Project.

**SUPPORT** administrative/legislative actions in the Delta watershed to account for and administer the water rights system including protecting stored water releases.

**SUPPORT** administrative/legislative actions and funding for the Colorado River System water conservation projects, including implementation of the Drought Contingency Plan.

#### **D. Drought/Climate Change Related Legislation**

**SUPPORT** legislation that provides funding and regulatory assistance for regions affected by the drought for immediate and long-term water projects that aid in the development, storage, treatment, and delivery of water.

**SUPPORT** legislation/administrative actions and funding that facilitates drought preparedness and drought response projects and programs.

**SUPPORT** administrative/legislative actions that support research into potential water resources and water quality effects of climate change.

#### **E. Environmental Planning/Sustainability**

**SUPPORT** administrative/legislative action to improve clarity and workability of the California Environmental Quality Act (CEQA).

**SUPPORT** administrative/legislative action for environmental regulatory compliance that provide flexibility, promotes consistency, and reduces regulatory duplication, while protecting public health and the environment.

**SUPPORT** legislation that includes actions and funding for control and eradication of invasive species including, but not limited to, quagga mussels.

#### **F. Water Quality**

**SUPPORT** legislation, initiatives/funding to protect and improve water quality from various constituents such as chromium 6, nitrate, perchlorate, salinity, uranium, MTBE, and pharmaceuticals/personal care products and other constituents of emerging concern.

**SUPPORT** regulatory/legislation that utilize best available science, occurrence and health affects data, appropriate cost benefit analyses for public health protections and improved water quality. Apply these principles when setting maximum contaminant levels (MCLs), setting notification/response levels and implementation, identifying constituents of emerging concern (CECs) and other regulatory standards or guidance levels.

**SUPPORT** administrative/legislative actions and funding that apply the “responsible party” principle to addressing contamination treatment and mitigation measures to comply with new regulatory standards.

**SUPPORT** administrative/legislative actions to secure funding to help public water systems defray the costs of monitoring and/or remediation of per-and polyfluoroalkyl substances and ensure drinking water and wastewater facilities are not held liable for the cleanup of contamination.

**SUPPORT** administrative/legislative actions that prioritize providing safe and affordable drinking water to disadvantaged communities.

## **G. Emergency Preparedness**

**SUPPORT** administrative/legislation that assist the water industry to prepare, respond and recover from natural disasters, catastrophic events and sabotage. Support funding that provides resources for emergency response, planning and restoration of service.

## **H. Fiscal Policy**

**SUPPORT** authorizations to fund local projects through the Bureau of Reclamation's Title XVI and WaterSMART programs, the ACOE or EPA

**SUPPORT** administration/legislation to reduce the local cost of financing water projects such as: tax-credit financing & tax-exempt municipal bonding; expanded Water Infrastructure Finance Innovation Act (WIFIA); and Water Resources Development Act (WRDA).

**SUPPORT** administrative/legislative actions that reform or create water financing mechanisms to provide water systems with voluntary options for financing low-income rate assistance programs.

**SUPPORT** administrative/legislative actions to secure funding to help public water systems offset the costs associated with COVID-19.

**SUPPORT** administrative/legislative actions that meaningfully improve water affordability throughout the region at both the individual and the water system level without burdening existing ratepayers.

## **I. Water System Governance**

**SUPPORT** administrative/legislative actions that improve the governance of non-compliant water systems and aid with consolidations that increase their technical, managerial, or financial capacity.

**SUPPORT** administrative/legislative action to ensure that all affected public water systems are consulted on proposed consolidations or extension of service area.

**SUPPORT** funding to help water systems provide low-income ratepayer assistance programs without operational constraints.