



WEST VALLEY WATER DISTRICT
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**EXTERNAL AFFAIRS COMMITTEE MEETING
AGENDA**

MONDAY, SEPTEMBER 25, 2023 - 6:00 PM

NOTICE IS HEREBY GIVEN that West Valley Water District has called a meeting of the External Affairs Committee to meet in the Administrative Conference Room, 855 W. Base Line Road, Rialto, CA 92376.

BOARD OF DIRECTORS

Director Angela Garcia, Chair
Director Channing Hawkins

Members of the public may attend the meeting in person at 855 W. Base Line Road, Rialto, CA 92376, or you may join the meeting using Zoom by clicking this link: <https://us02web.zoom.us/j/8402937790>. Public comment may be submitted via Zoom, by telephone by calling the following number and access code: Dial: (888) 475-4499, Access Code: 840-293-7790, or via email to administration@wvwd.org.

If you require additional assistance, please contact administration@wvwd.org.

I. CALL TO ORDER

II. PUBLIC PARTICIPATION

The public may address the Board on matters within its jurisdiction. Speakers are requested to keep their comments to no more than three (3) minutes. However, the Board of Directors is prohibited by State Law to take action on items not included on the printed agenda.

III. DISCUSSION ITEMS

1. Updates to the External Affairs Committee
2. Website Update (Verbal).
3. State/Federal Legislative Update.
4. Social Media Update (August - September).
5. Community Outreach Programs Update.
6. Water Professionals Appreciation Week 2023.

IV. ADJOURN

DECLARATION OF POSTING:

I declare under penalty of perjury, that I am employed by the West Valley Water District and posted the foregoing External Affairs Committee Agenda at the District Offices on September 21, 2023.

Elvia Dominguez

Elvia Dominguez, Board Secretary



**BOARD OF DIRECTORS
EXTERNAL AFFAIRS COMMITTEE
STAFF REPORT**

DATE: September 25, 2023
TO: External Affairs Committee
FROM: Socorro Pantaleon, Acting Gov't and Legislative Affairs Manager
SUBJECT: STATE/FEDERAL LEGISLATIVE UPDATE

BACKGROUND:

The September legislative report provides an update on the 2022-2023 legislative session that concluded on September 14th. Bills that advanced to Governor Newsom's desk have until October 14th to be signed or vetoed. Staff will continue to provide updates to the committee and the Board on the status of the bills in process with the Governor.

DISCUSSION:

Staff has provided a report on those bills of interest to West Valley Water District (Exhibit A). Additionally, reports from Tres Es Inc. (State Lobbyist) and David Turch Associates (Federal Lobbyist) are included in the legislative report for review.

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

Receive and File.

Respectfully Submitted,

John Thiel

John Thiel, General Manager

JT/sp

ATTACHMENT(S):

1. September 2023 Legislative Report (Exhibit A)

MONTHLY LEGISLATIVE REPORT

SEPTEMBER 2023



Table of Contents

| | |
|----------|----------------------------------|
| 2 | 2023 Legislative Calendar |
|----------|----------------------------------|

| | |
|----------|--------------------------------|
| 3 | WVWD Legislative Update |
|----------|--------------------------------|

| | |
|----------|-----------------------------------|
| 8 | Tres Es Legislative Report |
|----------|-----------------------------------|

| | |
|----------|---------------------------|
| 9 | David Turch Report |
|----------|---------------------------|

2023 LEGISLATIVE CALENDAR

OCTOBER

- Oct. 14: Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 14 and in the Governor's possession on or after Sept. 14

The California legislative year that ended September 14, below is an overview of action on some of the key bills that ACWA staff advocated in support or opposition on behalf of its members this year.

Water Rights

This year witnessed a significant level of attention from the Legislature on water rights, including bills seeking to fundamentally change the way California's water rights system is administered and enforced. ACWA staff made the water rights bills a top priority this year and led a large coalition of more than 100 organizations, including the water community and agricultural, business, labor, and other interests in opposing AB 460 (Bauer-Kahan), AB 1337 (Wicks) and SB 389 (Allen).

- As a result of this advocacy, AB 460 and AB 1337 failed to advance out of the Senate Natural Resources and Water Committee. The bills are now two-year bills and may be brought up next year.
- SB 389 was amended after extensive negotiations to significantly improve the bill. The bill would now allow the State Water Resources Control Board (State Water Board) to simply request information from water right holders related to water diversions, as opposed to authorizing the investigation and invalidation of water rights with almost no cause as originally proposed. With these changes, which resulted from ACWA's advocacy and Senator Allen's leadership, ACWA removed its opposition to SB 389. SB 389 passed out of the Legislature and is at Gov. Gavin Newsom's desk. He will have until Oct. 14 to sign or veto the legislation.

Climate Resilience Bond

For the last several years, ACWA has been advocating extensively for investments in water infrastructure. A total of four climate resilience bond proposals were introduced in 2023 - each with a focus on water infrastructure.

- In particular, **SB 867 (Allen)**, would invest in nine out of ACWA's 10 priority water infrastructure categories. While ACWA appreciates the inclusion of these funding categories, the amount of funding proposed in the legislation for these categories needs to be increased to help address the impacts of climate change on water management.
- More recently, the Legislature decided to push the climate resilience bond proposals to next year, making a November 2024 ballot measure most likely. There will be additional time to continue to advocate for new investments in the areas of recycled water, desalination, groundwater recharge, water storage, conveyance, dam safety, safe drinking water, PFAS remediation, water conservation, and several other critical water infrastructure categories. The Legislature will reconvene on Jan. 3, 2024, and will have until the end of June to negotiate a final version of a bond to be presented to voters on the November 2024 ballot.

Infrastructure Streamlining

On July 10, Gov. Newsom signed budget trailer bills intended to streamline infrastructure projects throughout the state. The governor's proposals included changes to the judicial process related to California Environmental Quality Act (CEQA) challenges, the California Endangered Species Act (CESA), and the project contracting authority of the Department of Water Resources and the Department of Transportation.

- The governor announced the package of proposals in May, and ACWA quickly adopted supportive positions and helped build a coalition of water agencies and associations, labor organizations, business groups and others that advocated in support of them.
- While the proposals were met with significant opposition from environmental groups, the Administration made this issue its top priority for June.
- Ultimately, as part of a larger budget negotiation, the proposals were narrowed to exclude some types of projects, including the Delta Conveyance Project and ocean desalination projects. The proposals were also narrowed in other ways, including a sunset date for the CESA provisions that allow the California Department of Fish and Wildlife to issue incidental take permits for fully protected species. In addition, the proposed changes for the Delta Stewardship Council programs were dropped entirely.
- With the narrowed scope of the proposals, a number of environmental groups removed opposition, and the bills passed out of the Legislature on June 5 and were signed by the governor.

Groundwater

AB 560 (Bennett) would have required that parties to a groundwater management adjudication action submit a proposed settlement agreement to the State Water Board prior to filing it with the court, for a nonbinding advisory determination regarding its impact on sustainable groundwater management and small and disadvantaged users.

- ACWA had multiple concerns with this bill, namely that it would have substantially delayed the process for obtaining a final judgment. ACWA adopted a not-favor position and joined an opposition coalition led by the California Chamber of Commerce.
- **AB 560 failed to pass out of the Senate Appropriations Committee and became a two-year bill.**

Water Management Planning

AB 1572 (Friedman): would prohibit irrigation of nonfunctional turf with potable water. ACWA originally adopted an oppose-unless-amended position on the bill due to the broad definition of "nonfunctional turf" and the enforcement process that would have been required of public water agencies.

- ACWA worked extensively with the author's office to address these concerns and narrow the scope of the bill. After multiple rounds of amendments, ACWA adopted a support position on AB 1572, and the bill passed out of the Legislature on Sept. 12.

AB 754 (Papan): would have required water agencies to develop a storage curve, projections, and monthly reporting on reservoirs that constitute at least 50% of their total water supply. The bill did not account for the diverse water supplies of water systems and the various ways that water agencies manage reservoirs.

- ACWA adopted an oppose position on AB 754 and, along with an ACWA-led coalition of more than 20 member agencies and partner organizations, advocated throughout the year in opposition to AB 754.
- The bill failed to pass out of the Senate Appropriations Committee and is now a two-year bill.

Dam Safety

ACWA played a leadership role in a very active coalition's advocacy to create a state program for competitive grants for dam safety and related climate resilience projects (e.g., projects to enable Forecast-Informed Reservoir Operation at reservoirs).

- **SB 122**, among other things, created the Dam Safety and Climate Resilience Local Assistance Program. The statutory language for the new program is based in large part on language that the coalition developed with input from ACWA. ACWA is now advocating for funding for this important program in the context of a climate resilience bond.
- After extensive advocacy, the Legislature passed the bill and the governor signed it into law on July 10.

Delta Conveyance

SB 687 (Eggman) proposed to:

1. Require the State Water Board to adopt a final update of the San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan (Bay-Delta Plan) before the State Water Board could consider a change in point diversion or any other water rights permit or order for the Delta Conveyance Project; and
2. Prohibit the operation of the Delta Conveyance Project until the updated Bay-Delta Plan is fully implemented.

Delta conveyance solution is needed to improve water supply reliability statewide and enhance the Delta ecosystem. The State Water Contractors and ACWA opposed SB 687 because it would have created challenges and delays for a Delta conveyance solution by making the Delta Conveyance Project timeline reliant on both the finalization and full implementation of the Bay-Delta Plan.

- The Assembly Appropriations Committee held the bill, making it a two-year bill.

Zero-Emission Vehicles (ZEVs) and Public Water Agencies

ACWA successfully secured amendments to include all water agencies in the provisions of AB 1594. Previously, the bill excluded flood control agencies, reclamation districts, levee districts, and federal contracting agencies.

- **AB 1594** would require that any state regulation requiring the procurement of medium- and heavy-duty zero-emission vehicles (ZEVs), authorize public agency utilities to purchase replacements for traditional utility-specialized vehicles that are at the end of their useful life without regard to the model year of the vehicle being replaced, when the vehicle is needed to maintain reliable service and respond to major foreseeable events. This would include severe weather, wildfires, natural disasters, and physical attacks.
- The bill, sponsored by the California Municipal Utilities Association, is an attempt to give water agencies more flexibility in complying with the California Air Resources Board's Advanced (CARB) Clean Fleets Regulation by requiring CARB to work with water agencies to identify vehicles at the end of their useful life and purchase traditional gas vehicles when no alternative ZEV is available. ACWA lobbied the Newsom Administration and CARB in particular to ensure that the bill was broadened to include all public water agencies.
- **AB 1594 passed out of the Legislature and is now headed to the governor's desk where he has until Oct. 14 to act on legislation.**

Testing for Lead in Drinking Water in Schools

AB 249 (Holden) would establish a new program for testing for lead in drinking water at public schools, as specified, even though testing has already been conducted under existing law and when future (estimated October 2024) federal regulation, the federal Lead and Copper Rule Improvements, will require new testing.

- ACWA collaborated with other associations, including the California Municipal Utilities Association, the California Special Districts Association, and the California Water Association on joint suggested amendments.
- The author generally accepted the amendments, which added flexibility relative to the 2024 new federal rule and made the proposed testing requirements less onerous. However, the author subsequently added a last-minute amendment that limited the flexibility that had been added.
- The amendments, which were developed by a working group of ACWA's State Legislative Committee and would make compliance less onerous, are still in the bill.

The bill passed out of the Legislature and is at the governor's desk. ACWA will request a veto because of the likelihood that AB 249 will result in testing requirements that duplicate or conflict with the 2024 federal regulation.

Ballot Measures - Voter Thresholds

ACA 13 (Ward) would require proposed ballot initiatives that seek to increase voter-approval thresholds on future ballot measures to pass with the same proportional higher vote threshold.

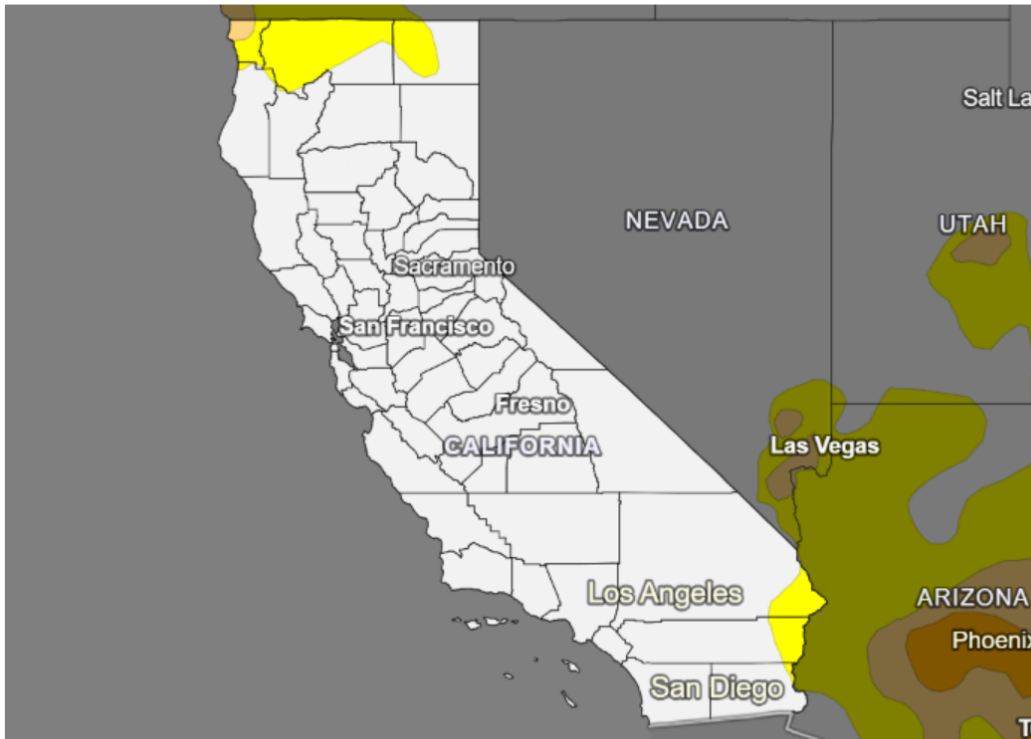
- For example, an initiative that would impose a two-thirds-vote threshold on future ballot measures would be required to pass with a two-thirds vote. An example of a measure that ACA 13 would affect is the Taxpayer Protection and Government Accountability measure that is set to be on the November 2024 ballot. ACWA has an oppose position on that measure. If ACA 13 is enacted, that measure would have to pass by a two-thirds vote. ACA 13 passed out of the Legislature and is at the governor's desk. ACWA will request a signature.

Discontinuation of Water Service

- **SB 3 (Dodd)** would amend an existing law that restricts discontinuation of water service for nonpayment. Part of that existing law requires water systems, as specified, to have a policy on discontinuation of water service that includes a plan for deferred or reduced payment.
- The Attorney General's Office requested, and the author included in the bill, an amendment which would specify that the plan for deferred or reduced payment must be available to all customers, even if they did not meet the existing criteria for the limited prohibition on shutoffs.
- ACWA negotiated an amendment which would specify that the plan would not be required to reduce the amount owed for water service. That amendment went into the bill. ACWA also negotiated with the Attorney General's Office on changes to a proposed restitution authority in the bill. However, the author's office decided that those agreed-upon restitution-related changes should be made in clean-up legislation next year, as opposed to being made in the two weeks before the Legislature adjourned.
- SB 3 passed out of the Legislature and is at the governor's desk. He will have until Oct. 14 to sign or veto the legislation.

STATE DROUGHT CONDITIONS

U.S. Drought Monitor: California



Drought & Dryness Categories

| | |
|--|-------------------------------|
| | D0 – Abnormally Dry |
| | D1 – Moderate Drought |
| | D2 – Severe Drought |
| | D3 – Extreme Drought |
| | D4 – Exceptional Drought |
| | Total Area in Drought (D1-D4) |

% of CA

| |
|------|
| 6.2% |
| 0.2% |
| 0.0% |
| 0.0% |
| 0.0% |
| 0.2% |

Source(s): NDMC, NOAA, USDA
 Updates Weekly: 09/12/23

[Drought.gov](https://drought.gov)

TRES ES LEGISLATIVE REPORT

**West Valley Water District State Water Legislation
Chaptered and Enrollment 2023**

AB 30

(Ward D) Atmospheric rivers: research: reservoir operations.

Current Text: Chaptered: 9/1/2023 [html](#) [pdf](#)

Status: 9/1/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 134, Statutes of 2023.

Location: 9/1/2023-A. CHAPTERED

Summary: Current law establishes the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program in the Department of Water Resources. Current law requires the department, upon an appropriation for purposes of the program, to research climate forecasting and the causes and impacts that climate change has on atmospheric rivers, to operate reservoirs in a manner that improves flood protection, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. This bill would rename that program the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency (AR/FIRO) Program. The bill would require the department to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.

AB 231

(Chen R) Shareholders' meetings: remote communication.

Current Text: Chaptered: 7/27/2023 [html](#) [pdf](#)

Status: 7/27/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 115, Statutes of 2023.

Location: 7/27/2023-A. CHAPTERED

Summary: The General Corporation Law authorizes corporations not governed by other specified state laws to conduct a meeting of shareholders solely by electronic transmission by and to the corporation, electronic video screen communication, conference telephone, or other means of remote communication if the meeting is conducted on or before December 31, 2025, as specified, and includes a live audiovisual feed for the duration of the meeting. Current law provides that a de minimis disruption of an audio, visual, or audiovisual feed does not require a corporation to end a shareholder meeting under, or render the corporation out of compliance with, the above-described provisions. This bill would authorize corporations conducting a meeting on or before December 31, 2025, as described above, to offer, in addition to the live audiovisual feed, an audio-only means of participation. The bill would grant the shareholder or proxyholder the right to choose whether to participate via audiovisual or audio-only means and would prohibit the corporation from imposing any barriers on either mode of participation. The bill would provide that a de minimis disruption of an audio or audiovisual feed does not require a corporation to end a shareholder meeting under, or render the corporation out of compliance with, those provisions. The bill would extend those same provisions to a nonprofit public benefit corporation, nonprofit mutual benefit corporation, nonprofit religious corporation, or cooperative corporation holding a meeting of members.

[AB 249](#)**(Holden D) Water: school sites: lead testing.****Current Text:** Enrollment: 9/13/2023 [html](#) [pdf](#)**Status:** 9/13/2023-Senate amendments concurred in. To Engrossing and Enrolling.**Location:** 9/13/2023-A. ENROLLMENT

Summary: Would require a community water system that serves a school site, as defined, to test for lead in the potable water system outlets of the school site before January 1, 2027, except as provided. The bill would require the community water system to report its findings to the applicable school site or local educational agency and to the State Water Resources Control Board. The bill would require the local educational agency or school site, if the lead level exceeds a specified level at a school site, to notify the parents and guardians of the pupils who attend the school site, take immediate steps to make inoperable and shut down from use all potable water system outlets where the excess lead levels may exist, and work to ensure that a lead-free source of drinking water is provided for pupils, as specified. The bill would require a community water system to test a potable water system outlet that replaces an outlet that is found to have excess levels of lead. The bill would require a community water system to prepare a sampling plan for each school site where lead sampling is required under these provisions, as specified. The bill would require the school site, local educational agency, and state board to make the results of school site lead sampling publicly available by posting the results on its internet website. The bill would require a school site and a local educational agency, if an internet website is not maintained, to provide the results upon request. By imposing additional duties on local agencies, this bill would impose a state-mandated local program.

[AB 541](#)**(Wood D) California Safe Drinking Water Act: wildfire aftermath: benzene testing.****Current Text:** Enrollment: 9/13/2023 [html](#) [pdf](#)**Status:** 9/13/2023-Senate amendments concurred in. To Engrossing and Enrolling.**Location:** 9/13/2023-A. ENROLLMENT

Summary: Would direct the State Water Resources Control Board to require a public water system that has experienced a wildfire event meeting specified criteria to perform sample collection and analysis of its source waters, treatment facilities, conveyance facilities, distribution systems, or a combination thereof, for the presence of benzene as soon as it is safe to do so. The bill would authorize the state board to require a public water system response that includes specified measures if a public water system conducts sampling and finds detectable concentrations of benzene.

[AB 557](#)**(Hart D) Open meetings: local agencies: teleconferences.****Current Text:** Enrollment: 9/15/2023 [html](#) [pdf](#)**Status:** 9/15/2023-Enrolled and presented to the Governor at 4 p.m.**Location:** 9/15/2023-A. ENROLLED

Summary: The Ralph M. Brown Act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each

teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2024, authorizes the legislative body of a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect. Those circumstances are that (1) state or local officials have imposed or recommended measures to promote social distancing, (2) the legislative body is meeting for the purpose of determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or (3) the legislative body has previously made that determination. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, existing law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. This bill would revise the authority of a legislative body to hold a teleconference meeting under those abbreviated teleconferencing procedures when a declared state of emergency is in effect.

[AB 664](#)

(Lee D) California Safe Drinking Water Act.

Current Text: Enrollment: 9/13/2023 [html](#) [pdf](#)

Status: 9/13/2023-Senate amendments concurred in. To Engrossing and Enrolling.

Location: 9/13/2023-A. ENROLLMENT

Summary: The California Safe Drinking Water Act provides for the operation of public water systems and imposes on the State Water Resources Control Board various duties and responsibilities for the regulation and control of drinking water in the state. Current law imposes certain responsibilities on public water systems and authorizes the state board to issue a citation to a public water system if the state board determines that the public water system is in violation of the act, or any regulation, permit, standard, or order issued or adopted under the act. Current law requires a public water system to reimburse the state board for actual costs incurred by the state board for specified enforcement activities related to that water system, as provided. This bill would authorize the state board to issue a citation to any person if the state board determines that the person is in violation of the act, or any regulation, permit, standard, or order issued or adopted under the act. The bill would also require persons to reimburse the state board for actual costs incurred by the state water board for specified enforcement activities related to that person, as provided. The bill would expand the definition of "person," defined in existing law for purposes of the act to include individuals and various corporate and public entities, associations, and institutions, to also include the United States, to the extent authorized by federal law.

[AB 676](#)

(Bennett D) Water: general state policy.

Current Text: Enrollment: 9/15/2023 [html](#) [pdf](#)

Status: 9/15/2023-Enrolled and presented to the Governor at 4 p.m.

Location: 9/15/2023-A. ENROLLED

Summary: Would specify that the use of water for domestic purposes includes water use for human consumption, cooking, sanitary purposes, care of household livestock, animals, and gardens, fire suppression and other safety purposes, and a purpose determined to be a domestic purpose as established by the common law.

[AB 682](#)**(Mathis R) State Water Resources Control Board: online search tool: funding applications.****Current Text:** Enrolled: 9/13/2023 [html](#) [pdf](#)**Status:** 9/13/2023-Read third time. Passed. Ordered to the Assembly. (Ayes 39. Noes 0.). In Assembly. Ordered to Engrossing and Enrolling.**Location:** 9/13/2023-A. ENROLLMENT**Summary:** Current law establishes the State Water Resources Control Board (state board) to exercise the adjudicatory and regulatory functions of the state in the field of water resources. Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. This bill would require, by January 1, 2025, the state board to update the state board's online search tool for funding applications to include a description of the additional information the state board needs from a water system to continue processing the water system's application and a description of the typical steps that must be completed before a funding agreement can be executed after receipt of a complete application, among other information, as specified.[AB 753](#)**(Papan D) State Water Pollution Cleanup and Abatement Account: annual proceeds transfers.****Current Text:** Enrolled: 9/14/2023 [html](#) [pdf](#)**Status:** 9/12/2023-Assembly Rule 77 suspended. Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 79. Noes 0.).**Location:** 9/12/2023-A. ENROLLMENT**Summary:** Current law requires each regional water board to formulate and adopt water quality control plans for all areas within the region, as provided. Current law authorizes the imposition of civil penalties for violations of certain waste discharge requirements and requires that penalties imposed pursuant to these provisions be deposited into the Waste Discharge Permit Fund, to be expended by the State Water Resources Control Board, upon appropriation by the Legislature, for specified purposes related to water quality. For violations of certain other waste discharge requirements, including the violation of a waste discharge requirement effluent limitation, current law imposes specified civil penalties, the proceeds of which are deposited into the continuously appropriated State Water Pollution Cleanup and Abatement Account, which is established in the State Water Quality Control Fund. This bill would create the Waterway Recovery Account within the Waste Discharge Permit Fund and would annually transfer from the State Water Pollution Cleanup and Abatement Account, excluding administratively imposed civil liabilities that include a supplemental environmental project in connection with a monetary penalty, 40% of the annual proceeds to the Waterway Recovery Account. The bill would provide that moneys in the account created by the bill are continuously appropriated to the state board without regard to fiscal years. The bill would require the state board to allocate the Waterway Recovery Account moneys to each regional board on a proportional basis, based on moneys generated in each region, and would require the regional boards to allocate those moneys to third parties for restoration projects, as specified, with priority given to third parties that will undertake projects with multiple benefits that provide greenspace within disadvantaged communities, as provided.

[AB 779](#)**(Wilson D) Groundwater: adjudication.****Current Text:** Enrollment: 9/13/2023 [html](#) [pdf](#)**Status:** 9/13/2023-Senate amendments concurred in. To Engrossing and Enrolling.**Location:** 9/13/2023-A. ENROLLMENT

Summary: Would require a civil court, in an adjudication action for a basin required to have a groundwater sustainability plan, to appoint one party to forward all case management orders, judgments, and interlocutory orders to the groundwater sustainability agency within 10 business days of issuance. The bill would require the court to allocate payment of the costs incurred by the party appointed to forward all case management orders, judgments, and interlocutory orders to the groundwater sustainability agency among the parties in an amount and a manner that the court deems equitable. The bill would require the groundwater sustainability agency to post the documents on its internet website in the interest of transparency and accessibility within 20 business days of receipt from a party, as specified. The bill would authorize the court to refer the matter to the State Water Resources Control Board for investigation and report in order to assist the court in making findings pursuant to these provisions and would authorize a party to request that the court refer the matter to the board for these purposes, as specified. The bill would require the court to consider the water use of and accessibility of water for small farmers and disadvantaged communities, as those terms are defined, before entering a judgment.

[AB 1572](#)**(Friedman D) Potable water: nonfunctional turf.****Current Text:** Enrolled: 9/14/2023 [html](#) [pdf](#)**Status:** 9/12/2023-Assembly Rule 77 suspended. Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 55. Noes 18.).**Location:** 9/12/2023-A. ENROLLMENT

Summary: Would make legislative findings and declarations concerning water use, including that the use of potable water to irrigate nonfunctional turf is wasteful and incompatible with state policy relating to climate change, water conservation, and reduced reliance on the Sacramento-San Joaquin Delta ecosystem. The bill would direct all appropriate state agencies to encourage and support the elimination of irrigation of nonfunctional turf with potable water.

[SB 3](#)**(Dodd D) Discontinuation of residential water service: covered water system.****Current Text:** Enrollment: 9/15/2023 [html](#) [pdf](#)**Status:** 9/15/2023-Enrolled and presented to the Governor at 3 p.m.**Location:** 9/15/2023-S. ENROLLED

Summary: Current law establishes the Safe Drinking Water Account to be available to the State Water Resources Control Board, upon appropriation by the Legislature, for the purpose of providing funds necessary to administer the California Safe Drinking Water Act. This bill would expand the use of available funds in the account to be used by the state board, upon appropriation by the Legislature, to include the administration of the Water Shutoff Protection Act.

[SB 48](#)**(Becker D) Building Energy Savings Act.****Current Text:** Enrollment: 9/14/2023 [html](#) [pdf](#)**Status:** 9/14/2023-Assembly amendments concurred in. (Ayes 31. Noes 9.) Ordered to engrossing and enrolling.**Location:** 9/14/2023-S. ENROLLMENT

Summary: Current law requires each utility to maintain records of the energy usage data of all buildings to which they provide service for at least the most recent 12 complete calendar months, and to deliver or otherwise provide that aggregated energy usage data for each covered building, as defined, to the owner, as specified. Current law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to adopt regulations providing for the delivery to the Energy Commission and public disclosure of benchmarking of energy use for covered buildings and specifies that this requirement does not require the owner of a building with 16 or fewer residential utility accounts to collect or deliver energy usage information to the Energy Commission. This bill would additionally specify that the requirement does not require the owner of a building with less than 50,000 square feet of gross floor space to collect or deliver energy usage information to the Energy Commission.

[SB 69](#)**(Cortese D) California Environmental Quality Act: local agencies: filing of notices of determination or exemption.****Current Text:** Enrollment: 9/13/2023 [html](#) [pdf](#)**Status:** 9/13/2023-Enrolled and presented to the Governor at 4 p.m.**Location:** 9/13/2023-S. ENROLLED

Summary: The California Environmental Quality Act (CEQA) requires a local agency that approves or determines to carry out a project subject to CEQA to file a notice of determination with the county clerk of each county in which the project will be located, as provided. CEQA authorizes a local agency that determines that a project is not subject to CEQA to file a notice of exemption with the county clerk of each county in which the project will be located, as provided. CEQA requires the county clerk to make the notice available for public inspection and post the notice within 24 hours of receipt in the office or on the internet website of the county clerk, as specified. CEQA requires an action or proceeding challenging an act or decision of a public agency, including a local agency, on the grounds of noncompliance with CEQA to be commenced within certain time periods, as specified. This bill would require a local agency to file a notice of determination with the State Clearinghouse in the Office of Planning and Research in addition to the county clerk of each county in which the project will be located. The bill would authorize a local agency to file a notice of exemption with the State Clearinghouse in the Office of Planning and Research in addition to the county clerk of each county in which the project will be located. The bill would require the notice, including any subsequent or amended notice, to be posted both in the office and on the internet website of the county clerk and by the Office of Planning and Research on the State Clearinghouse internet website within 24 hours of receipt. The bill would specify that the posting of the notice by the Office of Planning and Research would not affect the applicable time periods to challenge an act or decision of a local agency, as described above.

[SB 389](#)**(Allen D) State Water Resources Control Board: investigation of water right.****Current Text:** Enrolled: 9/14/2023 [html](#) [pdf](#)**Status:** 9/12/2023-Assembly amendments concurred in. (Ayes 30. Noes 8.) Ordered to engrossing and enrolling.**Location:** 9/12/2023-S. ENROLLMENT

Summary: Current law provides generally for the appropriation of water. Existing law authorizes the State Water Resources Control Board to investigate bodies of water, to take testimony in regard to the rights to water or the use of water, and to ascertain whether or not water is appropriated lawfully, as provided. Under current law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would instead authorize the board to investigate and ascertain whether or not a water right is valid. The bill would authorize the board to issue an information order in furtherance of an investigation, as executed by the executive director of the board, as specified. The bill would authorize a diversion or use of water ascertained to be unauthorized to be enforced as a trespass, as specified.

SB 411

(Portantino D) Open meetings: teleconferences: neighborhood councils.

Current Text: Enrollment: 9/11/2023 [html](#) [pdf](#)

Status: 9/11/2023-Enrolled and presented to the Governor at 3 p.m.

Location: 9/11/2023-S. ENROLLED

Summary: Would, until January 1, 2026, authorize an eligible legislative body to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if the city council has adopted an authorizing resolution and 2/3 of an eligible legislative body votes to use the alternate teleconferencing provisions. The bill would define “eligible legislative body” for this purpose to mean a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to the act. The bill would require an eligible legislative body authorized under the bill to provide publicly accessible physical locations for public participation, as prescribed. The bill would also require that at least a quorum of the members of the neighborhood council participate from locations within the boundaries of the city in which the neighborhood council is established. The bill would require that, at least once per year, at least a quorum of the members of the eligible legislative body participate in person from a singular physical location that is open to the public and within the boundaries of the eligible legislative body.

SB 659

(Ashby D) California Water Supply Solutions Act of 2023.

Current Text: Enrollment: 9/15/2023 [html](#) [pdf](#)

Status: 9/15/2023-Enrolled and presented to the Governor at 3 p.m.

Location: 9/15/2023-S. ENROLLED

Summary: Would establish the California Water Supply Solutions Act of 2023 to require the department, as part of the 2028 update, and each subsequent update thereafter to the California Water Plan, to provide actionable recommendations to develop additional groundwater recharge opportunities that increase the recharge of the state’s groundwater basins, as provided. The bill would require the Department of Water Resources to consult with the State Water Resources Control Board, the 9 regional water quality control boards, and the advisory committee, which may be enlarged as provided, in carrying out these provisions. The bill would require the recommendations to identify immediate opportunities and potential long-term solutions to increase the state’s groundwater supply, and include, among other things, best practices to advance all benefits of groundwater recharge, as specified.

Total Measures: 17

Total Tracking Forms: 30

DAVID TURCH REPORT

David Turch and Associates

TO: John Thiel, General Manager
Socorro Pantaleon, Acting Manager Government and Legislative Affairs
West Valley Water District

FROM: Jamie Jones
Jamie.jones@davidturch.com
202-543-3744

DATE: September 8, 2023

RE: Federal Advocacy Report for August 2023

- Provided WVWD staff with Senators Dianne Feinstein and Alex Padilla’s questionnaire form to submit projects for consideration in the Water Resources Development Act (WRDA) reauthorization bill. Feinstein and Padilla have put out a call for projects with a September 15 deadline. WRDA is an authorization bill only – not a funding bill. U.S. Army Corpse of Engineers’ (USACE) projects must normally be authorized first through WRDA before they can be funded through the annual Appropriations process. House Members are not expected to request WRDA projects until this fall – possibly as late as December.

WRDA is a comprehensive water resources development law enacted, on a bipartisan basis, in each of the last four Congresses. Specifically, *WRDA* authorizes studies and projects within the U.S. Army Corps of Engineers (Corps) Civil Works mission areas, including navigation, flood damage reduction, hurricane and storm damage reduction, shoreline protection, and ecosystem restoration. Through *WRDA* legislation, Congress also provides the Corps with authority to address water supply needs through water and wastewater treatment projects to cities, agriculture, and industry, to aid in the production of hydropower, to manage a national recreation program, and to address local environmental infrastructure needs.

- Met with WVWD Board Members and staff. Discussed FY24 Appropriations update and District priorities for 2023 and 2024.
- Shared the Bureau of Reclamation’s WaterSMART NOFO for the Drought Response Program: Drought Resiliency Projects for FY2024. Application deadline is October 31, 2023. This NOFO’s objective is to invite eligible applicants to submit proposals for projects that can increase water management flexibility—making our water supply more resilient. This helps to prepare for and address the impacts of drought and water supply shortages. Projects that may be funded under this NOFO are divided into four task areas (Task A, B, C, or D), and a brief summary of each task area is provided below. For more

detailed information regarding task areas, please see *Section C.4. Eligible Projects*. Task A: Increasing the Reliability of Water Supplies through Infrastructure Improvements. Task B: Increasing the Reliability of Water Supplies Through Groundwater Recovery. Task C: Projects to Improve Water Management through Decision Support Tools, Modeling, and Measurement. Task D: Construction of domestic water supply projects for Tribes or disadvantaged communities that do not have reliable access to water supplies.

- Shared the Bureau of Reclamation’s WaterSMART Cooperative Watershed Management Program Phase I for FY 2023 NOFO. The objective of this NOFO is to invite states, Indian Tribes, irrigation districts, water districts, local governmental entities, non-profit organizations, Existing Watershed Groups, and local and special districts (e.g., irrigation and water districts, conservation districts, natural resource districts) to submit proposals for Phase I activities to develop a watershed group, complete watershed restoration planning activities, and design watershed management projects. See Section C.4. Eligible Projects for a more comprehensive description of eligible activities. A “watershed group,” as defined in Section 6001(6) of the Cooperative Watershed Management Act (see Section A.1. Authority for full citation) is a grassroots, non-regulatory entity that addresses water availability and quality issues within the relevant watershed, is capable of promoting the sustainable use of water resources in the watershed, makes decisions on a consensus basis, and represents a diverse group of stakeholders, including hydroelectric producers, livestock grazing, timber production, land development, recreation or tourism, irrigated agriculture, the environment, municipal water supplies, private property owners, Federal, state and local governments, Tribes, and disadvantaged communities.
- Shared the Bureau of Reclamation’s WaterSMART Planning and Projects Design Grant for FY 2023 and FY 2024 NOFO. Application deadline is April 2, 2024. Through Planning and Project Design Grants, Reclamation provides funding for collaborative planning and design projects to support water management improvements. This includes funding for: (1) Water Strategy Grants to conduct planning activities to improve water supplies (e.g., water supplies to disadvantaged communities that do not have reliable access to water, water marketing, water conservation, drought resilience, and ecological resilience); (2) Project Design Grants to conduct project-specific design for projects to improve water management; and (3) comprehensive Drought Contingency Plans. Note that funding to develop a water marketing strategy – formerly funded through Water Marketing Strategy Grants, a stand-alone funding opportunity under WaterSMART - is now available through (1) Water Strategy Grants.
- Shared EPA Grants Management Training for Applicants and Recipients online webinar: <https://www.epa.gov/grants/epa-grants-management-training-applicants-and-recipients>
- Shared the National Endowment for the Humanities (NEH) Public Impact Projects at Smaller Organizations NOFO. Estimated grant solicitation date is March 26, 2024 with an application deadline of June 26, 2024. Estimated award date is December 31, 2024. The NEH grant program supports small and mid-sized museums and cultural organizations in the creation of public humanities programming and strengthens their capacity to develop such programming.

- Shared the Department of Agriculture’s Community Wildfire Defense Grant 2023 West NOFO. Application deadline is October 31, 2023. The purpose of the Community Wildfire Defense Grant is to assist at-risk local communities and Indian Tribes with planning and mitigating against the risk created by wildfire. The Act prioritizes at-risk communities in an area identified as having high or very high wildfire hazard potential, are low-income, and/or have been impacted by a severe disaster. More details on these three priorities can be found in the Notices of Funding Opportunity (NOFOs).
 - **Restore and Maintain Landscapes:** Landscapes, regardless of jurisdictional boundaries, are resilient to fire, insect, disease, invasive species, and climate change disturbances, in accordance with management objectives.
 - **Create Fire Adapted Communities:** Human populations and infrastructure are as prepared as possible to receive, respond to, and recover from wildland fire.
 - **Improve Wildfire Response:** All jurisdictions participate in making and implementing safe, effective, efficient risk-based wildfire management decisions.
- Shared the Department of Agriculture’s Community Food Projects Competitive Grant Program NOFO. Application deadline is October 30, 2023. To be eligible for the grant, a public food program service provider, a tribal organization, or a private nonprofit entity, including gleaners, must 1) have experience in the area of a) community food work, particularly concerning small and medium-sized farms, including the provision of food to people in communities with low incomes for agricultural producers; b) job training and business development activities for food-related activities in communities with low incomes; or c) efforts to reduce food distribution, improving access to services, or coordinating services and programs; 2) demonstrate competency to implement a project, provide fiscal accountability, collect data and prepare notes and other necessary documentation; 3) demonstrate a willingness to share information with researchers, practitioners, and other interested parties; and 4) collaborate with one or more local partner organizations using one or more action steps proposed by congress to achieve a “hunger-free communities' goal.
- Ongoing contacts with congressional offices and federal agencies regarding WVWD’s priorities and areas of interest.
- Kevin Bosch notifications to West Valley Water District regarding federal programs and funding grant opportunities for various departments/agencies including the Bureau of Reclamation, Environmental Protection Agency, Department of Agriculture; and the Department of Homeland Security/FEMA.
- Provided WVWD with weekly Washington Updates covering legislative, executive and judicial branch activities.



**BOARD OF DIRECTORS
EXTERNAL AFFAIRS COMMITTEE
STAFF REPORT**

DATE: September 25, 2023
TO: External Affairs Committee
FROM: Socorro Pantaleon, Acting Gov't and Legislative Affairs Manager
SUBJECT: SOCIAL MEDIA UPDATE (AUGUST - SEPTEMBER)

BACKGROUND:

The social media report provides updates on West Valley Water District's (WVWD) social media profile activity on Facebook, Instagram, LinkedIn and Twitter. Key Performance Indicators (KPIs) including the reach, impressions and engagement of posts are condensed into one report to untangle audience insight, allowing staff to understand best practices for successful customer engagement.

DISCUSSION:

This month we're highlighting social media metrics from July 2023 (Exhibit A) through September 2023 (Exhibit B). During these months, we saw huge success in KPIs by highlighting District staff, including the celebration of a department as a whole and the promotion of a team member. We believe these posts perform well because they show our followers that important and interesting work is being accomplished at West Valley, and that there are real people behind these accomplishments. They can see that it's the members of their own community who are working to produce, treat and deliver quality water to their homes and businesses in an efficient, effective manner. We will continue to look for ways to highlight our team, grow our audience, and show them all we are doing.

FISCAL IMPACT:

None

STAFF RECOMMENDATION:

Receive and File
 Respectfully Submitted,

John Thiel

John Thiel, General Manager

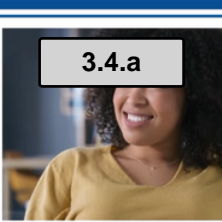
JT/sp

ATTACHMENT(S):

1. July 23 - August 23 Social Media Report (Exhibit A)
2. August '23 - September '23 Social Media Report (Exhibit B)



August is
National Water Quality Month



AVAILABLE NOW!



CELEBRATE WATER QUALITY MONTH

Jesse Becerra
WATER QUALITY SPECIALIST

SOCIAL MEDIA REPORT

July '23 - August '23



Facebook

Main KPI's



No. of Followers

1,103

+9



Reach

727



Engagement

220



No. of Posts

17 posts

Top Post



Post Impressions Post Engagement

433 Impressions

47 interactions

Instagram

Main KPI's



No. of Followers
1,176
+28



Reach
819



Engagement
100



No. of Posts
38 posts

Top Post



Post Impressions

476 impressions

Post Engagement

57 interactions

LinkedIn

Main KPI's



No. of Followers

316

+20



Reach/Impressions

1,586



Engagement

78



No. of Posts

5 posts

Top Post



Post Impressions

334 impressions

Post Engagement

30 interactions

X/Twitter

Main KPI's



No. of Followers

400

+3



Reach/Impressions

1,351



Engagement

100



No. of Posts

31 posts

Top Post



Post impressions

187 impressions

Post Engagement

4 interactions

Insights

Water Quality Month

This month, we celebrated Water Quality Month across our social media channels by highlighting our West Valley Water District Water Quality team and our 2022 Water Quality Report.

Part of this month-long campaign was a "social media takeover" by Jesse Becerra, WVWD's water quality specialist. The videos garnered many views and helped to increase followers. The recap video was the top performing post on Instagram which also saw a 28 follower increase within the reporting period.

Due to the success of the "takeover" the public affairs team will look for other opportunities for our teams to be highlighted in the coming months.

Platform Changes

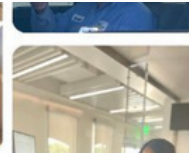
At the end of July, Twitter officially became X. The Public Affairs team is discussing the possibility of updating all current marketing materials to use the new logo rather than the "Twitter Bird" logo.

DID YOU KNOW?

Our Water Quality team collects over 2,400 distribution samples a year to ensure that our water is safe to drink.



3.4.b



VIDEO & WRITTEN SCHOLARSHIP CONTEST

DEADLINE: DEC. 29, 2023, 11:59 P.M.

Eligibility

- ✓ High school seniors who live or or go to school in WVWD's service area
- ✓ Must have a GPA of 2.5 or higher
- ✓ Planning to attend a two-year, four-year or vocational trade school within the next school year

Essay Contest: One eligible student will be awarded a scholarship in the amount of \$1,000, made payable to the educational institution of their choice upon proof of enrollment.

Video Contest: Two eligible students will be awarded scholarships in the amount of \$500, made payable to the educational institution of their choice upon proof of enrollment.



SOCIAL MEDIA REPORT

August '23 - September '23



Facebook

Main KPI's



No. of Followers
1,103



Reach
710



Engagement
108



No. of Posts
10 posts

Top Post



Post Impressions

252 Impressions

Post Engagement

69 interactions

Instagram

Main KPI's



No. of Followers
1,184
+8



Reach
776



Engagement
77



No. of Posts
10 posts

Top Post



Post Impressions

436 impressions

Post Engagement

10 interactions



LinkedIn

Main KPI's



No. of Followers

328

+12



Reach/Impressions

2,004



Engagement

102



No. of Posts

1 posts

Top Post



Post Impressions

1,0 impressions

Post Engagement

118 interactions

X/Twitter

Main KPI's



No. of Followers

401

+1



Reach/Impressions

595



Engagement

100



No. of Posts

41 posts

Top Post



Post impressions

147 impressions

Post Engagement

14 interactions

Insights

The Public Affairs Department is gearing up for a social-media filled October. In the first week, we'll be highlighting our team of outstanding customer service representatives for Customer Service Week! Then, in week 2, we'll be featuring our #WaterProfessionals throughout the District for Water Professionals Appreciation Week.

Stay tuned to hear from our exceptional team on why they chose a career in water!

Platform Changes

After discussion last month regarding the move from Twitter to X, the Public Affairs Department has decided that they would brand all material moving forward with the "X" logo. All older material will stay the same.



**BOARD OF DIRECTORS
EXTERNAL AFFAIRS COMMITTEE
STAFF REPORT**

DATE: September 25, 2023
TO: External Affairs Committee
FROM: Socorro Pantaleon, Acting Gov't and Legislative Affairs Manager
SUBJECT: COMMUNITY OUTREACH PROGRAMS UPDATE

BACKGROUND:

West Valley Water District (WVWD) prioritizes educational outreach to our local students and the community to provide opportunities to learn more about the importance of water and water industry related career paths.

DISCUSSION:

Updates on:

- 2023 Poster Contest
- Essay Contest
- Mascot
- Inland Solar Challenge addition of schools
- Stem Outreach
- Fall Landscape Workshop Classes
- Sponsorship Requests

FISCAL IMPACT:

Within Budget

STAFF RECOMMENDATION:

Receive and File

Respectfully Submitted,

John Thiel

John Thiel, General Manager

JT/sp



**BOARD OF DIRECTORS
EXTERNAL AFFAIRS COMMITTEE
STAFF REPORT**

DATE: September 25, 2023
TO: External Affairs Committee
FROM: Socorro Pantaleon, Acting Gov't and Legislative Affairs Manager
SUBJECT: WATER PROFESSIONALS APPRECIATION WEEK 2023

BACKGROUND:

The Association of California Water Agencies will celebrate California Water Professionals Appreciation Week October 7-15. This week is designated to highlight the important role of water industry professionals and local public water agencies in ensuring safe and reliable water, wastewater and recycled water operations in California.

As part of the designated appreciation week, urban and agricultural water agencies are encouraged to plan now to utilize their communication channels to educate media, customers, local elected leaders and other key audiences on the essential role that water professionals play in providing safe and reliable water services.

DISCUSSION:

To commemorate Water Professionals Appreciation Week, West Valley Water District staff is working on the following activities:

- Board of Directors adopt a resolution recognizing Water Professionals Appreciation Week. (Exhibit A).
- Highlighting one employee from each department with a short video to share on social media.
- Press Release to local newspapers.
- Collaboration with our local cities (Rialto and Fontana) and San Bernardino County Supervisors to highlight water professional's week.
- MyWVWD newsletter.

FISCAL IMPACT:

Within the Budget.

STAFF RECOMMENDATION:

Staff recommends that the Committee forward a recommendation to the Board of Directors to adopt the attached Resolution declaring October 7-15 as Water Professionals Appreciation Week.

Respectfully Submitted,

John Thiel

John Thiel, General Manager

SP

ATTACHMENT(S):

1. RESOLUTION NO. - WATER PROFESSIONALS APPRECIATION WEEK

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE WEST VALLEY WATER DISTRICT DESIGNATING
OCTOBER 7-15, 2023, AS WATER PROFESSIONALS APPRECIATION WEEK

WHEREAS, Water Professionals Appreciation Week provides an opportunity to recognize and promote the important contributions of West Valley Water District employees and their dedication to ensuring WVWD provides safe, high quality, reliable water to over 98,000 ratepayers in the communities of Rialto, Fontana, Colton, Bloomington, Jurupa Valley and unincorporated areas of San Bernardino County; and

WHEREAS, now more than ever, the water industry is proud of the important role our essential workers play in making sure our communities have safe and reliable drinking water; and

WHEREAS, thanks to technological advances by highly skilled and trained water professionals and the dedication of thousands of industry professionals in the state, California drinking water and treated wastewater meets some of the most stringent water quality standards in the nation; and

WHEREAS, depending on where you live in California, your water may come from a nearby well or river, or it may travel hundreds of miles through canals or pipelines to reach your tap. Regardless of where it originates, your drinking water is filtered, cleaned, tested and distributed in a process carefully managed by trained water professionals; and

WHEREAS, water professionals at local public water and wastewater agencies work 24/7 to plan for the future, maintain and upgrade their systems and improve the safety and resiliency of local water supplies for their communities; and

WHEREAS, thousands of essential water, wastewater and recycled water industry professionals in the state dedicate their careers to keeping drinking water, recycled water and treated wastewater safe and reliable for use by Californians; now, therefore, be it

RESOLVED that West Valley Water District hereby declares Oct. 7-15, 2023, Water Professionals Appreciation Week and extends its sincere gratitude and appreciation to the water and wastewater professionals who work 24/7 to provide excellent essential services to our community every day

APPROVED AND ADOPTED this _____ day of _____, 20__.

Gregory Young, Board President

ATTEST:

Elvia Dominguez, Board Secretary