



BEAUMONT-CHERRY VALLEY WATER DISTRICT

560 Magnolia Avenue, Beaumont, CA 92223

**NOTICE AND AGENDA
REGULAR MEETING OF THE BOARD OF DIRECTORS
ENGINEERING WORKSHOP**

*This meeting is hereby noticed pursuant to
California Government Code Section 54950 et. seq.*

**Thursday, April 27, 2023 - 6:00 p.m.
560 Magnolia Avenue, Beaumont, CA 92223**

COVID-19 NOTICE

This meeting of the Board of Directors is open to the public who would like to attend in person. COVID-19 safety guidelines are in effect pursuant to the Cal/OSHA COVID-19 Prevention Emergency Standards and the California Department of Public Health Recommendations

- **Face coverings are recommended for vaccinated and unvaccinated persons and should be properly worn over the nose and mouth at all times**
- **Maintain 6 feet of physical distancing from others in the building who are not in your party**

TELECONFERENCE NOTICE

The BCVWD Board of Directors will attend in person at the BCVWD Administrative Office and/or via Zoom video teleconference pursuant to Government Code 54953 et. seq.

To access the Zoom conference, use the link below:

<https://us02web.zoom.us/j/84318559070?pwd=SXlzMFMZCMGhOYTFIL2tnUGlpU3h0UT09>

*To telephone in, please dial: **(669) 900-9128***

*Enter Meeting ID: **843 1855 9070** Enter Passcode: **113552***

*For Public Comment, use the **“Raise Hand”** feature if on the video call when prompted, if dialing in, please **dial *9 to “Raise Hand”** when prompted*

*Meeting materials are available on
the BCVWD’s website:*

<https://bcvwd.org/document-category/regular-board-agendas/>

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BCVWD ENGINEERING WORKSHOP – APRIL 27, 2023

Call to Order: President Hoffman

Roll Call - Board of Directors

Pledge of Allegiance: Director Slawson

Invocation: Director Williams

Announcement and Verification of Remote Meeting Participation (if any) Pursuant to AB 2449 or GC 54953(b)

	President David Hoffman
	Vice President John Covington
	Secretary Daniel Slawson
	Treasurer Lona Williams
	Member Andy Ramirez

Roll Call

Public Comment

PUBLIC COMMENT: RAISE HAND OR PRESS *9 to request to speak when prompted. If you are present in the Board Room, please fill out a Request to Speak card and deliver it to the Recording Secretary.

At this time, any person may address the Board of Directors on matters within its jurisdiction. However, state law prohibits the Board from discussing or taking action on any item not listed on the agenda. Any non-agenda matters that require action will be referred to Staff for a report and possible action at a subsequent meeting. **Please limit your comments to three minutes.** Sharing or passing time to another speaker is not permitted.

ACTION ITEMS

Action may be taken on any item on the agenda. Information on the following items is included in the full Agenda Packet.

- 1. Adjustments to the Agenda:** In accordance with Government Code Section 54954.2, additions to the agenda require a 2/3 vote of the legislative body, or if less than 2/3 of the members are present, a unanimous vote of those members present, which makes the determination that there is a need to take action, and the need to take action arose after the posting of the agenda.
 - a. Item(s) to be removed or continued from the Agenda
 - b. Emergency Item(s) to be added to the Agenda
 - c. Changes to the order of the agenda
- 2. Acknowledge Receipt of the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for BCVWD's 2021 Annual Comprehensive Financial Report Report** (pages 5 - 6)
- 3. Request for Will Serve Letter for the 8th Street Apartments (Riverside County Assessor's Parcel No. 419-222-011) located at 1343 E. 8th Street in the City of Beaumont** (pages 7 - 13)

- 4. Request for Will Serve Letter for the Mesa Lift Station Upgrade (Parcel Map 31368, Parcel B) located on Potrero Boulevard southeast of Castello Lane in the City of Beaumont (pages 14 - 19)**
- 5. Request for Will Serve Letter and Approval of Annexation for Beaumont Cross-Dock Building (Riverside County Assessor's Parcel No. 417-020-070) in the City of Beaumont (pages 20 - 30)**
- 6. Resolution 2023__: Amendment to the 2023-2027 Capital Improvement Budget to include the Elm Avenue Waterline (P-2750-0091) Pipeline Project (pages 31 - 48)**
- 7. San Gorgonio Pass Water Agency Water Supply March 2023 Update (pages 49 - 60)**
- 8. Legislative Action and Issues Affecting BCVWD (pages 61 - 83)**
- 9. Consider Support or Opposition of Current California Legislation (Seven Bills and One Initiative) (pages 84 - 108)**
- 10. Status of Declared Local Emergencies related to Fires**
 - a. Impact of the Apple Fire pursuant to Resolution 2020-17 (No Staff Report)**
 - b. Impact of the El Dorado Fire pursuant to Resolution 2020-20 (No Staff Report)**
- 11. Reports for Discussion and Possible Action**
 - a. Directors' Reports

In compliance with Government Code § 53232.3(d), Water Code § 20201, and BCVWD Policies and Procedures Manual Part II Policies 4060 and 4065, directors claiming a per diem and/or expense reimbursement (regardless of preapproval status) will provide a brief report following attendance.

 - Beaumont Chamber of Commerce Breakfast on April 14, 2023 (Hoffman, Slawson, Williams)
 - b. Directors' General Comments
 - c. General Manager's Report
 - d. Legal Counsel Report
- 12. Topic List for Future Meetings**
 - Update / presentation on the AMR / AMI project
 - Presentation on the San Bernardino Valley Resource Conservation District
 - Presentation on solar power opportunities
 - Sites Reservoir update
 - Maximization of groundwater supplies

13. Announcements

Check the meeting agenda for location and/or teleconference information:

- Collaborative Agencies Committee: Wednesday, May 3 at 5 p.m.
- Regular Board Meeting: Wednesday, May 10 at 6 p.m.
- Personnel Committee Meeting: Tuesday, May 16 at 5:30 p.m.
- San Geronio Pass Regional Water Alliance: Wednesday, May 24 at 5 p.m.
- Engineering Workshop: Thursday, May 25 at 6 p.m.
- District offices closed in observance of Memorial Day: Monday, May 29
- Finance and Audit Committee Meeting: Thursday, June 1 at 3 p.m.
- Beaumont Basin Watermaster Committee Meeting: Wednesday, June 7 at 11 a.m.

14. Adjournment

NOTICES

AVAILABILITY OF AGENDA MATERIALS - Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Beaumont-Cherry Valley Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection in the District's office, at 560 Magnolia Avenue, Beaumont, California ("District Office") during business hours, Monday through Thursday from 7:30 a.m. to 5 p.m. If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District Office at the same time or within 24 hours' time as they are distributed to Board Members, except that if such writings are distributed one hour prior to, or during the meeting, they can be made available in the Board Room at the District Office. Materials may also be available on the District's website: www.bcvwd.org.

REVISIONS TO THE AGENDA - In accordance with §54954.2(a) of the Government Code (Brown Act), revisions to this Agenda may be made up to 72 hours before the Board Meeting, if necessary, after mailings are completed. Interested persons wishing to receive a copy of the set Agenda may pick one up at the District's Main Office, located at 560 Magnolia Avenue, Beaumont, California, up to 72 hours prior to the Board Meeting.

REQUIREMENTS RE: DISABLED ACCESS - In accordance with Government Code §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the District Office, at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. The District Office may be contacted by telephone at (951) 845-9581, email at info@bcvwd.org or in writing at the Beaumont-Cherry Valley Water District, 560 Magnolia Avenue, Beaumont, California 92223.

CERTIFICATION OF POSTING

A copy of the foregoing notice was posted near the regular meeting place of the Board of Directors of Beaumont-Cherry Valley Water District and to its website at least 72 hours in advance of the meeting (Government Code §54954.2(a)).



**Beaumont-Cherry Valley Water District
Regular Board Meeting
April 27, 2023**

Item 2

STAFF REPORT

TO: Board of Directors

FROM: Finance and Administration Department

SUBJECT: **Acknowledge Receipt of the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for BCVWD's 2021 Annual Comprehensive Financial Report**

Staff Recommendation

Acknowledge Beaumont-Cherry Valley Water District's (BCVWD) receipt of the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada (GFOA) for the 2021 Annual Comprehensive Finance Report.

Background

In early 2022, the Accounting and Finance staff of BCVWD prepared the District's fifth Annual Comprehensive Finance Report (ACFR) and submitted it to the GFOA for review and in April 2023, District staff was informed that BCVWD had been awarded the Certificate of Achievement for Excellence in Financial Reporting for the 2021 ACFR. This is the fifth year in a row that BCVWD has earned this award.

The GFOA established the Certificate of Achievement for Excellence in Financial Reporting Program (Program) in 1945 to encourage and assist state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure and then to recognize individual governments that succeed in achieving that goal. The Certificate is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Reports submitted to the Program are reviewed by selected members of the GFOA professional staff and the GFOA Special Review Committee, which is comprised of individuals with expertise in public sector financial reporting and includes financial statement preparers, independent auditors, academics, and other finance professionals.

Fiscal Impact

No fiscal impact.

Attachment

1. Certificate of Achievement for Excellence in Financial Reporting for the Fiscal Year Ended December 31, 2021



Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**Beaumont Cherry Valley Water District
California**

For its Annual Comprehensive
Financial Report
For the Fiscal Year Ended

December 31, 2021

Christopher P. Morill

Executive Director/CEO



**Beaumont-Cherry Valley Water District
Regular Board Meeting
April 27, 2023**

Item 3

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: Request for Will Serve Letter for the 8th Street Apartments (Riverside County Assessor's Parcel No. 419-222-011) located at 1343 E. 8th Street in the City of Beaumont

Staff Recommendation

Consider the request for water service Will Serve Letter (WSL) for the 8th Street Apartments, a proposed multi-family affordable housing development with 48 multi-family equivalent dwelling units (EDUs), located at 1343 E. 8th Street in the City of Beaumont (Riverside County Assessor's Parcel No. 419-222-011), subject to payment of all fees to the District and securing all approvals from the City of Beaumont and:

- A. Approve the Application for Water Service and furnish Will Serve Letter with conditions as enumerated, or
- B. Deny the Application for Water Service

Executive Summary

The subject Project proposes to construct an affordable housing multi-family development. The table below provides a brief summary of the Project.

**Table 1
Project Summary**

Applicant / Developer	National CORE
Development Type	Multi-Family Affordable Housing
Development Name	8th Street Apartments
Annexation Required?	No – Within District Service Boundary
Total Water Consumption (EDUs)	48 EDUs (48 MF EDUs + 1 Irrigation EDU – 1 EDU Credit)
Domestic	48 Multi-Family EDUs (0.60% of SFR DU)
Irrigation	1 Irrigation EDUs
Existing Service Credit	1 EDU

Discussion

The Applicant, National CORE, has requested water service from the District for a proposed multi-family affordable housing development to be constructed on an existing parcel of land located on East 8th Street, east of Illinois Avenue, and is further identified as Riverside County Assessor's Parcel No. 419-222-011 (See Attachment 1 – Location Map).

The Applicant proposes to build a multi-family apartment complex consisting of two (2) separate buildings (buildings "A" and "B") within the parcel identified on Attachment 2, Site Plan. The Applicant will be required to secure the necessary approvals from the City of Beaumont and the District.



District Staff identifies that the recent drought emergency declared by Governor Newsom as well as State Water Resources Control Board Requirements that the District enact its Water Shortage Contingency Plan have been removed by Governor Newsom's recent Executive Order N-5-23 (March 24, 2023) and by subsequent Board action regarding same on April 12, 2023. Staff has compiled a summary of Board actions related to said Governor and SWRCB requirements as follows:

Table 2
Summary of Activities

DATE	ACTION	NOTE
4/28/2022	Implementation of Resolution 2022-12	Pertaining to drought conditions
6/8/2022	Implementation of Resolution 2022-18	Pertaining to drought conditions
7/28/2022	Implementation of Resolution 2022-23	Pertaining to drought conditions
2/13/2023	WSL application received	Deposit not received
3/13/2023	Application deemed complete	Deposit paid
4/12/2023	Rescind Resolutions 2022-12, 2022-18, and 2022-23. Resolution 2014-05 not in effect at this time and enact Resolution 2023-11.	Based on State declaration

The District's Regulations Governing Water Service defines Service Charges and Capacity Charges (Facilities Fees) for water demands for multi-family to be a proportionate amount of the typical single-family residential Capacity Charges (Facilities Fees). The equivalent dwelling units for this project are estimated to be as follows:

Description	Multi-family Dwelling Units	Buildings
Multi-Family Dwelling Units	48	2

There is an existing single-family residence at 1343 E. 8th Street that is proposed to be demolished. That single-family residence had established service with the District and the Applicant will be credited one (1) EDU for the existing service. Additionally, the parcel has an existing 5/8" meter, therefore the Applicant will receive credit for a 5/8" meter, as per District Policy.

On February 13, 2023, the Applicant contacted District staff regarding the proposed project at 1343 E. 8th Street. District staff responded to their inquiry and explained that the District was operating under drought restrictions which included Governor Newsom's various drought executive orders as well as various District drought resolutions which included Resolution 2014-05 which restricts the issuance of WSLs for projects with more than two (2) equivalent dwelling units (EDUs) when certain drought conditions are met as defined by said Resolution 2014-05.

On March 13, 2023, the District received a complete Will Serve Letter application. District staff informed the Applicant that although a complete Will Serve Letter application had been received;



however the District did not move forward with the request to the Board of Directors due to Resolution 2014-05.

April 12, 2023, District staff presented a staff report and associated Resolution 2023-11 for Board consideration regarding the removal of District drought restrictions and various resolutions pertaining to the drought. Based on the Governor's Executive Order and the District's Water Shortage Contingency Plan, Resolutions 2022-12, 2022-18, and 2022-23 were rescinded by the Board of Directors and Resolution 2023-11 was approved. At this time, Resolution 2014-05 is no longer in effect do to the conditions of enactment within that resolution no longer being met.

This parcel is currently within the District's Service Boundary and the District has identified that there is a 10-inch steel (STL) distribution water main and a 24-inch ductile iron pipe (DIP) non-potable water main fronting the parcel in 8th Street and a domestic water main fronting the parcel in 7th Street which Staff believes may be an 8" main (to be determined).

The District anticipates a need to loop the infrastructure at the northern portion of the parcel in 8th Street down to the western portion on the parcel in 7th Street and will be determined by the City of Beaumont's Fire Department. Said 7th Street watermain size and condition will be required to be verified by the applicant and may need to be replaced based upon actual verified findings.

Finally, the Applicant identified and asked staff to note to the Board that California Government Code Section 65589.7 requires public entities to grant priority for the provisions of water service to proposed developments that include housing units affordable to lower income households. The City of Beaumont Planning Commission identifies this project as "an affordable, rental apartment complex" and due to said identification, District staff understands that this project may qualify as a lower income household project. Therefore, the Board of Directors may wish to take this into consideration.

Conditions of Development

Prior to final project development the following conditions must be met:

1. The Applicant shall pay front footage fees along all property frontages where facilities are currently installed.
2. The Applicant will be required to install a fire service connection(s) to support the City of Beaumont/County of Riverside Fire Department's requirement for off-site and on-site fire hydrants.
3. The Applicant may be required to replace or upsize the existing 7th Street watermain based upon verification of watermain status and final fire system requirements.
4. Pay Capacity Charges (Facilities Fees) associated with 48 EDUs (multi-family) and 1 EDU for irrigation. A credit will be applied for 1 EDU due to the parcel having an existing service.

The Applicant shall connect to the non-potable water system for irrigation supply and shall conform to the City of Beaumont Landscaping Ordinance (17.06.040). The District will provide service to the Project so long as landscape areas are not installed with, converted to, or modified to non-functional turf.



Fiscal Impact

No negative fiscal impact to the District. All fees and deposits will be paid by the Applicant prior to providing service.

Attachments

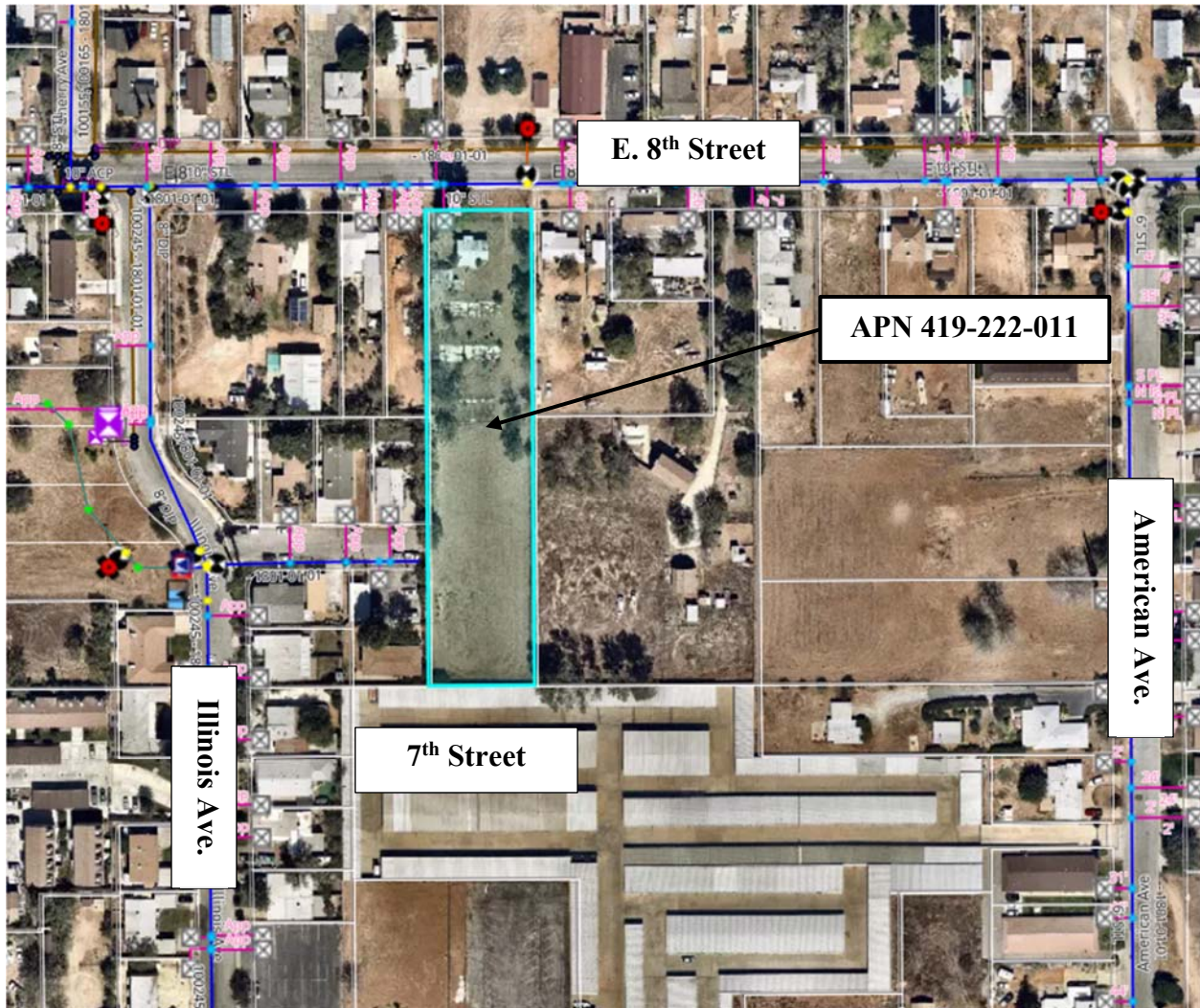
1. APN 419-222-011 Location Map
2. APN 419-222-011 Site plan
3. WSL Application for APN 419-222-011

Staff Report prepared by Aaron Walker

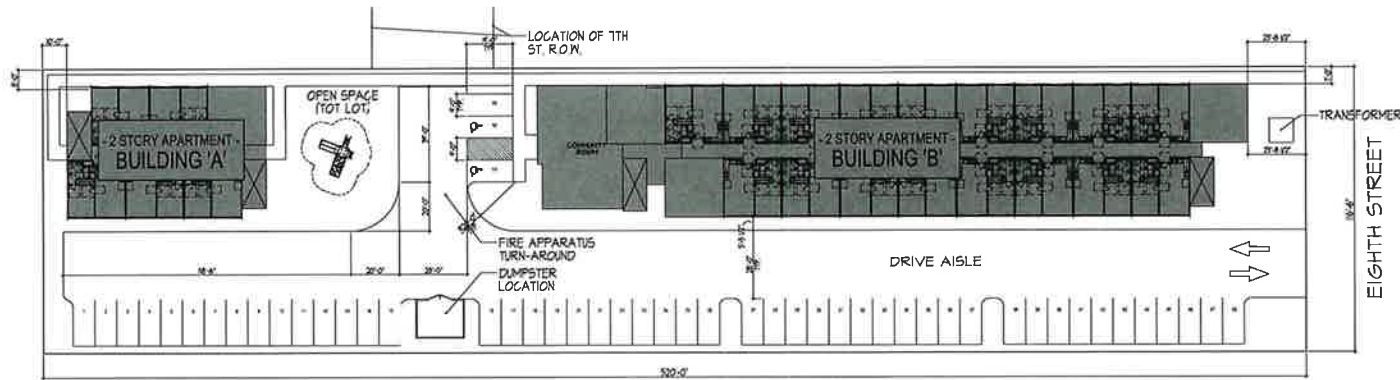


ATTACHMENT 1

APN 419-222-011 Location Map



ATTACHMENT 2 - APN 419-222-011 SITE PLAN



SITE INFORMATION:

ADDRESS: 1343 E. 8TH STREET
BEAUMONT, CA 92223
APN: 419-222-011
ACREAGE: 1.26 AC
LOT AREA: 54,886 SF
PROPOSED UNITS: 48 UNITS
PROPOSED DENSITY: 38 DU/Acre
PROPOSED HEIGHT: 32'-0"

BUILDING COUNT:

BUILDING "A" (2 STORIES):
(11) RESIDENTIAL UNITS
TOTAL BUILDING COUNT: 1 BLDG

BUILDING "B" (2 STORIES):
(37) RESIDENTIAL UNITS AND COMMUNITY ROOM
TOTAL BUILDING COUNT: 1 BLDG

UNIT MIX:

PLAN 1: 1BR/1BA (510 Sq. Ft.): 47 UNITS
PLAN 2: 2BR/1BA (751 Sq. Ft.): 1 UNITS
TOTAL: 48 UNITS

BUILDING INFO:

OCCUPANCY: GROUP A3: COMMUNITY ROOM
GROUP B: OFFICES
GROUP R2: APARTMENTS
CONSTRUCTION: VA
HEIGHT: 32'-0" TO TOP OF PARAPET
SPRINKLERED: YES, NFPA 13
STORIES: 2 STORIES ABOVE GRADE

PARKING:

PROVIDED: 51 SPACES (3 ADA)

SHEET INDEX

A-1 SITE PLAN
A-2 UNIT PLANS
A-3 EXTERIOR ELEVATIONS

Conceptual Site Plan

8th Street Apartments

Beaumont, CA



0 20 40
10

 9421 Hayes Avenue Rancho Cucamonga, CA 91730 909.853.2488	 31966 Cassara Capistrano San Juan Capistrano, CA 949.230.0573	SHEET
		A-1

04.25.2022

ATTACHMENT 3 - WILL SERVE LETTER
APPLICATION FOR APN 419-222-011



BEAUMONT CHERRY VALLEY WATER DISTRICT

560 Magnolia Avenue • PO Box 2037

Beaumont, CA 92223-2258

Phone (951) 845-9581

www.bcvwd.org

☒ Will Serve Request ☐ Water Supply Assessment (SB210)

Applicant Name: Laura Monroe	Contact Phone # [REDACTED]
Mailing Address: [REDACTED]	Fax #: [REDACTED]
City: [REDACTED]	E-mail: [REDACTED]
State & Zip: [REDACTED]	
Service Address: 1343 E 8th St, Beaumont, CA 92223	
Assessor's Parcel Number (APN), Tract Map No. Parcel Map No.: 419-222-011	
Project Type: <input type="checkbox"/> Single-Family <input checked="" type="checkbox"/> Multi-Family <input type="checkbox"/> Commercial/Industrial <input type="checkbox"/> Minor Subdivision (5 lots or less) <input type="checkbox"/> Major subdivision (6+ lots) <input type="checkbox"/> Other	
Site Map Attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The letter should be delivered to:

Recipient: Michael de la Torre
[REDACTED]
[REDACTED]
PLEASE CHOOSE ONE:
<input type="checkbox"/> Mail (above address) <input checked="" type="checkbox"/> E-mail
<input type="checkbox"/> Fax <input type="checkbox"/> Will pick up

The District reserves the right to impose terms and conditions in Will Serve Letters and/or Water Supply Assessment Reports that take into account water availability issues, conservation issues and the District's existing facilities, all of which impact the District's ability to provide service to the subject property and maintain the District's ability to meet existing water demands.

Laura Monroe

Digitally signed by Laura Monroe
DN: cn=Laura Monroe, o, ou,
email=lmonroe@nationalcore.org, c=US
Date: 2023.02.13 08:57:08 -08'00'

Applicant's Signature

2/13/23

Date

Customer # 068141

AR # 0000764



**Beaumont-Cherry Valley Water District
Regular Board Meeting
April 27, 2023**

Item 4

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: Request for Will Serve Letter for the Mesa Lift Station Upgrade (Parcel Map 31368, Parcel B) located on Potrero Boulevard southeast of Castello Lane in the City of Beaumont

Staff Recommendation

Consider the request for water service Will Serve Letter (WSL) for the Mesa Lift Station Upgrade (Parcel Map 31368, Parcel B), a City of Beaumont project, with an estimated one (1) EDU (non-potable water) located on Potrero Boulevard, southeast of Castello Lane in the City of Beaumont, subject to payment of all fees to the District and securing all approvals from the City of Beaumont and:

- A. Approve the Application for Water Service and furnish Will Serve Letter with conditions as enumerated, or
- B. Deny the Application for Water Service

Executive Summary

The subject project proposes to construct an upgrade to the existing Mesa Lift Station site, which is one of several sewer lift stations within the City. Table 1 below, provides a brief summary of the Project.

Table 1 – Project Summary

Applicant / Developer	City of Beaumont
Development Type	City Public Works
Development Name	Mesa Lift Station
Annexation Required?	No – Within District Service Boundary
Total Water Consumption (EDUs)	1
Estimated Domestic Water Consumption	0
Estimated Irrigation Water Consumption	1

Discussion

On January 24, 2023, the Applicant (City of Beaumont) requested water service from the District for an upgrade to the existing sewer lift station constructed on an existing parcel (APN 414-120-031) within the District's Service Boundary located on Potrero Boulevard, see Attachment 1 – Mesa Lift Station Upgrade Location Map.

The City of Beaumont submitted plans to the District for review in October 2022 and District staff identified the steps necessary to provide service. To date, the plans submitted by the City are at 90% complete and the District received third plan check in March 2023 (see Attachment 2 – Mesa Lift Station Site Map).



The upgrades to the existing sewer lift station include required a water service connection to accommodate the expansion of the emergency storage basin. District staff has identified that there is an existing 24" ductile iron pipe (DIP) non-potable water main fronting the parcel in Potrero Boulevard. The applicant proposes to connect to the existing non-potable water main and construct on-site improvements to improve maintenance activities for the lift station.

The proposed project does not require potable water, therefore the project will not be receiving a potable water connection. The non-potable water consumption estimates provided by the applicant for the Mesa Lift Station was less than 1 Equivalent Dwelling Unit (EDU), however the District's practice has been to allocate a minimum of 1 EDU to a project with similar needs. The said proposed Mesa Lift Station Upgrade water consumption estimates are set forth in Table 2:

Table 2: Estimated Water Consumption (Applicant Provided)

Source	Estimated Water Demand (EDUs)
Domestic Water	0
Irrigation Water	1
Total Consumption	1

The District reserves the right to review water consumption data (water audit) and charge the applicant capacity charges (facilities fees) for non-potable consumption beyond the allocation identified in Table 2. Because sewer lift station construction is a non-typical development, District staff is unable to review other similar installations to type and is therefore define the average water consumption for a development of this scope and size and is reliant on the estimated non-potable water consumption provided by the Applicant.

The impact of this project on the District's water supply system is minimal based on the estimated water consumption provided by the applicant. The applicant will be required to pay all applicable District fees, including Capacity Charges (Facilities Fees), a water service installation charge, and front-footage fees. The applicant will be required to pay all actual applicable fees in effect at the time of application for service installation.

The final non-potable water meter size will be determined by the applicant. Due to the nature of the proposed work, this project does not account for on site fire flow. The District's non-potable water system is not suited for fire flows. Should the project require but will be required to install a reduced pressure back flow device at point of service fire hydrant(s), a separate request and fire service would be required. Additionally, irrigation was identified was not in requisition, therefore irrigation service not be a part of this proposed service application. .

Conditions of Development

Prior to final project development the following conditions must be met:

1. The Applicant shall pay front footage fees along all property frontages where facilities are currently installed.
2. Pay Capacity Charges (Facilities Fees) associated with 1 EDU.



3. The District reserves the right to review annual consumption data and adjust the applicant capacity charges (facilities fees) for any amount greater than 1 irrigation EDU which is currently identified in the Table 2.
4. The Applicant shall design and construct the facilities necessary to serve the project. Deposits associated with plan review, GIS, and inspections shall be paid by the applicant.
5. The Applicant shall install and maintain a reduced pressure back flow device in accordance with District standards at the point of service (just downstream of the proposed water meter location).

Fiscal Impact

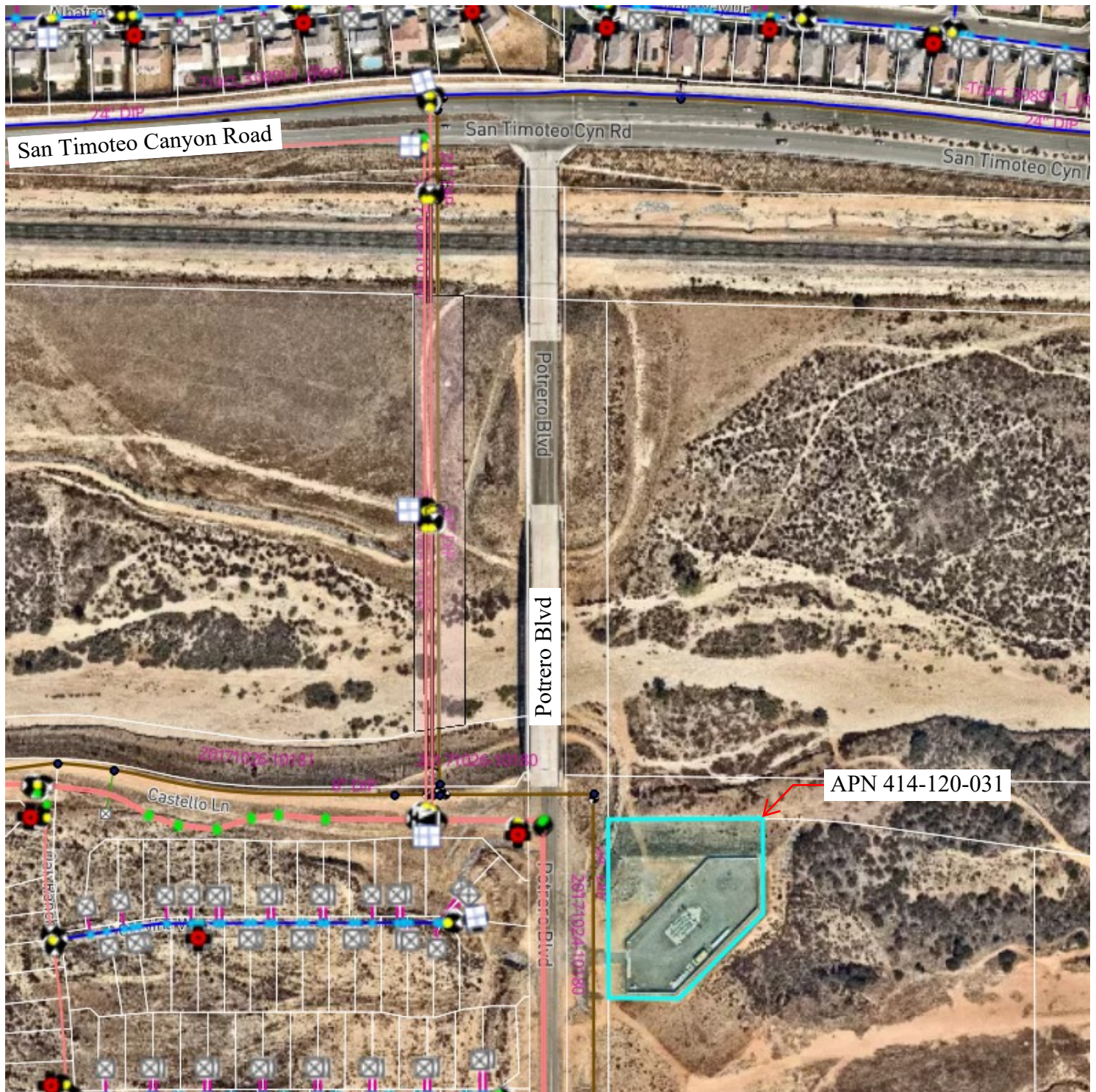
No negative fiscal impact to the District. All fees and deposits will be paid by the Applicant prior to providing service.

Attachments

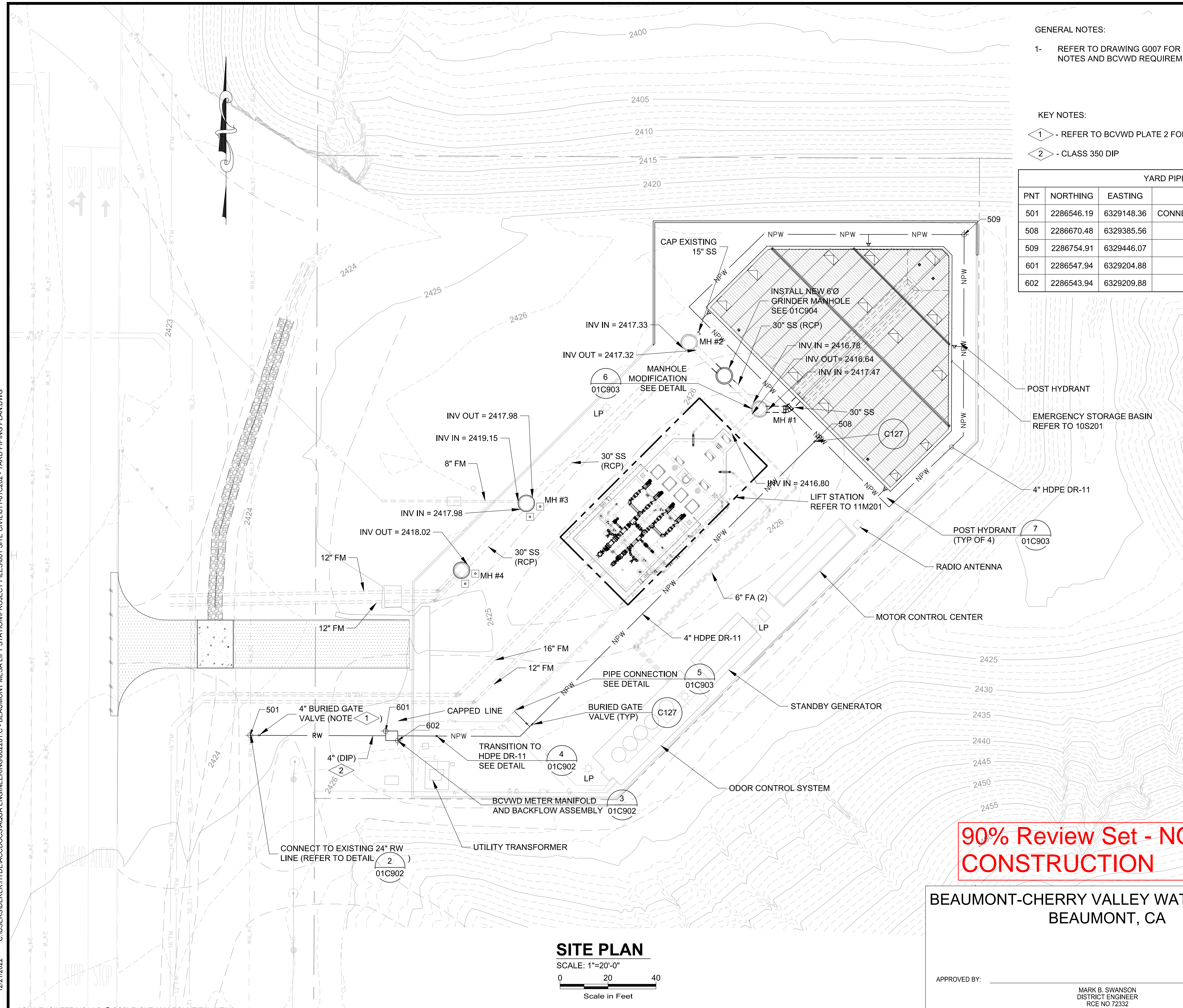
1. Mesa Lift Station Location Map
2. Mesa Lift Station Site Plan
3. Will Serve Letter Application

Staff Report prepared by Evan Ward, Civil Engineering Assistant

ATTACHMENT 1 - MESA LIFT STATION
LOCATION MAP



ATTACHMENT 2 - MESA LIFT STATION SITE MAP



GENERAL NOTES:

- 1- REFER TO DRAWING G007 FOR GENERAL PROJECT NOTES AND BCVWD REQUIREMENTS

KEY NOTES:

- 1 - REFER TO BCVWD PLATE 2 FOR INSTALLATION REQUIREMENTS.

- 2 - CLASS 350 DIP

YARD PIPING COORDINATES			
PNT	NORTHING	EASTING	DESCRIPTION
501	2286546.19	6329148.36	CONNECTION TO EXISTING 24" RECYCLED WATER PIPE
508	2286670.48	6329385.56	4" HDPE TEE
509	2286754.91	6329446.07	4" HDPE 90° BEND
601	2286547.94	6329204.88	TOP OF CONCRETE
602	2286543.94	6329209.88	TOP OF CONCRETE


DRAWING IS TO SCALE
IF BAR MEASURES:
1" = FULL SCALE
1/2" = HALF SCALE

[illegible]

CITY OF BEAUMONT
SE CORNER OF POTRERO BLVD & CASTELLO LN
MESA LIFT STATION UPGRADE
CIVIL
YARD PIPING PLAN

ALBERT A.
WEBB
ASSOCIATES
ENGINEERING CONSULTANTS

CIVIL ENGINEERS
3788 McCRAY STREET
RIVERSIDE, CA. 92506
PH. (951) 686-1070
FAX (951) 788-1256



AQUA
ENGINEERING

533 W 2600 S, SUITE 275, BOUNTIFUL, UT 84010
PHONE (801) 299-1327 FAX (801) 299-0153

DRAWING NO.

01C202

PZ 2600

SHEET

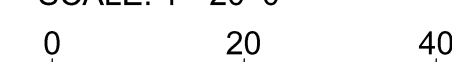
BEAUMONT-CHERRY VALLEY WATER DISTRICT
BEAUMONT, CA

APPROVED BY: _____ DATE: _____

MARK B. SWANSON
DISTRICT ENGINEER
RCE NO 72332

SITE PLAN

SCALE: 1"=20'-0"



Scale in Feet

ATTACHMENT 3 - WILL SERVE LETTER APPLICATION



BEAUMONT CHERRY VALLEY WATER DISTRICT

560 Magnolia Avenue • PO Box 2037

Beaumont, CA 92223-2258

Phone (951) 845-9581

www.bcvwd.org

☒ **Will Serve Request** ☐ **Water Supply Assessment (SB210)**

Applicant Name: City of Beaumont c/o Albert A. Webb Associates	Contact Phone # [REDACTED]
Mailing Address: [REDACTED]	Fax #: [REDACTED]
City: [REDACTED]	E-mail: [REDACTED]
State & Zip: [REDACTED]	
Service Address:	
Assessor's Parcel Number (APN), Tract Map No. Parcel Map No.: APN 414-120-031; PM 31368, Parcel B	
Project Type: <input type="checkbox"/> Single-Family <input type="checkbox"/> Multi-Family <input checked="" type="checkbox"/> Commercial/Industrial <input type="checkbox"/> Minor Subdivision (5 lots or less) <input type="checkbox"/> Major subdivision (6+ lots) <input type="checkbox"/> Other	
Site Map Attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The letter should be delivered to:

Recipient: Albert A. Webb Associates [REDACTED] [REDACTED] [REDACTED]
PLEASE CHOOSE ONE: <input type="checkbox"/> Mail (above address) <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Will pick up

The District reserves the right to impose terms and conditions in Will Serve Letters and/or Water Supply Assessment Reports that take into account water availability issues, conservation issues and the District's existing facilities, all of which impact the District's ability to provide service to the subject property and maintain the District's ability to meet existing water demands.

Dustin [Signature]
Applicant's Signature

1-24-2023

Date



**Beaumont-Cherry Valley Water District
Regular Board Meeting
April 27, 2023**

Item 5

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: Request for Will Serve Letter and Approval of Annexation for Beaumont Cross-Dock Building (Riverside County Assessor's Parcel No. 417-020-070) in the City of Beaumont

Staff Recommendation

Consider the request for water service Will Serve Letter (WSL) and Annexation Approval for the Beaumont Cross-Dock Building, a 600,000 square foot (sf) warehouse building located at the northeast corner of Prosperity Way and Distribution Way in the City of Beaumont (Riverside County Assessor's Parcel No. 417-020-070), subject to payment of all fees to the District and securing all approvals from the City and:

1. Consider Will Serve Letter for Project
 - a. Approve the Application for Water Service and furnish Will-Serve Letter with conditions as enumerated, or
 - b. Deny the Application for Water Service
2. Consider Project Annexation into District Service Boundary
 - a. Approve the request for Annexation of APN 417-020-070 to the District, or
 - b. Deny the Request for Annexation of APN 417-020-070 to the District

Executive Summary

The subject project proposes to construct a 600,000-sf warehouse building on a parcel located within the District's Sphere of Influence, but not within the Service Boundary. Said parcel was formerly known to District staff as the Dowling Orchard Property which is proposed to be redeveloped into said warehouse building. Table 1, below, provides a brief summary of the proposed Project.

Table 1 – Project Summary

Applicant / Developer	Trammel Crow
Development Type	Commercial/Industrial
Development Name	Beaumont Cross-Dock Building
Annexation Required (Yes/No)	Yes – Requires Annexation
Total Water Consumption (EDUs)	20
Estimated Domestic Water Consumption	10
Estimated Irrigation Water Consumption	10



Background

The applicant (Trammel Crow) requested water service from the District on November 18, 2021. The proposed Project (Beaumont Cross-Dock Building) located at APN 417-020-070 is estimated to be a 600,000 square foot (sf) warehouse building (See Attachment 1 – Site Plan).

On November 18, 2021, the applicant contacted District staff regarding the proposed project located at APN 417-020-070 and submitted a WSL application. District staff reviewed said application and subsequently contacted the applicant, and identified that the request for water service application was incomplete. Staff further identified that the applicant needed to identify project components as well as proposed water consumption data for the application to be considered complete. District staff also met with the applicant and their development team on November 25, 2021 to discuss the project. At that meeting, District staff identified that the District requires estimated water consumption (domestic and irrigation) for the overall development and that the submitted request for water service was incomplete due to the missing information. The applicant's engineer stated that they would work on providing the water consumption information for both domestic demands and landscape demands.

The District finally received the information necessary to complete the applicant's WSL application on March 2, 2022.

Upon receipt of the complete application, and prior to staff bringing the WSL request to the Board for consideration, Governor Gavin Newsom declared a drought emergency in California via Executive Order N-7-22 which activated the District's Resolution 2014-05 restricting the issuance of WSLs for projects with consumption of more than two (2) equivalent dwelling units (EDUs) when certain drought conditions are met as defined by said Resolution 2014-05.

Subsequently, District staff was instructed by the Board of Directors, at the April 28, 2022 Engineering Workshop, to suspend new development WSLs until the State Water Resources Control Board (SWRCB) ruled on the Governor's emergency declaration and associated regulations. The SWRCB announced the regulations on May 25, 2022.

At the August 31, 2022 Engineering Workshop, District staff presented the request for this project's WSL. The Board of Directors denied the application for the Beaumont Cross-Dock Building, referencing Resolution 2014-05, due to the project's estimated water consumption being greater than two (2) EDUs.

On March 24, 2023, Governor Newsom issued Executive Order N-5-23 identifying an end to the Drought Emergency Declaration and providing for the termination of a number of the drought restrictions which have been in effect since 2021. At the April 12, 2023 Regular Board meeting, the Board rescinded certain drought related resolutions with adoption of Resolution 2023-11, including the implementation of the District's Water Shortage Contingency Plan (WSCP) Shortage Level 3. Said resolution did retain some conservation measures as defined by the Governor in Executive Order N-5-23. At that time, staff identified that the conditions activating Resolution 2014-05 appeared to no longer be in effect.



Table 2, below, provides a brief summary of the Project's WSL request along with Board actions related to the Governor's and SWCRB's requirements.

Table 2 – Project Processing Timeline

DATE	ACTION	NOTE
11/18/2021	WSL application received	Missing water consumption
11/25/2021	District met with Applicant	Stated application was incomplete
3/2/2022	Received a complete WSL application	Water consumption included
3/28/2022	Governor issued Executive Order N-7-22	Increasing drought regulations
8/31/2022	Board denied request for WSL	Recognized Resolution 2014-05 in effect due to drought
3/24/2023	Governor issued Executive Order N-5-23	Terminating certain drought restrictions
4/12/2023	Board enacted Resolution 2023-11 Rescinding Resolutions 2022-12, 2022-18, and 2022-23	Based on State declaration. Resolution 2014-05 no longer effect at this time

Said project is proposed to be located on the northeast corner of Prosperity Way and Distribution Way (on the existing parcel known as the Dowling Orchard Property), north of the CJ Foods and Rudolph Foods buildings (See Attachment 2 – Vicinity Map). The District has confirmed that the proposed project is consistent with the City of Beaumont's land use designations for the property location. Additionally, staff has informed the applicant that the District will require a well site (approximately 1 acre) be dedicated to the District as part of the project conditions of service. The project team has identified that they do not believe the project land planning and engineering completed to date will be able to accommodate a new well site. This issue needs to be resolved as the District completes the plan of service and will work with the applicant to resolve this requirement.

Discussion

During the review of the project site, District staff determined that the proposed development does not appear to be within the District's service area boundary, however, is within the District's Sphere of Influence, therefore the project will require annexation. The information regarding the need of annexation was conveyed to the applicant during the March 2022 meeting.

District staff met with the applicant on June 30, 2022 to further discuss the LAFCO annexation process and infrastructure needs. District staff informed the applicant that the preparation of the LAFCO application package and fees associated with annexation activity into the District will be the responsibility of the applicant.

District staff identifies that there is an existing 18" Ductile Iron Pipe (DIP) domestic water main (2750 pressure zone) and an existing 12" DIP non-potable water main (2800 pressure zone) located southwest of the project within the intersection of Prosperity Way and Distribution Way.



Additionally, there is an existing 16" DIP domestic water main (2750 pressure zone) located in Nicholas Road (to the southeast of the proposed project).

The District's Potable Master Plan (2016) identifies a future 18" DIP domestic water main (P-2750-0002) which is proposed to extend across the southernmost property line of APN 417-020-070 connecting Prosperity Way with Nicholas Road. A main line extension will be required for this Project to extend the potable facilities across the frontage of its property.

The applicant has identified the need for domestic, irrigation, and fire service. The applicant has provided an estimated preliminary average daily demand flow for the domestic consumption and is set forth in Table 3, below. The applicant provided the District with the project's estimated water consumption amounts for potable water based on gallons per employee. The estimated potable water consumption for the project is 6.5 acre-feet per year (AFY) or 5,805 gallons per day (10 EDUs). The applicant also provided the District a copy of the project's Preliminary Landscape Plan with consumption estimates. Based on the Estimated Total Water Usage (ETWU) from the Preliminary Landscape Plan, the estimated non-potable water demand would be approximately 6.47 AFY or 5,773 gallons per day (10 EDUs), also identified in Table 3, below.

TABLE 3: Estimated Water Consumption (Developer Provided)

Description	Consumption (GPD)	Est. Water Demand (EDUs)
Domestic Water Demand	5,805 GPD	10.0 EDUs
Non-Potable Water Demand	5,773 GPD	10.0 EDUs
Total Consumption	11,578 GPD	20.0 EDUs

District staff has reviewed the applicant's estimated water demands (potable and non-potable) and said estimates seem reasonably stated, however the applicant has notified staff that the actual tenant for this project has not been determined at this time. Based upon this fact, should the estimated water demands change, District staff will bring an additional request to the Board for consideration which resolves the discrepancy in actual final demand.

Upon approval of service and completion of the annexation process, the applicant shall prepare water improvement plans for the 18" potable waterline extension, including detailed connections to the existing infrastructure (domestic) and pay all applicable District fees, including water capacity charges (facilities fees), an in-tract water service(s) installation charge (for the non-potable and domestic service connection[s]), and front-footage fees for the property, in effect at the time of application for service installation.

Final domestic and non-potable meter sizes will be determined by the applicant. Fire flow requirements will be determined by the City of Beaumont/County of Riverside Fire Department and said requirements will dictate actual required fire suppression needs of the project.

The applicant will also be conditioned to secure final project approvals from the City of Beaumont for the project development prior to construction.



The applicant will be required to pay for additional storage relating to the volumetric quantity of water required for the project that is beyond the baseline fire flow demands (1,000 gpm for 2 hours) per District policy.

Conditions of Development

Prior to final project development, the following conditions must be met:

The applicant shall conform to all District requirements for water service and all City of Beaumont/County of Riverside requirements.

1. The Applicant shall complete the annexation process for any project parcel which has yet to be annexed into the District's Service Boundary with LAFCO. All costs associated with the Plan of Services and annexation will be paid by the Applicant
2. The Applicant shall design and construct an 18-inch domestic water main extension (unless fire flow requirements dictate a larger size) along the projects southernmost property line extending from Prosperity Way to Nicholas Road where facilities are depicted in the District's 2016 Potable Water System Master Plan (2750 Pressure Zone).
3. The Applicant shall grant the District an easement (minimum 25 ft. wide or width as needed to operate and maintain District facilities) for proposed District facilities located on the project site for ingress/egress, operations, and maintenance.
4. The Applicant will be required to pay for additional storage relating to the volumetric quantity of water as it relates to the baseline fire flow demands (1,000 gpm for 2 hours) per District policy.
5. The Applicant will be required to install a fire service connection(s) to support the City of Beaumont/County of Riverside Fire Department's requirement for on-site fire suppression.
6. The District reserves the right to review annual consumption data (water consumption audit) and adjust the applicant capacity charges (facilities fees) (at final buildout of the project and when project facilities are fully utilized) for any amount greater than 20 EDUs (10 EDUs [5,805 gpd] for the domestic demand and 10 EDUs [5,773 gpd] for the irrigation demand) which is currently identified in the table above.
7. In the event the applicant constructs facilities which require additional water (i.e., expansion or change of use), the applicant will be required to upgrade the domestic service to facilitate the domestic consumption requirements and pay additional capacity charges (facilities fees) related to these components.
8. To minimize the use of potable water, the District requires the applicant to conform to the City of Beaumont Landscaping Ordinance which pertains to water efficient landscape requirements and the following:
 - a. Landscaped areas which have turf, shall have "smart irrigation controllers" which use Evapotranspiration (ET) data to automatically control the watering. Systems shall have an automatic rain sensor to prevent watering during and shortly after rainfall, automatically determine watering schedule based on weather conditions, and not require seasonal monitoring changes. Orchard areas, if any, shall have drip irrigation.



- b. Landscaping in non-turf areas should be drought-tolerant, consisting of planting materials which are native to the region. Irrigation systems for these areas should be drip or bubbler type.
 - c. The District will provide service so long as landscape areas are not installed with, converted to, or modified to non-functional turf as set forth in the City of Beaumont's Landscape Ordinance.
9. Provide suitable well site (and associated easement[s]) for District well (minimum 1 acre) within or near the property development boundary as part of the conditions of development.

Fiscal Impact

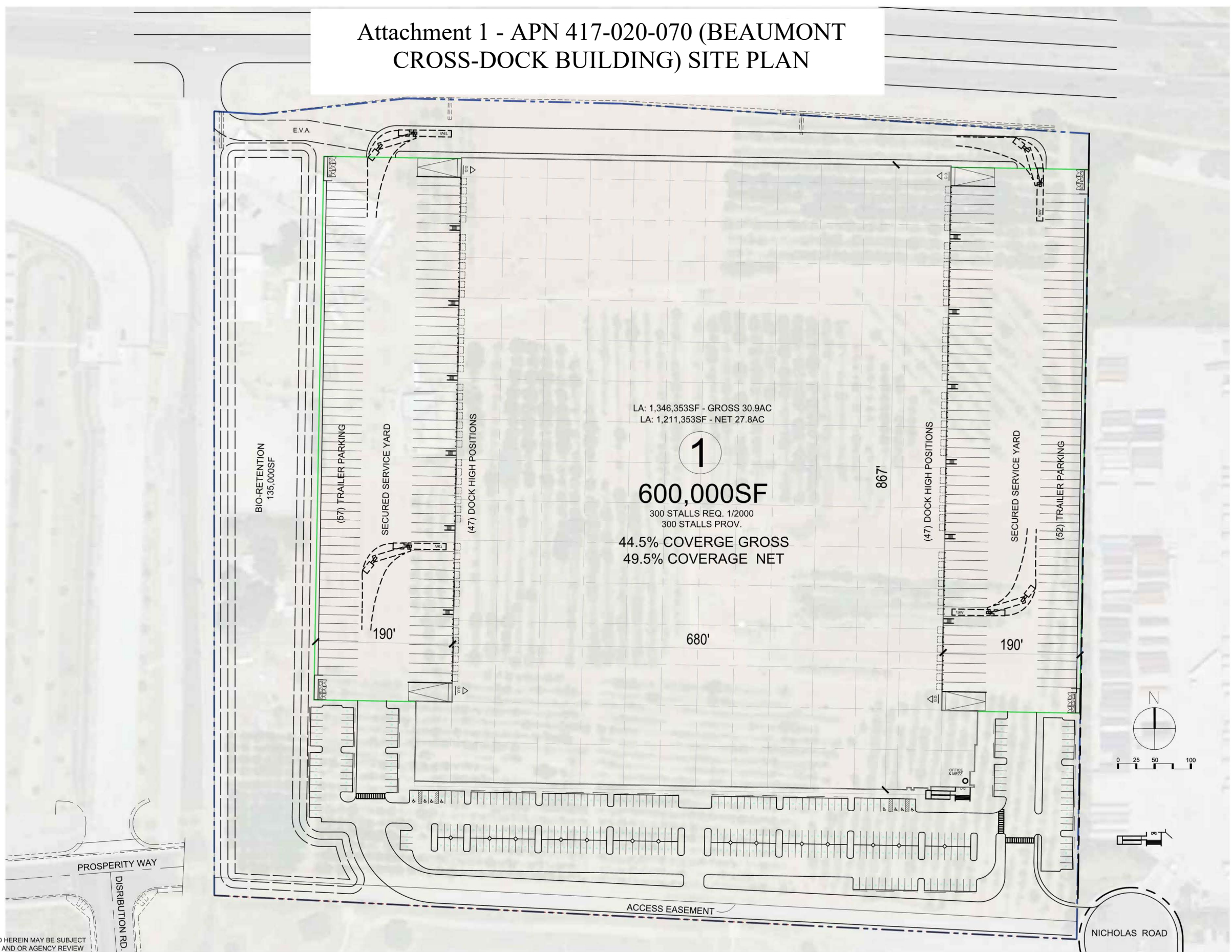
No negative fiscal impact to the District. All fees and deposits will be paid by the applicant prior to providing service.

Attachments

- 1. Site Plan
- 2. Vicinity Map
- 3. Will Serve Application

Staff Report prepared by Aaron Walker

Attachment 1 - APN 417-020-070 (BEAUMONT
CROSS-DOCK BUILDING) SITE PLAN



sheet dated: Nov/08/2021 @ 10:57 AM
drawing file name: p:2021-514 trammell crow cross dock facility-beaumont03 designconceptsiteplan2021-514 trammell crow cross dock facility-beaumont master.dwg

DISCLAIMER:
ALL INFORMATION CONTAINED HEREIN MAY BE SUBJECT
TO CHANGE PENDING OWNER AND OR AGENCY REVIEW
AND IS FOR INFORMATION ONLY

BEAUMONT CROSS-DOCK BUILDING CITY OF BEAUMONT, CA
TRAMMELL CROW COMPANY /Newport Beach, CA

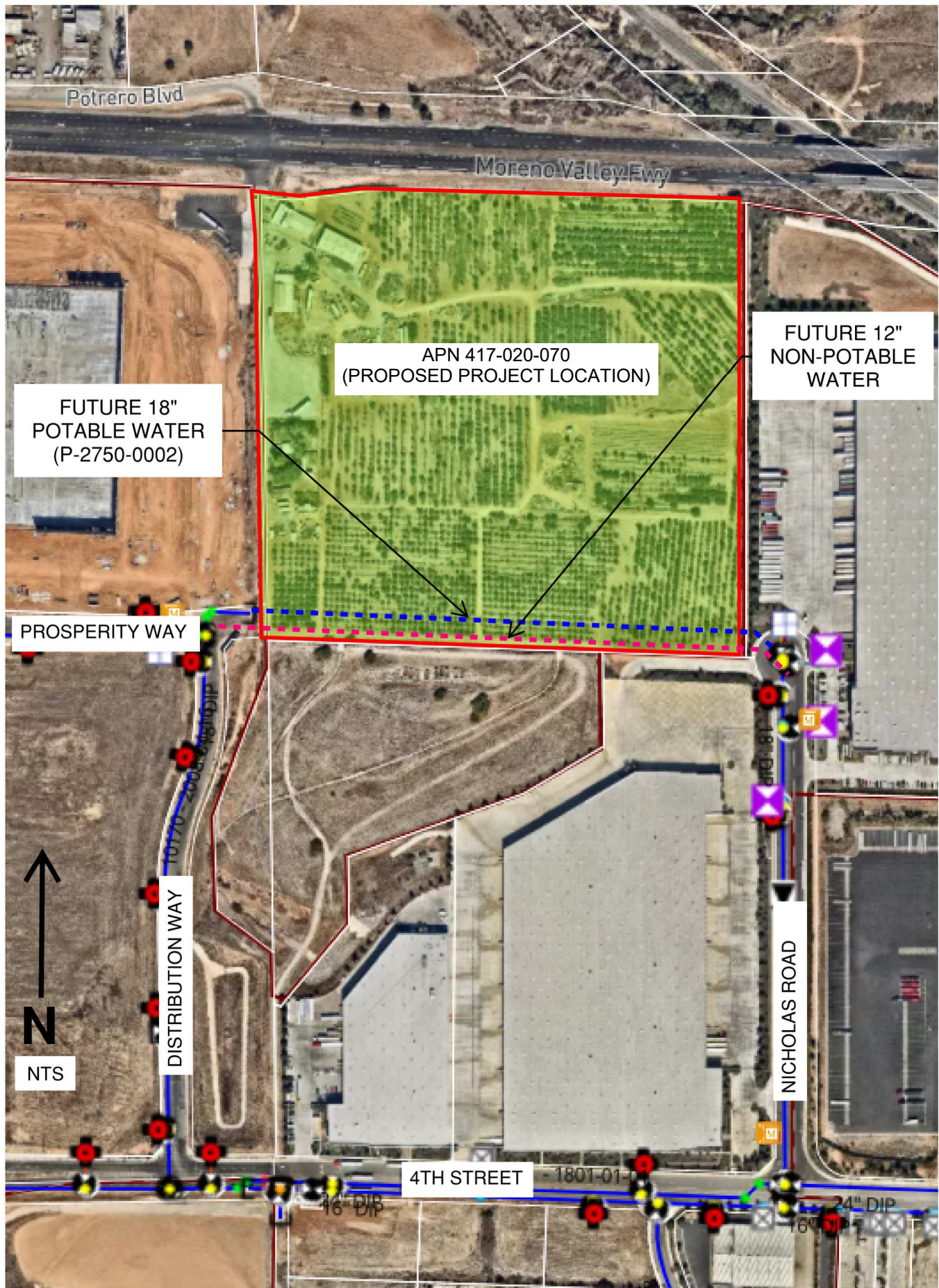
CONCEPTUAL SITE PLAN 11-08-2021

SP2d

AO Architecture.
Design.
Relationships.
144 North Orange Street, Orange, California 92866
714 / 639-9860
aoarchitects.com

Scale
Job No.
Date

Attachment 2 - APN 417-020-070
(BEAUMONT CROSS DOCK BUILDING)
VICINITY MAP



Attachment 3 - APN 417-020-070 (BEAUMONT
CROSS-DOCK BUILDING) WILL SERVE
REQUEST APPLICATION

(1 OF 3)



BEAUMONT CHERRY VALLEY WATER DISTRICT

560 Magnolia Avenue • PO Box 2037

Beaumont, CA 92223-2258

Phone (951) 845-9581

www.bcvwd.org

customer #: 065107

☒ **Will Serve Request** ☐ **Water Supply Assessment (SB210)**

Applicant Name: Trammel Crow (Kyle Dorand)	Contact Phone # [REDACTED]
Mailing Address: [REDACTED]	Fax #: [REDACTED]
City: [REDACTED]	E-mail: [REDACTED]
State & Zip: [REDACTED]	
Service Address: Site is located northeast of Prosperity Way and Distribution Way south of the 60-Fwy and west of Nicholas Rd.	
Assessor's Parcel Number (APN), Tract Map No. Parcel Map No.: 417-020-070	
Project Type: <input type="checkbox"/> Single-Family <input type="checkbox"/> Multi-Family <input checked="" type="checkbox"/> Commercial/Industrial <input type="checkbox"/> Minor Subdivision (5 lots or less) <input type="checkbox"/> Major subdivision (6+ lots) <input type="checkbox"/> Other	
Site Map Attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The letter should be delivered to:

Recipient: Kyle Dorand

[REDACTED]
[REDACTED]

PLEASE CHOOSE ONE:

☐ Mail (above address) ☒ E-mail
☐ Fax ☐ Will pick up

The District reserves the right to impose terms and conditions in Will Serve Letters and/or Water Supply Assessment Reports that take into account water availability issues, conservation issues and the District's existing facilities, all of which impact the District's ability to provide service to the subject property and maintain the District's ability to meet existing water demands.

Kyle Dorand
Applicant's Signature

11/18/21

Date

Attachment 3 - APN 417-020-070 (BEAUMONT
CROSS-DOCK BUILDING) WILL SERVE
REQUEST APPLICATION
(2 OF 3)

APN 417-020-070



1" = 561 ft

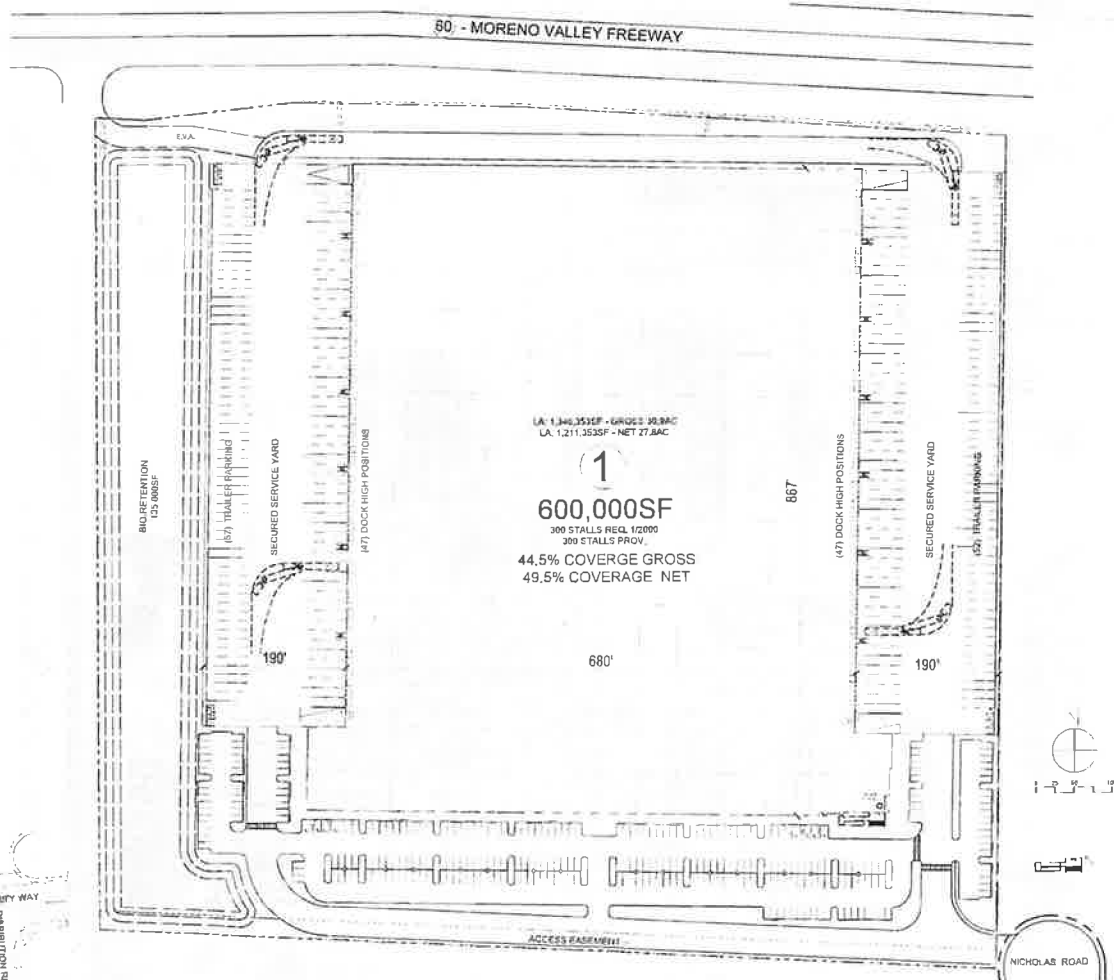
Utility Map

11/09/2021



This map may represents a visual display of related geographic information. Data provided here on is not guarantee of actual field conditions. To be sure of complete accuracy, please contact the responsible staff for most up-to-date information.

**Attachment 3 - APN 417-020-070 (BEAUMONT
CROSS-DOCK BUILDING) WILL SERVE
REQUEST APPLICATION
(3 OF 3)**



DISCLAIMER
ALL INFORMATION CONTAINED HEREIN MAY BE SUBJECT
TO CHANGE WITHOUT NOTICE AND IS FOR INFORMATION ONLY

BEAUMONT CROSS-DOCK BUILDING CITY OF BEAUMONT, CA
TRAMMELL CROW COMPANY /Newport Beach, CA

CONCEPTUAL SITE PLAN 11-08-2021

SP2d





**Beaumont-Cherry Valley Water District
Regular Board Meeting
April 27, 2023**

Item 6

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: **Resolution 2023__:** Amendment to the 2023-2027 Capital Improvement Budget to include the Elm Avenue Waterline (P-2750-0091) Pipeline Project

Staff Recommendation:

Consider Adoption of Resolution 2023-__ Amending the 2023-2027 Capital Improvement Budget in the amount of **\$297,850.00** for the Elm Avenue Replacement Pipeline Project (P-2750-0091)

Executive Summary

District staff received public comment on April 12th, 2023 from Norma Medina about a previous discussion the Board of Directors entertained regarding construction of a possible Elm Avenue pipeline which the Board of Directors asked Staff to begin developing in or around August/September 2019. That work has been ongoing and has also been under development review with a potential land developer who is pursuing development of a parcel that is located between Elm Avenue and Veile Avenue.

This project first came to the attention of staff and the Board of Directors during a redevelopment project that was discussed with the Board during Public Comment on August 14, 2019 and was presented to the Board on August 22, 2019 and September 26, 2019. At this time, Staff identified that the Veile Avenue Developer does not appear to have a need to extend facilities down Elm Avenue to service their proposed development and therefore, Staff has completed preliminary analysis and finalized costs associated with the proposed Project and presents those to the Board of Directors in Attachment 3, herein. The total project cost is anticipated to be in the amount of \$297,850. If directed by the Board of Directors to formally move this project forward, Staff has also prepared a resolution to modify the District's approved 2023-2027 CIB to reflect the change and anticipated expenditures.

Background

The District has been working to address a pre-existing water service condition on Elm Avenue that was first brought to Staff's attention in August 2019 regarding water service to certain residential services that are located on Elm Avenue south of 4th Street in the City of Beaumont (See Figure 1, below). That existing condition as well as the proposed solution is summarized as follows:

1. Water service to Elm Avenue was historically served from a 2" waterline in an existing alley between Elm Avenue and Olive Avenue. The Elm Avenue residences further identified that the alley pipeline was abandoned and the services were re-connected



- to the waterline within Olive Avenue due to service pressure dropping. Said 2" waterline's abandonment also reportedly coincided with the abandonment of an existing alley which took place when the commercial development located south of 1st Street, between Elm Avenue and Olive Avenue was constructed.
2. The service lines were additionally affected by redevelopment of an existing house located on Elm Avenue which was merged with 2 lots fronting Olive Avenue to make a Construction Storage Yard for a local area contractor. This re-development created concerns for the residences along Elm Avenue with regard to interruption of service due to location of said service laterals. As part of the redevelopment project, the services were relocated around the perimeter of the merged lot and reconnected to each respective residence on Elm Avenue.
 3. In order to remedy the water service issues as shown in Figure 1, below, a new pipeline could be constructed within Elm Avenue with a length of approximately 850 linear feet to provide for installation of the 5 new water meter installations (located in front of each property) along Elm Avenue and at the same time local area fire protection could be improved by the 2 new fire hydrants.

District staff identifies the proposed waterline within Elm Avenue would be a new (not previously considered or approved) project which should be added to the District's Capital Improvement Plan via resolution and that the funding related to this item would be from capital reserve funds.

District staff has prepared a proposed resolution, a water mainline exhibit, an engineers cost estimate, and a proposed amendment to the 2023-2027 Capital Improvement Budget (Attachments 1 through 5) for Board consideration. The project is further identified as follows:

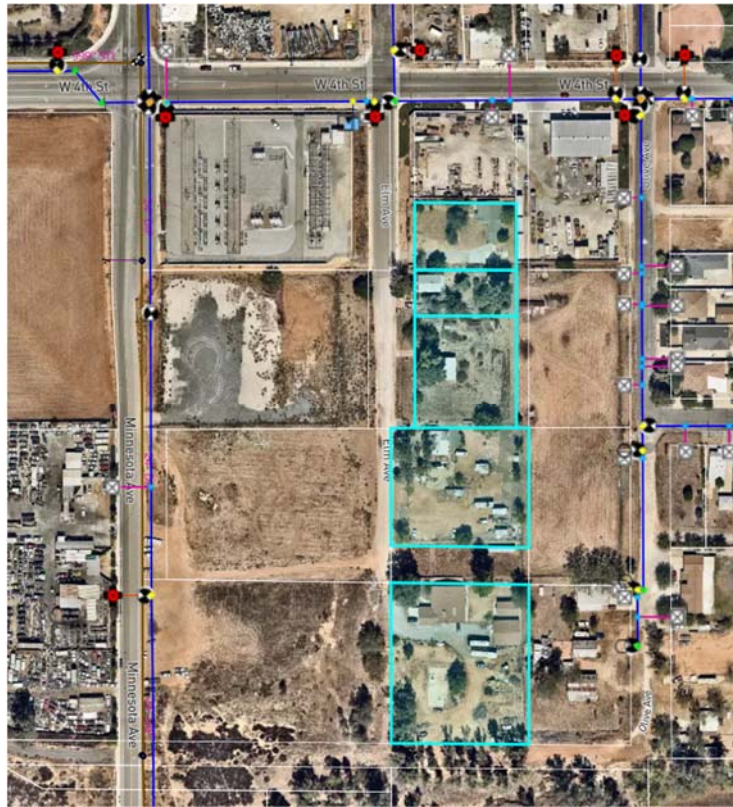
- **P-2750-0091, Elm Avenue: W 4th Street south to end of cul-de-sac** (Project) – includes the construction of approximately 850 linear feet (LF) of 8" ductile iron pipe (DIP), as well as the relocation of 5 service laterals, and the installation of two (2) proposed fire hydrants.

As previously described, the Elm Avenue water service to the residences were historically served from a waterline which was located in an existing alley midway between Elm Avenue and Olive Avenue, however several years ago, the pipeline had apparently reached the end of its service life, local area service pressures were declining, and at the request of the Elm Avenue residences for the District to address the low pressure issue, the 2" pipeline was abandoned and the services within Elm Avenue were re-connected to an existing waterline within Olive Avenue. There was and still is not a waterline in Elm Avenue south of 4th Street.

As shown in Figure 1, below, a pipeline could be constructed within Elm Avenue to relocate the meters from Olive Avenue to Elm Avenue and provide for the installation of fire hydrants along Elm Avenue. This would provide for water meter installations at the right of way along each property fronting Elm Avenue however, some on-site piping at each residence will be required to reroute the service connection piping from the front to the rear of each property to connect to the existing service lateral.



Figure 1 – Approximate Location of Affected Services



As mentioned above, District staff has completed a preliminary cost estimate to gain an understanding of the overall project cost to the District. The P-2750-0091 Pipeline Replacement Cost Estimate considers the cost of materials and labor (prevailing wage) and includes a contingency of 20% for the costs of construction and a 15% contingency for all soft costs. District staff has considered potential increased construction costs which have been observed with other recent projects where pavement work has been required.

District staff intends to publish a request for proposals (RFP) to complete several required tasks for the Project. At a minimum, it is anticipated that the following services would be needed: Geotechnical, Survey/Mapping, Civil Engineering, and Environmental (CEQA). District staff intends to prepare and publish the RFP for consulting services upon approval of the Amended Capital Improvement Budget (CIB).

Based on the above, District staff is requesting the Board to consider the amendment of the Approved 2023-2027 CIB for an amount not to exceed **\$297,850.00** for the design and construction of the proposed Project. Attachment 5 includes the proposed amended 2023-2027 CIB with the inclusion of P-2750-0091, as described above.



Fiscal Impact

The fiscal impact to the District will be an amount not to exceed **\$297,850.00**. Funding for this project will come from Capital Reserves for the completion of this work.

It is estimated that District staff may incur approximately **\$10,000** for the finalization of the RFP package, advertising, and contract administration. Upon determination of a consultant, District staff will request authorization to execute said an engineering consultant from the Board at a later date.

Attachments

Attachment 1 – Resolution 2023-__ : Amending the 2023-2027 Capital Improvement Budget

Attachment 2 – Water Mainline Extension Exhibit for Elm Ave south of 4th Street

Attachment 3 – P-2750-0091 Pipeline Replacement Project Cost Estimate Summary

Attachment 4 – Adopted 2023-2027 Capital Improvement Budget, Appendix C

Attachment 5 – Proposed Amended 2023-2027 Capital Improvement Budget, Appendix C

Staff Report prepared by Evan Ward, Civil Engineering Assistant

RESOLUTION 2023-__

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE BEAUMONT-CHERRY VALLEY WATER DISTRICT
AUTHORIZING AN AMENDMENT TO THE 2023-2027
CAPITAL IMPROVEMENT BUDGET**

WHEREAS, at its meeting on December 14, 2022, the Board of Directors of the Beaumont-Cherry Valley Water District approved Resolution 2022-42 Adopting the Annual Operating and 2023-2027 Capital Improvement Budget for the Fiscal Year Ending December 31, 2023; and

WHEREAS, the Board of Directors has carefully reviewed the proposed amendments and finds it necessary and appropriate to balance and amend the approved District 2023-2027 Capital Improvement Budget as designated and attached hereto marked Exhibit "A"; and

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Beaumont-Cherry Valley Water District:

1. That \$297,850 is allocated to the District's Capital Replacement Reserve.
2. That the 2023 Fiscal Year Budget amendment described above in Item 1 is hereby incorporated into the adopted 2023-2027 Capital Improvement Budget as adopted on December 14, 2022 by Resolution 2022-42 of the Beaumont-Cherry Valley Water District.
3. The District's General Manager is authorized to take all necessary actions to implement the provisions of the amended 2023-2027 Capital Improvement Budget as adopted by this Resolution without further Board action.
4. The General Manager is directed to implement the intent of this Resolution as soon as reasonable following applicable procedures. The expenditure amounts designated as amended for the 2023-2027 Capital Improvement Budget are hereby appropriated and may be expended by the departments or funds for which they are designated.

ADOPTED this _____ day of _____, 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

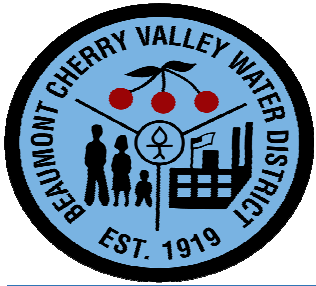
ABSENT:

ATTEST:

Director David Hoffman, President of the
Board of Directors of the
Beaumont-Cherry Valley Water District

Director Daniel Slawson, Secretary to the
Board of Directors of the
Beaumont-Cherry Valley Water District

Attachment: Exhibit A – Amended 2023-2027 Capital Improvement Budget



Resolution 2023-__

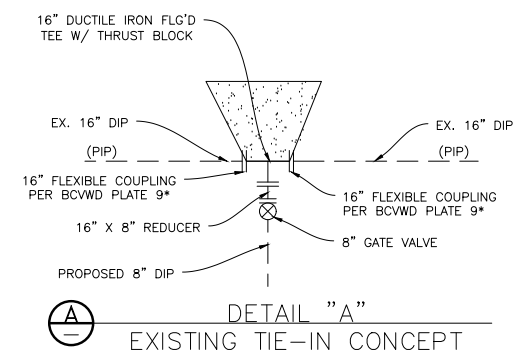
Exhibit "A"

DRAFT

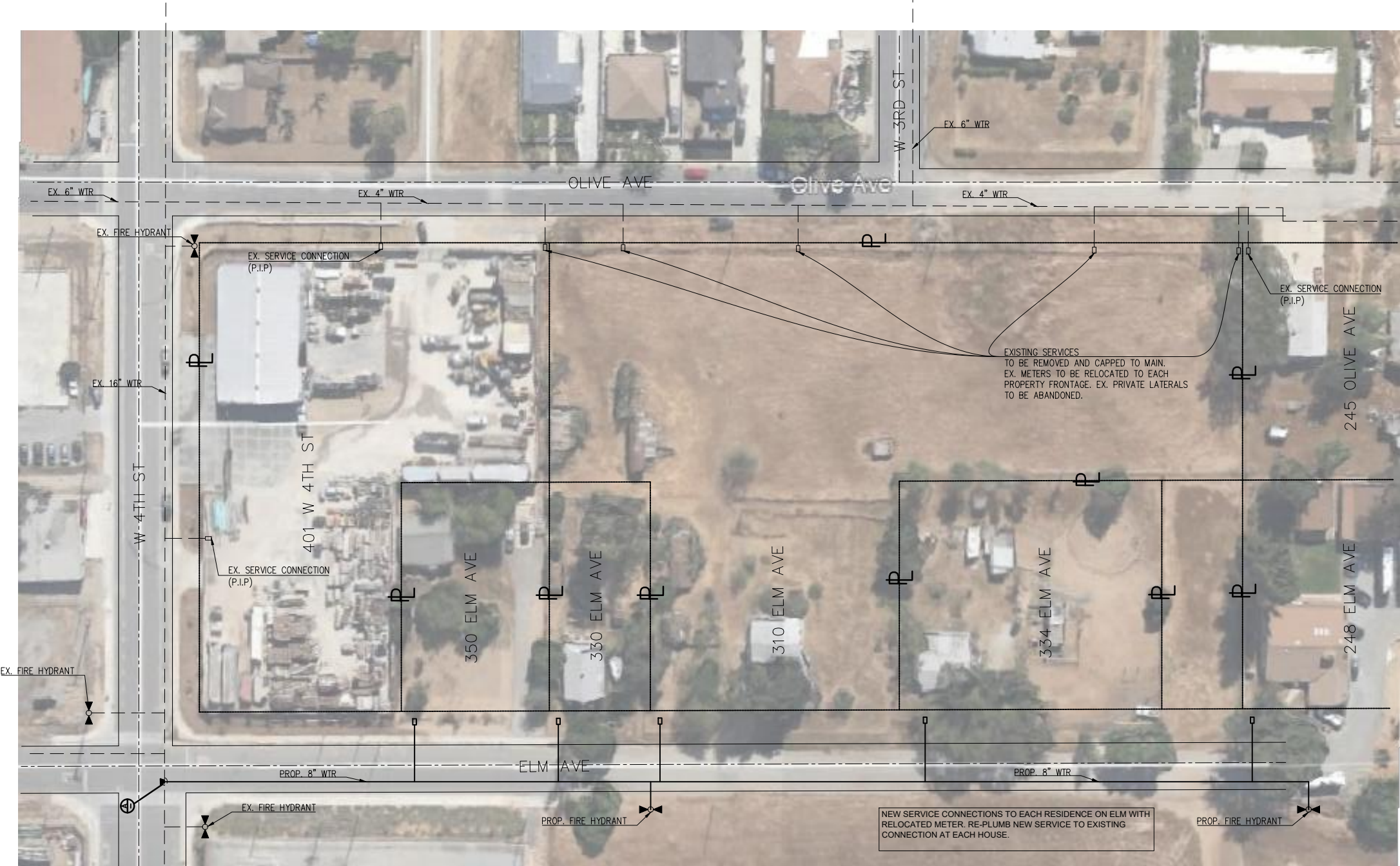
**AMENDED 2023-2027 Capital Improvement Budget
Appendix C**

Engineering Project #	Capital Improvement Program	2023 Budget Request	2024 Budget Request	2025 Budget Request	2026 Budget Request	2027 Budget Request	5-Year Budget Total
	Total Potable Pipeline Replacements	6,868,700	5,158,500	3,931,700	3,363,600	293,500	19,616,000
P-2750-0091	Elm Avenue, W 4th Street south to end of cul-de-sac	60,000	237,850				297,850
	Total Potable Pipeline Replacements (AMENDED)	6,928,700	5,396,350	3,931,700	3,363,600	293,500	19,913,850

Attachment 2
BEAUMONT-CHERRY VALLEY WATER DISTRICT
WATER MAINLINE EXTENSION EXHIBIT
FOR
ELM AVENUE SOUTH OF 4TH STREET
PRESSURE ZONE 2750



ESTIMATED QUANTITIES		UNIT	QTY.
1	8" DUCTILE IRON PIPE	LF	850
2	FIRE HYDRANT	EA	2
3	CONNECTION TO EXISTING 16" MAINLINE	EA	1
4	16" BUTTERFLY VALVE	EA	2
5	16" FLEXIBLE COUPLING	EA	2
6	16" X 8" REDUCER	EA	1
7	8" GATE VALVE	EA	1
8	6" GATE VALVE	EA	2
9	SERVICE CONNECTION LATERAL TO 8" PROPOSED DIP	EA	5



"NOT FOR CONSTRUCTION"

P-2750-0091 Pipeline Replacement Project

Project Cost Estimate Summary

ITEM NO.	CONSTRUCTION PHASE	
1	Mobilization	\$6,000.00
2	Dust Control	\$2,500.00
3	SWPPP	\$0.00
4	Traffic Control	\$3,000.00
5	Potable Water Pipeline	\$116,250.00
6	Field Inspection/Engineering Support	\$10,000.00
7	Contract Administration	\$7,000.00
8	Pavement Removal Repair and Replacement	\$45,000.00
Subtotal Engineers Estimate (Construction)		\$189,750.00
Construction Contingency (20%)		\$37,950.00
TOTAL PIPELINE CONSTRUCTION ESTIMATE AND CONTINGENCIES		\$227,700.00
ITEM NO.	OTHER COSTS ESTIMATE (SOFT COSTS)	
50	Environmental	\$20,000.00
51	Advertising/Permitting	\$5,000.00
52	Preliminary Engineering	\$0.00
53	Mapping/Survey/Research	\$8,000.00
54	Plans, Specifications & Estimates (PS&E)	\$10,000.00
55	City/Fire Processing & Coordination	\$4,000.00
56	Bid & Award	\$4,000.00
57	Geotechnical	\$5,000.00
58	Project Close-out	\$2,500.00
59	Project Administration	\$2,500.00
Subtotal Other Costs Estimate (Soft Costs)		\$61,000.00
Other Costs (Soft Costs) Contingency (15%)		\$9,150.00
TOTAL OTHER COSTS ESTIMATE AND CONTINGENCY (SOFT COSTS)		\$70,150.00
TOTAL PROJECT APPROPRIATION REQUESTED		\$297,850.00



Attachment 4
Beaumont-Cherry Valley Water District
2023-2027 Capital Improvement Budget
Appendix C
2023 - 2027 Capital Improvement Budget Detail

Engineering Project	Footnotes	Project Begin Year	Capital Improvement Program	2023 Budget Request	2024 Budget Request	2025 Budget Request	2026 Budget Request	2027 Budget Request	5-Year Budget Total
Potable Infrastructure Projects									
EOC-001	(1)*	2020	BCVWD EOC Staffing and Space Requirements	\$ 1,135,000	\$ 760,000	\$ -	\$ -	\$ -	\$ 1,895,000
DPX-001	(1)	2020	Disaster Preparedness Equipment	466,100	233,100	233,100	-	-	932,300
WR-SITES-Reser	(1)	2017	Investment in Sites Reservoir Project	93,700	519,600	866,100	1,039,300	1,385,700	3,904,400
	(1)	2020	2020 Capacity Charge Study	-	-	-	-	-	-
	(1)	2019	Climate Control for High Horsepower Electrical Buildings	56,700	-	-	-	-	56,700
	(1)	2019	Arc Flash Study & Improvement Project	66,500	-	-	-	-	66,500
M-0000-0002	(1)	2017	Chlorination Retrofit At Misc. Wells (6 Well Sites)	97,500	-	-	-	-	97,500
PR-2650-0001		2027	2650 to 2520 Zone Pressure Regulator on Champions Dr._0001	-	-	-	-	121,100	121,100
W-2650-0001		2027	New 2650 Zone Well_0001	-	-	-	-	2,604,500	2,604,500
BP-2750-0001	(3)	2023	2750 Zone to 2850 Zone Booster Pump Station	300,000	953,200	1,495,100	1,630,100	-	4,378,400
M-2750-0001		2017	2850/2750 Pressure Reducing Station & Piping (Cherry Reservoir)	-	-	65,100	-	-	65,100
TM-2750-0001	(2)	2022	Cherry Reservoir 1 & 2 Exterior Recoat and Retrofit	724,400	-	-	-	-	724,400
W-2750-0001	(1)	2017	Replacement for Well 2	1,500,000	1,299,700	2,056,000	2,275,800	-	7,131,500
W-2750-0002	(1)	2017	2750 Zone Well in Noble Creek Regional Park	100,000	1,500,000	3,266,200	3,524,900	-	8,391,100
W-2750-0005	(1)	2017	Replace 2750 Zone Well 1	1,807,900	713,900	1,145,000	1,298,000	-	4,964,800
BP-2850-0001	(2)	2023	2850 Zone to 3040 Zone Booster Pump Station_0001	430,100	2,004,100	2,145,200	-	-	4,579,400
TM-2850-0001	(2)	2022	Vineland 1 Exterior Recoat and Retrofit	310,300	-	-	-	-	310,300
W-2850-0001	(3)	2023	New Beaumont Basin Well on Pardee Sundance Site	1,750,000	1,533,200	2,425,100	2,683,800	-	8,392,100
WT-2850-001		2027	Well Head Treatment Plant Well 25 Cr VI	-	-	-	-	619,100	619,100
BP-3040-0001	(3)	2023	3040 to 3330 Booster Pump Station at Noble Tank_0001	244,100	400,000	-	-	2,122,300	2,766,400
M-3040-0002	(1)	2017	Noble Booster Pump and Motor(Spare Pump & Motor)	27,400	-	-	-	-	27,400
T-3040-0001 Tank	(1)	2017	2 MG 3040 Zone Tank_0001	3,418,600	731,200	-	-	-	4,149,800
T-3040-0001 PZ									
Pipeline	(1)	2017	Pressure Zone Pipeline	1,936,100	414,100	-	-	-	2,350,200
TM-3040-0001	(1)	2022	Highland Springs Reservoir Recoat & Retrofit	70,000	94,900	299,000	-	-	463,900
PR-3330-0001		2024	3330 to 3150 Lower Mesa, Noble Regulator	-	88,100	-	-	-	88,100
TM-3330-0001	(2)	2022	Lower Edgar Reservoir Recoat & Retrofit	817,000	-	-	-	-	817,000
PR-3620-0001	(1)	2022	3620 to 3330 Fisher Pressure Regulator_0001	-	-	193,200	-	-	193,200
BP-HS-0001		2026	Add 3rd Booster Pump and Fire Pump at HS Hydropneumatic	-	-	-	293,200	-	293,200
WR		2027	Improvements to Eighth St., Cherry and Starlight Basins	-	-	-	-	738,200	738,200
WR		2027	Marshall Creek Stormwater Capture	-	-	-	-	96,800	96,800
WR		2027	Beaumont Ave and Brookside Ave Stormwater Metering	-	-	-	-	96,800	96,800
WR	(2)	2017	Grand Avenue Storm Drain (MDP Line 16)	2,063,100	2,194,300	-	-	-	4,257,400
Total Potable Infrastructure Projects				17,414,500	13,439,400	14,189,100	12,745,100	7,784,500	65,572,600



Beaumont-Cherry Valley Water District
2023-2027 Capital Improvement Budget
Appendix C
2023 - 2027 Capital Improvement Budget Detail

Engineering Project	Footnotes	Project Begin Year	Capital Improvement Program	2023 Budget Request	2024 Budget Request	2025 Budget Request	2026 Budget Request	2027 Budget Request	5-Year Budget Total
Potable Pipeline Replacements									
P-2750-0025		2024	Maple Ave., 1st St to 3rd St	-	66,500	276,800	-	-	343,300
P-2750-0035		2025	Allegheny St., 6th to 8th	-	-	50,300	209,400	-	259,700
P-2750-0045		2025	7th St., California Ave. to Beaumont Ave.	-	-	107,300	446,400	-	553,700
P-2750-0049		2025	10th St., Palm Ave. to Michigan Ave.	-	-	53,400	222,300	-	275,700
P-2750-0050		2025	Orange Ave., 8th St to 10th st	-	-	129,800	540,000	-	669,800
P-2750-0056	(2)	2022	11th Street, Beaumont Avenue to Elm Avenue	275,500	1,145,800	-	-	-	1,421,300
P-2750-0057		2025	Magnolia Ave., 7th to 8th	-	-	39,200	163,200	-	202,400
P-2750-0058		2025	Wellwood Ave., B St north to end	-	-	10,700	44,700	-	55,400
P-2750-0066		2024	Egan Ave.-Wellwood Ave. Alley, 5th to 8th St	-	88,500	368,000	-	-	456,500
P-2750-0067		2024	Elm Ave.-Wellwood Ave. Alley, 7th St. to 5th St.	-	37,200	154,600	-	-	191,800
P-2750-0068		2024	Elm Ave., 6th to 7th	-	23,400	97,300	-	-	120,700
P-2750-0069	(1)	2017	Egan Ave-California Ave. Alley, 5th to 7th	-	-	173,500	-	-	173,500
P-2750-0070		2026	Twelfth St., Michigan Ave. to Pennsylvania Ave.	-	-	-	70,600	293,500	364,100
P-2750-0087		2025	Beaumont 5th to 6th (Abandon pipeline)	-	-	44,500	-	-	44,500
P-2750-0092	(2)	2022	Michigan Avenue, 5th Street to 6th Street	74,900	311,400	-	-	-	386,300
P-2750-0095	(2)	2022	American Avenue, 6th Street to 8th Street	818,500	-	-	-	-	818,500
P-2750-0096	(2)	2022	2022-2023 Service Replacements	652,000	-	-	-	-	652,000
P-2750-0097	(2)	2022	5th Street, California Avenue to Michigan Avenue	1,745,200	-	-	-	-	1,745,200
P-3040-0007		2025	Lincoln St. Cherry Ave to Jonathan Ave	-	-	95,100	395,500	-	490,600
P-3040-0010		2025	Jonathan Ave., Brookside Ave. to Dutton St.	-	-	305,700	1,271,500	-	1,577,200
P-3040-0019	(2)	2022	Pipeline 6A (Portion of P-3040-0019)	46,200	-	-	-	-	46,200
P-3040-0019a	(2)	2022	Pipeline 8 (Noble St. to El Monte)	86,500	-	-	-	-	86,500
P-3040-0023,24,25,26									
P-3330-0003									
P-3620-0009	(2)	2020	2020-2021 Replacement Pipelines	285,700	1,333,800	-	-	-	1,619,500
P-3040-0027	(4)	2021	Grand Ave., Jonathon Ave. to Bellflower; Cherry Valley Blvd. Bellflower to HS Village 12 in	-	1,112,500	-	-	-	1,112,500
P-3040-0027	(2)	2022	Pipeline 7 (Portion of P-3040-0027)	155,100	-	-	-	-	155,100
P-3620-0001	(2)	2021	"B" Line Upper Edgar to upper end of 20" DIP and from lower end 20" DIP to Balance line and Balance Line in Edgar Canyon	1,688,500	552,400	-	-	-	2,240,900
P-3620-0002		2024	"A" Line Upper Edgar to split at Apple Tree Lane Tract	-	487,000	2,025,500	-	-	2,512,500
P-3620-0012	(2)	2017	Ave Altejo Bella, Ave Miravilla to end of cul-de-sac	278,000	-	-	-	-	278,000
P-3620-0015	(2)	2017	Appletree Ln, B line to Oak Glen Rd	762,600	-	-	-	-	762,600
Total Potable Pipeline Replacements				6,868,700	5,158,500	3,931,700	3,363,600	293,500	19,616,000



Beaumont-Cherry Valley Water District
2023-2027 Capital Improvement Budget
Appendix C
2023 - 2027 Capital Improvement Budget Detail

Engineering Project	Footnotes	Project Begin Year	Capital Improvement Program	2023 Budget Request	2024 Budget Request	2025 Budget Request	2026 Budget Request	2027 Budget Request	5-Year Budget Total
IT Network Infrastructure Projects									
IT-NETW-0006	(1),(5)	Ongoing	Workstation Replacement project	22,700	22,500	22,500	22,500	22,500	112,700
IT-NETW-0011	(1)	Ongoing	Server Room Uninterrupted Power Source	50,900	-	-	-	-	50,900
IT-NETW-0013	(1)	Ongoing	Servers and Related Equipment (4 per year, 3 year life, \$15K per server)	60,000	60,000	60,000	60,000	60,000	300,000
IT-NETW-0014		2025	Network Infrastructure and Equipment (Network Switches, Firewall Appliances, SAN Storage, Tape/Backup Storage, Power Capacity)	-	-	85,000	-	-	85,000
Total IT Network Infrastructure Projects				133,600	82,500	167,500	82,500	82,500	548,600
IT SCADA/AMR Infrastructure Projects									
IT-SCAD-0001	(5)	2023	SCADA Improvement Project	2,562,700	640,700	-	-	-	3,203,400
IT-SCAD-0002	(5)	N/A	Wonderware SCADA Phase 2 Project	(268,500)	-	-	-	-	(268,500)
IT-SCAD-0003	(5)	N/A	Wonderware SCADA Phase 3 Project	(153,700)	-	-	-	-	(153,700)
IT-SCAD-0007		2024	Back- End SCADA Software and Equipment	-	270,000	-	-	-	270,000
IT-AMR-0001		2019	AMR / AMI Deployment Project	1,205,500	-	-	-	-	1,205,500
IT-AMR-0002		Ongoing	New Development Meters	425,200	425,200	425,200	425,200	425,200	2,126,000
Total IT SCADA/AMR Infrastructure Projects				3,771,200	1,335,900	425,200	425,200	425,200	6,382,700
IT/Field Operations/Administation Projects									
IT-ADMN-0001		2017	Laser-Fishe Digitized Fileroom Project	33,200	33,200	-	-	-	66,400
IT-ADMN-0003		2018	Front Office Space Reconfiguration & Furniture Replacement	7,900	7,900	7,900	-	-	23,700
Total IT Field Operations/Administation Projects				41,100	41,100	7,900	-	-	90,100
Vehicles & Equipment									
VE-TRUK-0002		2026	2018 Ford F150 Reg Cab (Oct, 2017) Unit #34	-	-	-	21,800	-	21,800
VE-TRUK-0003		2027	2018 Ford F-150 Reg Cab (Sept, 2018) Unit #35	-	-	-	-	26,000	26,000
VE-TRUK-0004		2026	2018 Ford F250 Reg Cab 4 X 4 (Aug, 2017) Unit #33	-	-	-	33,200	-	33,200
VE-TRUK-0005		2026	2018 Ford F250 Reg Cab 4 X 4 (Aug, 2017) Unit #32	-	-	-	38,200	-	38,200
VE-TRUK-0006		2027	2018 Ford F-150 Reg Cab (Sept, 2018) Unit #36	-	-	-	-	26,000	26,000
VE-TRUK-0007		2027	2018 Ford F-150 Reg Cab (Sept, 2018) Unit #37	-	-	-	-	26,000	26,000
VE-TRUK-0010		2027	2018 Ford F-250 Super Cab XL 4x4 (Oct, 2018) Unit #38	-	-	-	-	43,600	43,600



Beaumont-Cherry Valley Water District
2023-2027 Capital Improvement Budget
Appendix C
2023 - 2027 Capital Improvement Budget Detail

Engineering Project	Footnotes	Project Begin Year	Capital Improvement Program	2023 Budget Request	2024 Budget Request	2025 Budget Request	2026 Budget Request	2027 Budget Request	5-Year Budget Total
VE-TRUK-0014	(1)	2022	2011 Ford F350 (Jan, 2011) Unit #17 (Appropriately Sized F-450)	60,000	-	-	-	-	60,000
VE-TRUK-0015	(2)	2022	GIS / Muck Truck (Freightliner Diesel) (May, 2004) Unit #8	207,300	-	-	-	-	207,300
VE-TRUK-0016		2022	Chevrolet Colorado 4X4	-	-	-	-	-	-
VE-TRUK-0017		2022	Chevrolet Colorado 4X4 (Recycled Water)	-	-	-	-	-	-
VE-TRUK-0018	(1)	2022	2012 Ford F-350 Super Duty Unit #4 (Appropriately Sized F-450)	60,000	-	-	-	-	60,000
VE-HEAV-0003		2022	Large Trailer for Heavy Equipment Transport	-	-	-	-	-	-
VE=EQIP-0001	(2)	2022	Air Compressor (May, 1998)	19,800	-	-	-	-	19,800
VE-EQIP-0002		2025	Ingersoll Rand Air Compressor (Dec, 2008)	-	-	19,800	-	-	19,800
VE=EQIP-0003		2027	Water Buffalo (Feb, 2018)	-	-	-	-	10,000	10,000
Total Vehicles & Equipment				347,100	-	19,800	93,200	131,600	591,700
Non-Potable Infrastructure Projects									
NEO-0000-0001	(1)	2019	Recycled Water Conversion and Implementation	691,800	-	-	-	-	691,800
NT-2400-0001		2023	100,000 Gallon 2400 PZ Non-Potable Tank	60,000	54,600	172,800	-	-	287,400
NR-2600-0001		2027	2600 Zone Non-Potable Regulation and Metering Station_0001	-	-	-	-	124,300	124,300
NR-2600-0002	(3)	2023	2600 Zone Non-Potable Regulation and Metering Station_0002	109,700	267,500	-	-	-	377,200
NBP-2600-0001		2024	Non-Potable Booster Pump Station at CoB Wastewater Treatment Plant	-	960,200	2,342,300	-	-	3,302,500
NBP-2600-0002		2024	Non-Potable Booster Pump Station at CoB Wastewater Treatment Plant Expansion	-	177,500	432,900	-	-	610,400
NR-2800-0001	(3)	2023	2800 Zone Non-Potable Regulation and Metering Station_0001	40,000	399,200	425,800	-	-	865,000
NR-2800-0002	(3)	2023	2800 Zone Non-Potable Regulation and Metering Station_0002	40,000	399,200	425,800	-	-	865,000
NT-2800-0001		2023	2 MG 2800 PZ Non-Potable Tank	250,000	1,887,000	503,700	1,643,300	-	4,284,000
NBP-2800-0001		2026	2800 Zone Non-potable Booster Pump Station at the Noble Creek Recharge Facilities	-	-	-	596,700	250,000	846,700
Total Non-Potable Infrastructure Projects				1,191,500	4,145,200	4,303,300	2,240,000	374,300	12,254,300
Non-Potable Pipeline Projects									
NP-2600-0001	(3)	2023	Oak Valley Parkway, from westerly end of existing 24" waterline, west to the existing City of Beaumont Lift station/ Tukwet Canyon Golf Course maintenance yard.	789,100	-	-	-	-	789,100
NP-2600-0002	(3)	2023	Oak Valley Parkway, from the west end of NP-2600-0001, west to the existing 16" waterline in Tukwet canyon Parkway.	1,663,100	-	-	-	-	1,663,100
NP-2600-0004		2025	In-Tract within a future Planning Area of the Fairway Canyon Development. In Sorenstam Drive, from the northwest end of NP-2600-0003 (future Park Site) to to NR-2600-0001 at the 2400 Zone Tank Site .	-	-	463,300	-	-	463,300
NP-2600-0005		2026	From the NR-2800-0004, along Cherry Valley Blvd west to I-10 freeway.	-	-	-	2,977,300	-	2,977,300
NP-2600-0006		2027	From the end of NP-2600-0005, west across the bridge along Cherry Valley Blvd crossing I-10 freeway	-	-	-	-	1,843,200	1,843,200
NP-2600-0009		2025	Along the future alignment of Potrero Blvd, from 4th Street south to NP-2600-0008.	-	-	1,327,400	-	-	1,327,400
NP-2800-0001		2024	In Beaumont Summit Station (Formerly Sunny Cal Egg Ranch), Cherry Valley Blvd to Brookside Ave	-	1,708,300	-	-	-	1,708,300
NP-2800-0002		2027	California Ave., 1st Street south to Hwy 79	-	-	-	-	1,471,300	1,471,300

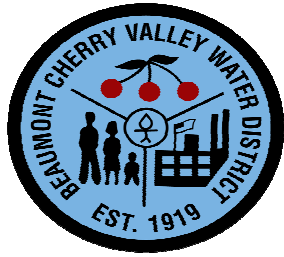


Beaumont-Cherry Valley Water District
2023-2027 Capital Improvement Budget
Appendix C
2023 - 2027 Capital Improvement Budget Detail

Engineering Project	Footnotes	Project Begin Year	Capital Improvement Program	2023 Budget Request	2024 Budget Request	2025 Budget Request	2026 Budget Request	2027 Budget Request	5-Year Budget Total
NP-2800-0006		2024	In CoB WWTP site, from 2600 to 2800 Zone Booster Pump (NPB 2600-0001) to 4th St.	-	608,900	-	-	-	608,900
NP-2800-0007		2024	1st St, from Commerce Way east to Highland Springs Ave	-	776,800	-	-	-	776,800
NP-2800-0008		2024	Highland Springs Ave, 2nd St to 1st St.	-	363,400	-	-	-	363,400
NP-2800-0009		2027	Within Palm Ave, Crossing 6th Street to connect existing waterlines	-	-	-	-	142,000	142,000
NP-2800-0010		2027	Noble Cr. Meadows, Cougar Way to Oak Valley Pkwy	-	-	-	-	371,200	371,200
NP-2800-0012		2027	Oak Valley Pkwy, from Oak View Dr. east to 750 ft w/o Elm Ave.	-	-	-	-	782,700	782,700
NP-2800-0016		2025	7th Street from Veile Ave southwest to California Ave	-	-	499,800	-	-	499,800
NP-2800-0017		2025	Along Oak Valley Pkwy from Palm Ave to Cherry Ave	-	-	676,300	-	-	676,300
NP-2800-0020		2025	Along 4th Street from Veile Ave to Rangel Park	-	-	288,800	-	-	288,800
NP-3000-0001		2025	At the NCRF Phase II Site, from NT-2800-0001 south to Lincoln Street.	-	-	308,800	-	-	308,800
NP-3000-0002		2026	In Lincoln Street, from NCRF Phase II Site east to Bellflower Avenue.	-	-	-	2,002,300	-	2,002,300
Total Non-Potable Pipeline Projects				2,452,200	3,457,400	3,564,400	4,979,600	4,610,400	19,064,000
Total Capital Improvement Program				\$ 32,219,900	\$ 27,660,000	\$ 26,608,900	\$ 23,929,200	\$ 13,702,000	\$ 124,120,000
			Capacity Charges	10,743,300	13,793,300	13,252,600	14,792,100	9,744,500	62,325,800
			Cap. Repl. Res.	15,543,700	11,720,500	11,472,200	8,711,900	1,689,800	49,138,100
			Developer	2,264,300	1,279,400	1,884,100	425,200	2,267,700	8,120,700
			Other	3,668,600	866,800	-	-	-	4,535,400
Total Capital Improvement Program by Funding Source				\$ 32,219,900	\$ 27,660,000	\$ 26,608,900	\$ 23,929,200	\$ 13,702,000	\$ 124,120,000

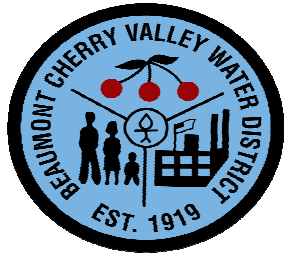
Footnotes

- (1)*Additional funding for converting the Equipment Storage Building to an Inventory Warehouse for \$135,000 approved by Board on 10/27/22
- (1)Project was begun in prior year(s) or approved by Board to begin, ongoing
- (2)Ongoing project. Contract for either design, engineering, or construction has been or is anticipated to be signed by end of 2022, or project may be completed (or purchase made) by end of 2022. Funds have not been spent as of September 30, 2022
- (3)Project is expected to be initiated in 2023
- (4)Includes Capital Replacement Reserve funded portion of MDP Line 16 Replacement Pipelines
- (5)Project is ongoing, all have been reconciled as one project
- (6)Grant funding of \$1.5M requested. Schedule is dependent on receiving grant funding



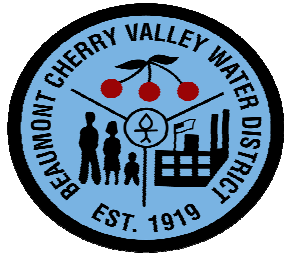
Beaumont-Cherry Valley Water District
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(Amended)

Engineering Project	Footnotes	Project Begin Year	Capital Improvement Program	2023 Budget Request	2024 Budget Request	2025 Budget Request	2026 Budget Request	2027 Budget Request	5-Year Budget Total
Potable Infrastructure Projects									
EOC-001	(1)*	2020	BCVWD EOC Staffing and Space Requirements	\$ 1,135,000	\$ 760,000	\$ -	\$ -	\$ -	\$ 1,895,000
DPX-001	(1)	2020	Disaster Preparedness Equipment	466,100	233,100	233,100	-	-	932,300
WR-SITES-Reser	(1)	2017	Investment in Sites Reservoir Project	93,700	519,600	866,100	1,039,300	1,385,700	3,904,400
	(1)	2020	2020 Capacity Charge Study	-	-	-	-	-	-
	(1)	2019	Climate Control for High Horsepower Electrical Buildings	56,700	-	-	-	-	56,700
	(1)	2019	Arc Flash Study & Improvement Project	66,500	-	-	-	-	66,500
M-0000-0002	(1)	2017	Chlorination Retrofit At Misc. Wells (6 Well Sites)	97,500	-	-	-	-	97,500
PR-2650-0001		2027	2650 to 2520 Zone Pressure Regulator on Champions Dr._0001	-	-	-	-	121,100	121,100
W-2650-0001		2027	New 2650 Zone Well_0001	-	-	-	-	2,604,500	2,604,500
BP-2750-0001	(3)	2023	2750 Zone to 2850 Zone Booster Pump Station	300,000	953,200	1,495,100	1,630,100	-	4,378,400
M-2750-0001		2017	2850/2750 Pressure Reducing Station & Piping (Cherry Reservoir)	-	-	65,100	-	-	65,100
TM-2750-0001	(2)	2022	Cherry Reservoir 1 & 2 Exterior Recoat and Retrofit	724,400	-	-	-	-	724,400
W-2750-0001	(1)	2017	Replacement for Well 2	1,500,000	1,299,700	2,056,000	2,275,800	-	7,131,500
W-2750-0002	(1)	2017	2750 Zone Well in Noble Creek Regional Park	100,000	1,500,000	3,266,200	3,524,900	-	8,391,100
W-2750-0005	(1)	2017	Replace 2750 Zone Well 1	1,807,900	713,900	1,145,000	1,298,000	-	4,964,800
BP-2850-0001	(2)	2023	2850 Zone to 3040 Zone Booster Pump Station_0001	430,100	2,004,100	2,145,200	-	-	4,579,400
TM-2850-0001	(2)	2022	Vineland 1 Exterior Recoat and Retrofit	310,300	-	-	-	-	310,300
W-2850-0001	(3)	2023	New Beaumont Basin Well on Pardee Sundance Site	1,750,000	1,533,200	2,425,100	2,683,800	-	8,392,100
WT-2850-001		2027	Well Head Treatment Plant Well 25 Cr VI	-	-	-	-	619,100	619,100
BP-3040-0001	(3)	2023	3040 to 3330 Booster Pump Station at Noble Tank_0001	244,100	400,000	-	-	2,122,300	2,766,400
M-3040-0002	(1)	2017	Noble Booster Pump and Motor(Spare Pump & Motor)	27,400	-	-	-	-	27,400
T-3040-0001 Tank	(1)	2017	2 MG 3040 Zone Tank_0001	3,418,600	731,200	-	-	-	4,149,800
T-3040-0001 PZ									
Pipeline	(1)	2017	Pressure Zone Pipeline	1,936,100	414,100	-	-	-	2,350,200
TM-3040-0001	(1)	2022	Highland Springs Reservoir Recoat & Retrofit	70,000	94,900	299,000	-	-	463,900
PR-3330-0001		2024	3330 to 3150 Lower Mesa, Noble Regulator	-	88,100	-	-	-	88,100
TM-3330-0001	(2)	2022	Lower Edgar Reservoir Recoat & Retrofit	817,000	-	-	-	-	817,000
PR-3620-0001	(1)	2022	3620 to 3330 Fisher Pressure Regulator_0001	-	-	193,200	-	-	193,200
BP-HS-0001		2026	Add 3rd Booster Pump and Fire Pump at HS Hydropneumatic	-	-	-	293,200	-	293,200
WR		2027	Improvements to Eighth St., Cherry and Starlight Basins	-	-	-	-	738,200	738,200
WR		2027	Marshall Creek Stormwater Capture	-	-	-	-	96,800	96,800
WR		2027	Beaumont Ave and Brookside Ave Stormwater Metering	-	-	-	-	96,800	96,800
WR	(2)	2017	Grand Avenue Storm Drain (MDP Line 16)	2,063,100	2,194,300	-	-	-	4,257,400
Total Potable Infrastructure Projects				17,414,500	13,439,400	14,189,100	12,745,100	7,784,500	65,572,600



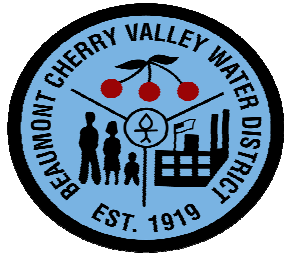
Beaumont-Cherry Valley Water District
2023-2027 Capital Improvement Budget
Appendix C
2023 - 2027 Capital Improvement Budget Detail
(Amended)

Engineering Project	Footnotes	Project Begin Year	Capital Improvement Program	2023 Budget Request	2024 Budget Request	2025 Budget Request	2026 Budget Request	2027 Budget Request	5-Year Budget Total
Potable Pipeline Replacements									
P-2750-0025		2024	Maple Ave., 1st St to 3rd St	-	66,500	276,800	-	-	343,300
P-2750-0035		2025	Allegheny St., 6th to 8th	-	-	50,300	209,400	-	259,700
P-2750-0045		2025	7th St., California Ave. to Beaumont Ave.	-	-	107,300	446,400	-	553,700
P-2750-0049		2025	10th St., Palm Ave. to Michigan Ave.	-	-	53,400	222,300	-	275,700
P-2750-0050		2025	Orange Ave., 8th St to 10th st	-	-	129,800	540,000	-	669,800
P-2750-0056	(2)	2022	11th Street, Beaumont Avenue to Elm Avenue	275,500	1,145,800	-	-	-	1,421,300
P-2750-0057		2025	Magnolia Ave., 7th to 8th	-	-	39,200	163,200	-	202,400
P-2750-0058		2025	Wellwood Ave., B St north to end	-	-	10,700	44,700	-	55,400
P-2750-0066		2024	Egan Ave.-Wellwood Ave. Alley, 5th to 8th St	-	88,500	368,000	-	-	456,500
P-2750-0067		2024	Elm Ave.-Wellwood Ave. Alley, 7th St. to 5th St.	-	37,200	154,600	-	-	191,800
P-2750-0068		2024	Elm Ave., 6th to 7th	-	23,400	97,300	-	-	120,700
P-2750-0069	(1)	2017	Egan Ave-California Ave. Alley, 5th to 7th	-	-	173,500	-	-	173,500
P-2750-0070		2026	Twelfth St., Michigan Ave. to Pennsylvania Ave.	-	-	-	70,600	293,500	364,100
P-2750-0087		2025	Beaumont 5th to 6th (Abandon pipeline)	-	-	44,500	-	-	44,500
P-2750-0091		2023	Elm Avenue, W 4th Street south to end of cul-de-sac	60,000	237,850				297,850
P-2750-0092	(2)	2022	Michigan Avenue, 5th Street to 6th Street	74,900	311,400	-	-	-	386,300
P-2750-0095	(2)	2022	American Avenue, 6th Street to 8th Street	818,500	-	-	-	-	818,500
P-2750-0096	(2)	2022	2022-2023 Service Replacements	652,000	-	-	-	-	652,000
P-2750-0097	(2)	2022	5th Street, California Avenue to Michigan Avenue	1,745,200	-	-	-	-	1,745,200
P-3040-0007		2025	Lincoln St. Cherry Ave to Jonathan Ave	-	-	95,100	395,500	-	490,600
P-3040-0010		2025	Jonathan Ave., Brookside Ave. to Dutton St.	-	-	305,700	1,271,500	-	1,577,200
P-3040-0019	(2)	2022	Pipeline 6A (Portion of P-3040-0019)	46,200	-	-	-	-	46,200
P-3040-0019a	(2)	2022	Pipeline 8 (Noble St. to El Monte)	86,500	-	-	-	-	86,500
P-3040-0023,24,25,26									
P-3620-0009	(2)	2020	2020-2021 Replacement Pipelines	285,700	1,333,800	-	-	-	1,619,500
P-3040-0027	(4)	2021	Grand Ave., Jonathon Ave. to Bellflower; Cherry Valley Blvd. Bellflower to HS Village 12 in	-	1,112,500	-	-	-	1,112,500
P-3040-0027	(2)	2022	Pipeline 7 (Portion of P-3040-0027)	155,100	-	-	-	-	155,100
P-3620-0001	(2)	2021	"B" Line Upper Edgar to upper end of 20" DIP and from lower end 20" DIP to Balance line and Balance Line in Edgar Canyon	1,688,500	552,400	-	-	-	2,240,900
P-3620-0002		2024	"A" Line Upper Edgar to split at Apple Tree Lane Tract	-	487,000	2,025,500	-	-	2,512,500
P-3620-0012	(2)	2017	Ave Altejo Bella, Ave Miravilla to end of cul-de-sac	278,000	-	-	-	-	278,000
P-3620-0015	(2)	2017	Appletree Ln, B line to Oak Glen Rd	762,600	-	-	-	-	762,600
Total Potable Pipeline Replacements				6,928,700	5,396,350	3,931,700	3,363,600	293,500	19,913,850



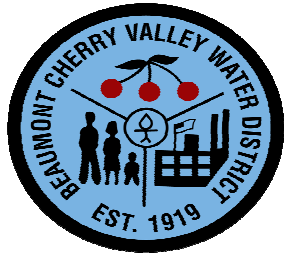
Beaumont-Cherry Valley Water District
2023-2027 Capital Improvement Budget
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2023 - 2027 Capital Improvement Budget Detail
(Amended)

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IT Network Infrastructure Projects									
IT-NETW-0006	(1),(5)	Ongoing	Workstation Replacement project	22,700	22,500	22,500	22,500	22,500	112,700
IT-NETW-0011	(1)	Ongoing	Server Room Uninterrupted Power Source	50,900	-	-	-	-	50,900
IT-NETW-0013	(1)	Ongoing	Servers and Related Equipment (4 per year, 3 year life, \$15K per server)	60,000	60,000	60,000	60,000	60,000	300,000
IT-NETW-0014		2025	Network Infrastructure and Equipment (Network Switches, Firewall Appliances, SAN Storage, Tape/Backup Storage, Power Capacity)	-	-	85,000	-	-	85,000
Total IT Network Infrastructure Projects				133,600	82,500	167,500	82,500	82,500	548,600
IT SCADA/AMR Infrastructure Projects									
IT-SCAD-0001	(5)	2023	SCADA Improvement Project	2,562,700	640,700	-	-	-	3,203,400
IT-SCAD-0002	(5)	N/A	Wonderware SCADA Phase 2 Project	(268,500)	-	-	-	-	(268,500)
IT-SCAD-0003	(5)	N/A	Wonderware SCADA Phase 3 Project	(153,700)	-	-	-	-	(153,700)
IT-SCAD-0007		2024	Back- End SCADA Software and Equipment	-	270,000	-	-	-	270,000
IT-AMR-0001		2019	AMR / AMI Deployment Project	1,205,500	-	-	-	-	1,205,500
IT-AMR-0002		Ongoing	New Development Meters	425,200	425,200	425,200	425,200	425,200	2,126,000
Total IT SCADA/AMR Infrastructure Projects				3,771,200	1,335,900	425,200	425,200	425,200	6,382,700
IT/Field Operations/Administation Projects									
IT-ADMN-0001		2017	Laser-Fishe Digitized Fileroom Project	33,200	33,200	-	-	-	66,400
IT-ADMN-0003		2018	Front Office Space Reconfiguration & Furniture Replacement	7,900	7,900	7,900	-	-	23,700
Total IT Field Operations/Administation Projects				41,100	41,100	7,900	-	-	90,100
Vehicles & Equipment									
VE-TRUK-0002		2026	2018 Ford F150 Reg Cab (Oct, 2017) Unit #34	-	-	-	21,800	-	21,800
VE-TRUK-0003		2027	2018 Ford F-150 Reg Cab (Sept, 2018) Unit #35	-	-	-	-	26,000	26,000
VE-TRUK-0004		2026	2018 Ford F250 Reg Cab 4 X 4 (Aug, 2017) Unit #33	-	-	-	33,200	-	33,200
VE-TRUK-0005		2026	2018 Ford F250 Reg Cab 4 X 4 (Aug, 2017) Unit #32	-	-	-	38,200	-	38,200
VE-TRUK-0006		2027	2018 Ford F-150 Reg Cab (Sept, 2018) Unit #36	-	-	-	-	26,000	26,000
VE-TRUK-0007		2027	2018 Ford F-150 Reg Cab (Sept, 2018) Unit #37	-	-	-	-	26,000	26,000
VE-TRUK-0010		2027	2018 Ford F-250 Super Cab XL 4x4 (Oct, 2018) Unit #38	-	-	-	-	43,600	43,600



Beaumont-Cherry Valley Water District
2023-2027 Capital Improvement Budget
Appendix C
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(Amended)

Engineering Project	Footnotes	Project Begin Year	Capital Improvement Program	2023 Budget Request	2024 Budget Request	2025 Budget Request	2026 Budget Request	2027 Budget Request	5-Year Budget Total
VE-TRUK-0014	(1)	2022	2011 Ford F350 (Jan, 2011) Unit #17 (Appropriately Sized F-450)	60,000	-	-	-	-	60,000
VE-TRUK-0015	(2)	2022	GIS / Muck Truck (Freightliner Diesel) (May, 2004) Unit #8	207,300	-	-	-	-	207,300
VE-TRUK-0016		2022	Chevrolet Colorado 4X4	-	-	-	-	-	-
VE-TRUK-0017		2022	Chevrolet Colorado 4X4 (Recycled Water)	-	-	-	-	-	-
VE-TRUK-0018	(1)	2022	2012 Ford F-350 Super Duty Unit #4 (Appropriately Sized F-450)	60,000	-	-	-	-	60,000
VE-HEAV-0003		2022	Large Trailer for Heavy Equipment Transport	-	-	-	-	-	-
VE=EQIP-0001	(2)	2022	Air Compressor (May, 1998)	19,800	-	-	-	-	19,800
VE-EQIP-0002		2025	Ingersoll Rand Air Compressor (Dec, 2008)	-	-	19,800	-	-	19,800
VE=EQIP-0003		2027	Water Buffalo (Feb, 2018)	-	-	-	-	10,000	10,000
Total Vehicles & Equipment				347,100	-	19,800	93,200	131,600	591,700
Non-Potable Infrastructure Projects									
NEO-0000-0001	(1)	2019	Recycled Water Conversion and Implementation	691,800	-	-	-	-	691,800
NT-2400-0001		2023	100,000 Gallon 2400 PZ Non-Potable Tank	60,000	54,600	172,800	-	-	287,400
NR-2600-0001		2027	2600 Zone Non-Potable Regulation and Metering Station_0001	-	-	-	-	124,300	124,300
NR-2600-0002	(3)	2023	2600 Zone Non-Potable Regulation and Metering Station_0002	109,700	267,500	-	-	-	377,200
NBP-2600-0001		2024	Non-Potable Booster Pump Station at CoB Wastewater Treatment Plant	-	960,200	2,342,300	-	-	3,302,500
NBP-2600-0002		2024	Non-Potable Booster Pump Station at CoB Wastewater Treatment Plant Expansion	-	177,500	432,900	-	-	610,400
NR-2800-0001	(3)	2023	2800 Zone Non-Potable Regulation and Metering Station_0001	40,000	399,200	425,800	-	-	865,000
NR-2800-0002	(3)	2023	2800 Zone Non-Potable Regulation and Metering Station_0002	40,000	399,200	425,800	-	-	865,000
NT-2800-0001		2023	2 MG 2800 PZ Non-Potable Tank	250,000	1,887,000	503,700	1,643,300	-	4,284,000
NBP-2800-0001		2026	2800 Zone Non-potable Booster Pump Station at the Noble Creek Recharge Facilities	-	-	-	596,700	250,000	846,700
Total Non-Potable Infrastructure Projects				1,191,500	4,145,200	4,303,300	2,240,000	374,300	12,254,300
Non-Potable Pipeline Projects									
NP-2600-0001	(3)	2023	Oak Valley Parkway, from westerly end of existing 24" waterline, west to the existing City of Beaumont Lift station/ Tukwet Canyon Golf Course maintenance yard.	789,100	-	-	-	-	789,100
NP-2600-0002	(3)	2023	Oak Valley Parkway, from the west end of NP-2600-0001, west to the existing 16" waterline in Tukwet canyon Parkway.	1,663,100	-	-	-	-	1,663,100
NP-2600-0004		2025	In-Tract within a future Planning Area of the Fairway Canyon Development. In Sorenstam Drive, from the northwest end of NP-2600-0003 (future Park Site) to to NR-2600-0001 at the 2400 Zone Tank Site .	-	-	463,300	-	-	463,300
NP-2600-0005		2026	From the NR-2800-0004, along Cherry Valley Blvd west to I-10 freeway.	-	-	-	2,977,300	-	2,977,300
NP-2600-0006		2027	From the end of NP-2600-0005, west across the bridge along Cherry Valley Blvd crossing I-10 freeway	-	-	-	-	1,843,200	1,843,200
NP-2600-0009		2025	Along the future alignment of Potrero Blvd, from 4th Street south to NP-2600-0008.	-	-	1,327,400	-	-	1,327,400
NP-2800-0001		2024	In Beaumont Summit Station (Formerly Sunny Cal Egg Ranch), Cherry Valley Blvd to Brookside Ave	-	1,708,300	-	-	-	1,708,300
NP-2800-0002		2027	California Ave., 1st Street south to Hwy 79	-	-	-	-	1,471,300	1,471,300



Beaumont-Cherry Valley Water District
2023-2027 Capital Improvement Budget
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(Amended)

Engineering Project	Footnotes	Project Begin Year	Capital Improvement Program	2023 Budget Request	2024 Budget Request	2025 Budget Request	2026 Budget Request	2027 Budget Request	5-Year Budget Total
NP-2800-0006		2024	In CoB WWTP site, from 2600 to 2800 Zone Booster Pump (NPB 2600-0001) to 4th St.	-	608,900	-	-	-	608,900
NP-2800-0007		2024	1st St, from Commerce Way east to Highland Springs Ave	-	776,800	-	-	-	776,800
NP-2800-0008		2024	Highland Springs Ave, 2nd St to 1st St.	-	363,400	-	-	-	363,400
NP-2800-0009		2027	Within Palm Ave, Crossing 6th Street to connect existing waterlines	-	-	-	-	142,000	142,000
NP-2800-0010		2027	Noble Cr. Meadows, Cougar Way to Oak Valley Pkwy	-	-	-	-	371,200	371,200
NP-2800-0012		2027	Oak Valley Pkwy, from Oak View Dr. east to 750 ft w/o Elm Ave.	-	-	-	-	782,700	782,700
NP-2800-0016		2025	7th Street from Veile Ave southwest to California Ave	-	-	499,800	-	-	499,800
NP-2800-0017		2025	Along Oak Valley Pkwy from Palm Ave to Cherry Ave	-	-	676,300	-	-	676,300
NP-2800-0020		2025	Along 4th Street from Veile Ave to Rangel Park	-	-	288,800	-	-	288,800
NP-3000-0001		2025	At the NCRF Phase II Site, from NT-2800-0001 south to Lincoln Street.	-	-	308,800	-	-	308,800
NP-3000-0002		2026	In Lincoln Street, from NCRF Phase II Site east to Bellflower Avenue.	-	-	-	2,002,300	-	2,002,300
Total Non-Potable Pipeline Projects				2,452,200	3,457,400	3,564,400	4,979,600	4,610,400	19,064,000
Total Capital Improvement Program				\$ 32,279,900	\$ 27,897,850	\$ 26,608,900	\$ 23,929,200	\$ 13,702,000	\$ 124,417,850
Capacity Charges				10,803,300	14,031,200	13,252,600	14,792,100	9,744,500	62,623,700
Cap. Repl. Res.				15,543,700	11,720,500	11,472,200	8,711,900	1,689,800	49,138,100
Developer				2,264,300	1,279,400	1,884,100	425,200	2,267,700	8,120,700
Other				3,668,600	866,800	-	-	-	4,535,400
Total Capital Improvement Program by Funding Source				\$ 32,279,900	\$ 27,897,900	\$ 26,608,900	\$ 23,929,200	\$ 13,702,000	\$ 124,417,900

Footnotes

- (1)* Additional funding for converting the Equipment Storage Building to an Inventory Warehouse for \$135,000 approved by Board on 10/27/22
- (1) Project was begun in prior year(s) or approved by Board to begin, ongoing
- (2) Ongoing project. Contract for either design, engineering, or construction has been or is anticipated to be signed by end of 2022, or project may be completed (or purchase made) by end of 2022. Funds have not been spent as of September 30, 2022
- (3) Project is expected to be initiated in 2023
- (4) Includes Capital Replacement Reserve funded portion of MDP Line 16 Replacement Pipelines
- (5) Project is ongoing, all have been reconciled as one project
- (6) Grant funding of \$1.5M requested. Schedule is dependent on receiving grant funding

Water Conditions Update



Finance & Engineering Workshop
April 17, 2023

**Weather
&
Reservoir
Conditions**

**Forecasted
Hydrologic
Conditions**

**DWR Snow
Surveys**

**SWP
Allocation &
Water
Portfolio**

**SWP
Deliveries &
Recharge**



Discussion

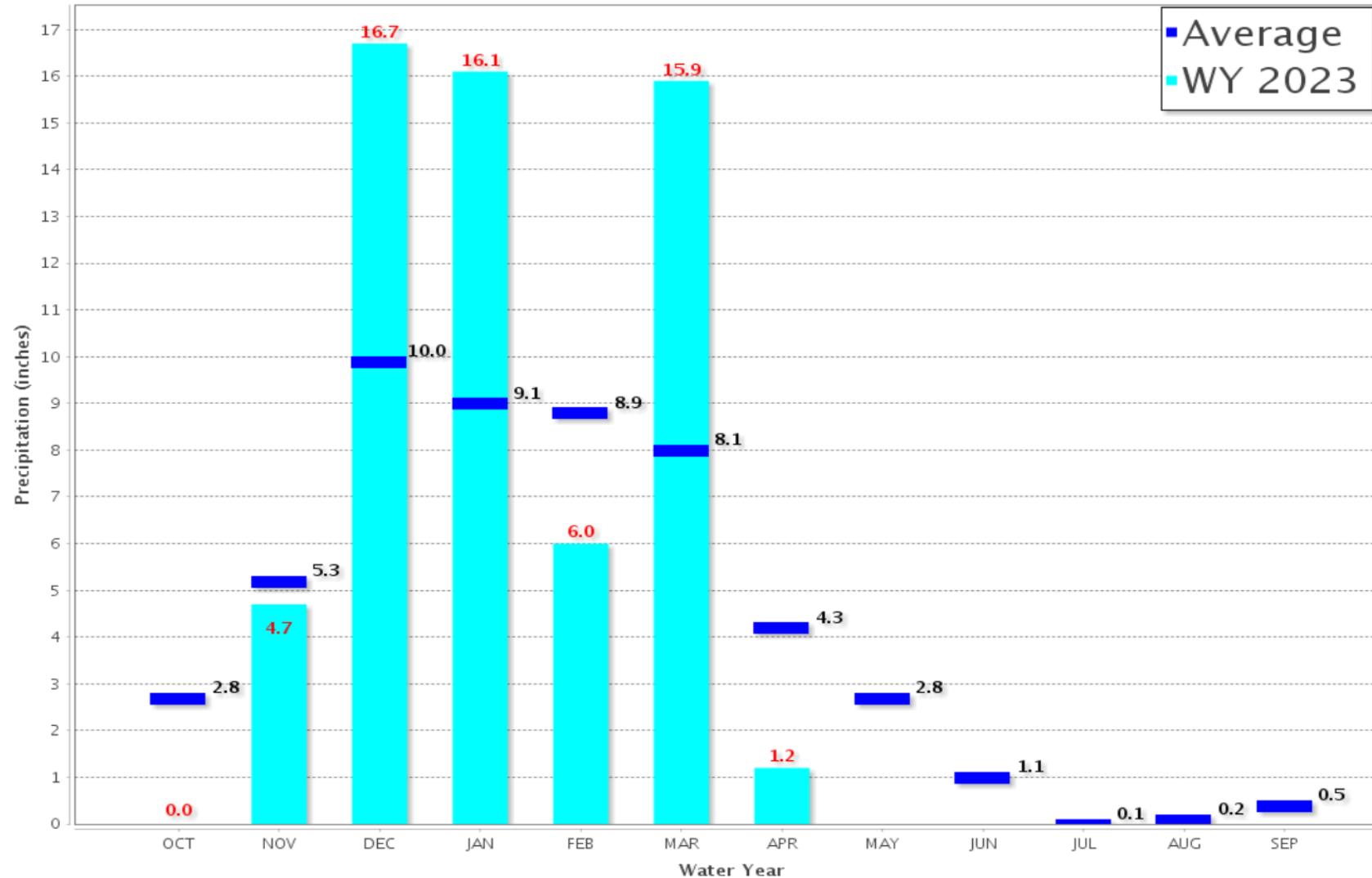


Northern Sierra 8-Station

Precipitation Index for Water Year 2023 – Updated on April 12, 2023 03:48 PM

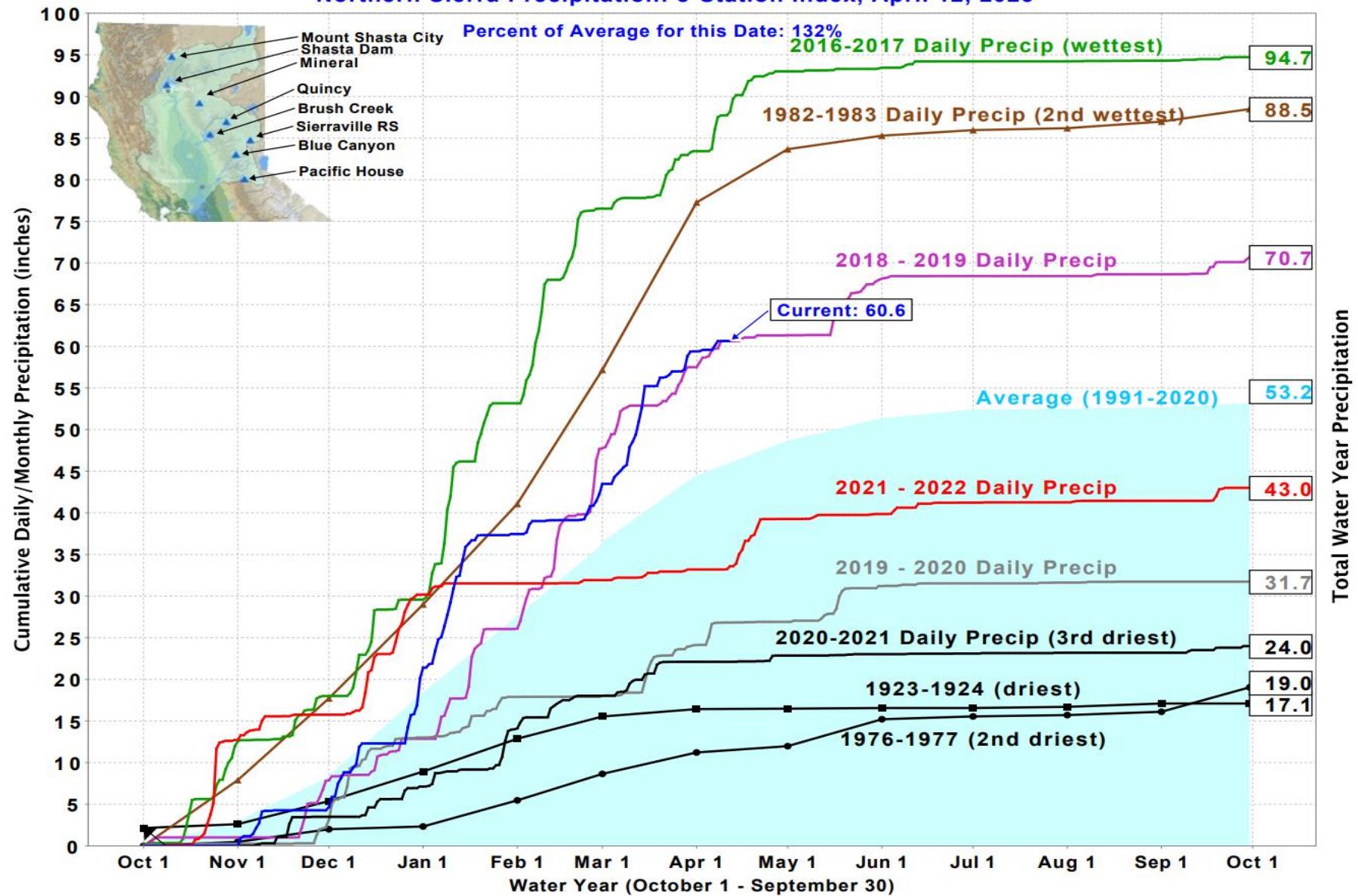
Note: Monthly totals may not add up to seasonal total because of rounding

Water Year Monthly totals are calculated based on Daily precipitation data from 12am to 12am PST



State Precipitation Stations – North Sierra





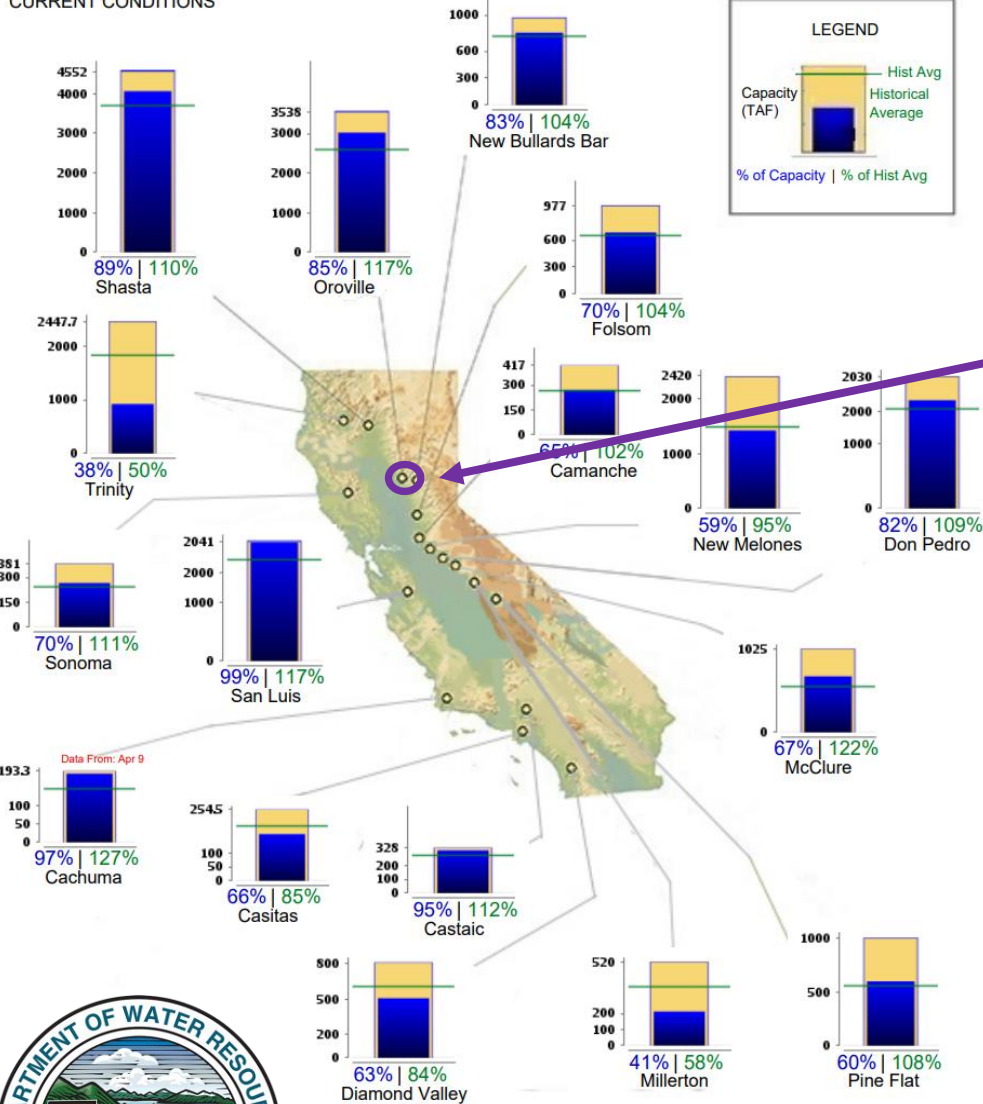
State Precipitation Stations – North Sierra



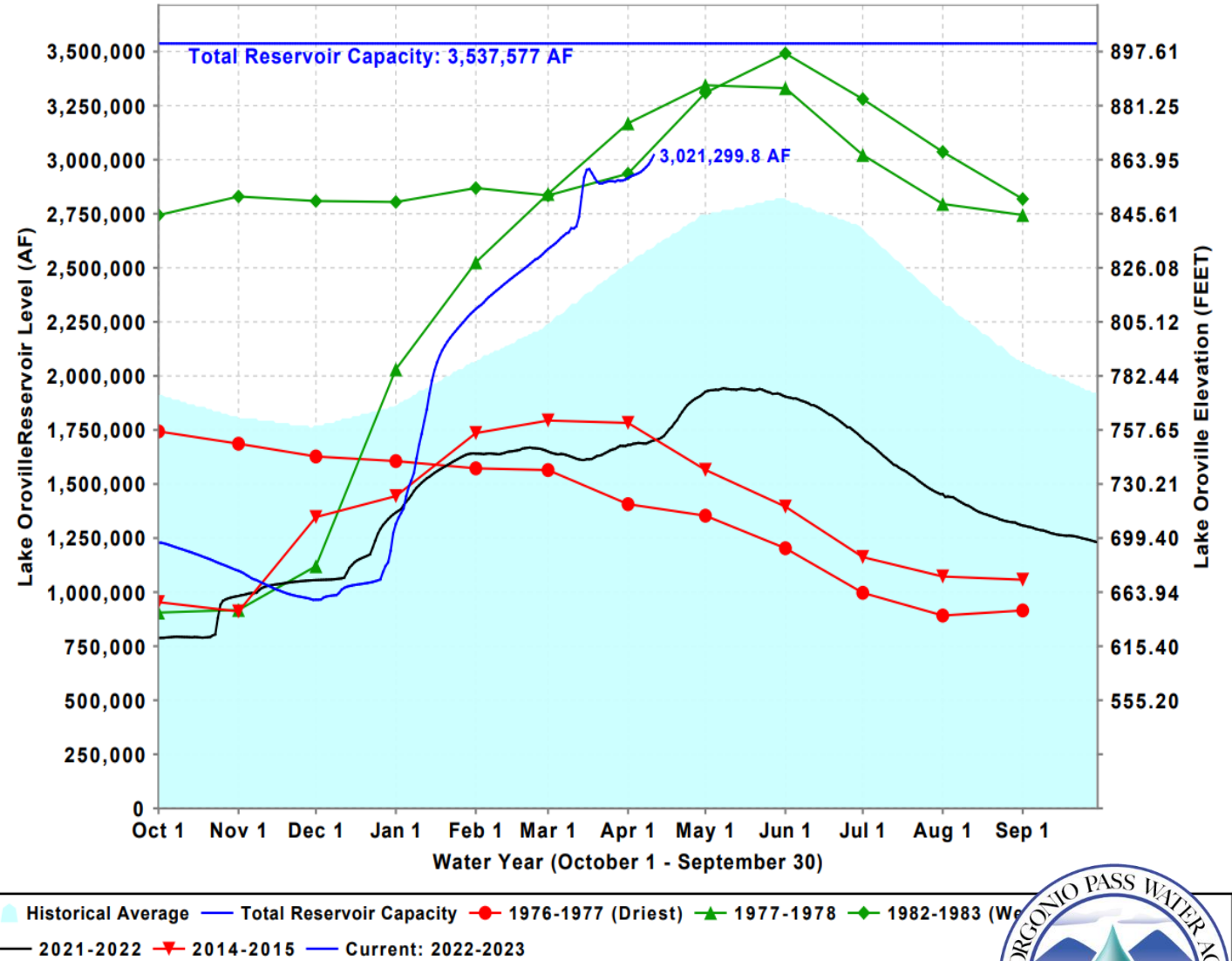
CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS

CURRENT CONDITIONS

Midnight - April 11, 2023



Lake Oroville Levels: Various Past Water Years and Current Water Year, Ending At Midnight April 11, 2023

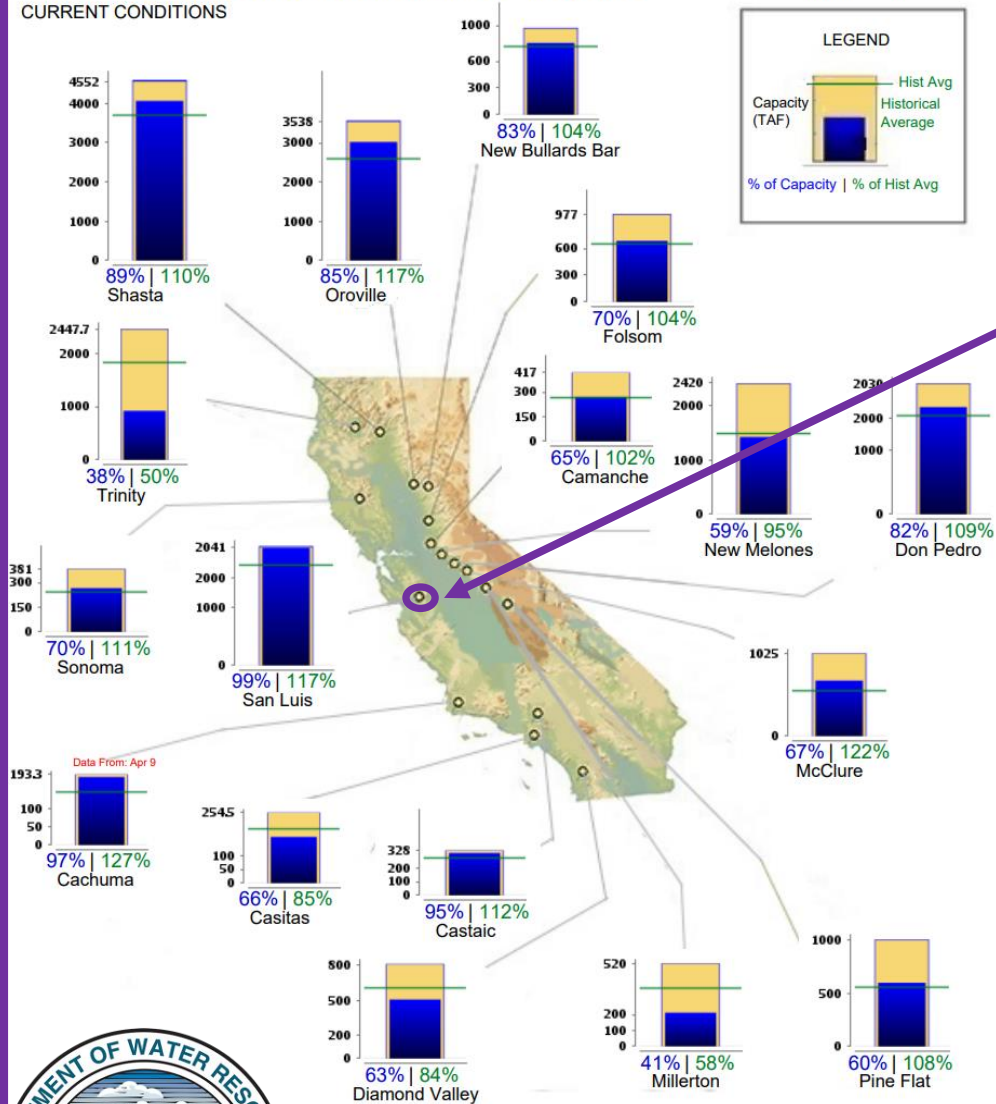


Lake Oroville Reservoir Levels

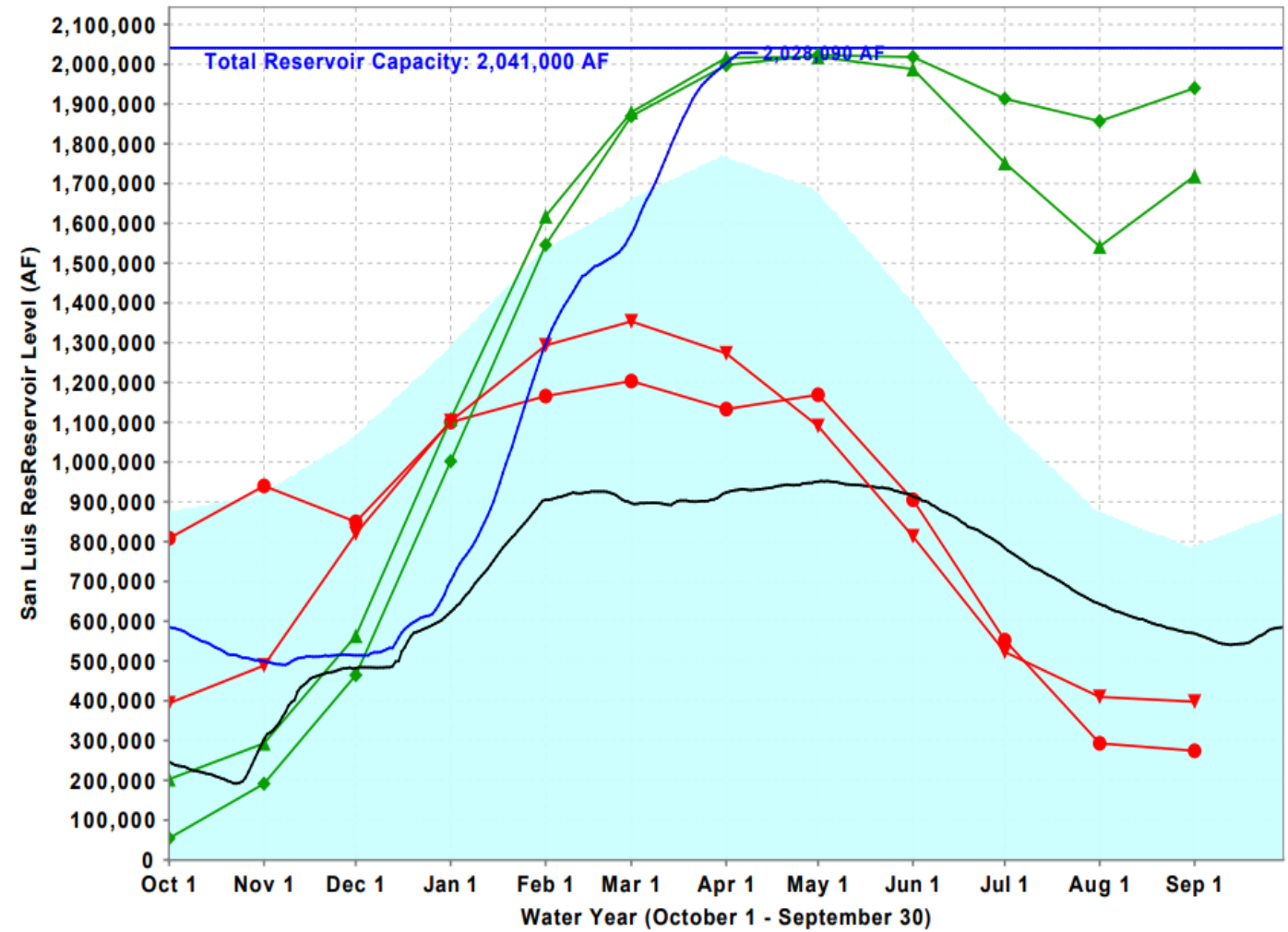
CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS

CURRENT CONDITIONS

Midnight - April 11, 2023



San Luis Res Levels: Various Past Water Years and Current Water Year, Ending At Midnight April 11, 2023



San Luis Reservoir Levels

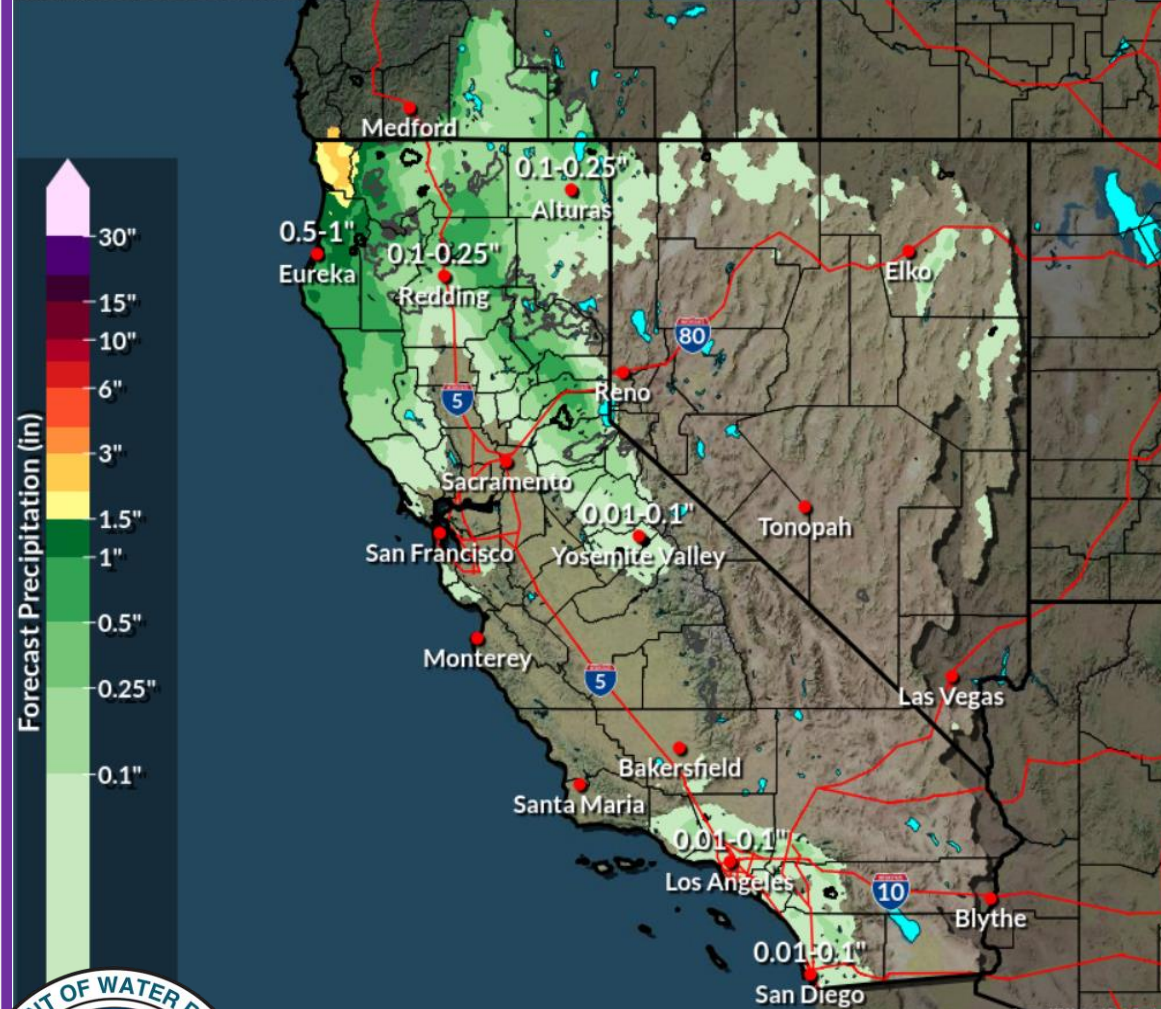


6-Day Forecast Precipitation

California Nevada
River Forecast Center

Thu Apr 13, 2023 5 AM PDT to Wed Apr 19, 2023 5 AM PDT

Issued Apr 13, 2023 7:13 AM PDT



www.cnrfc.noaa.gov

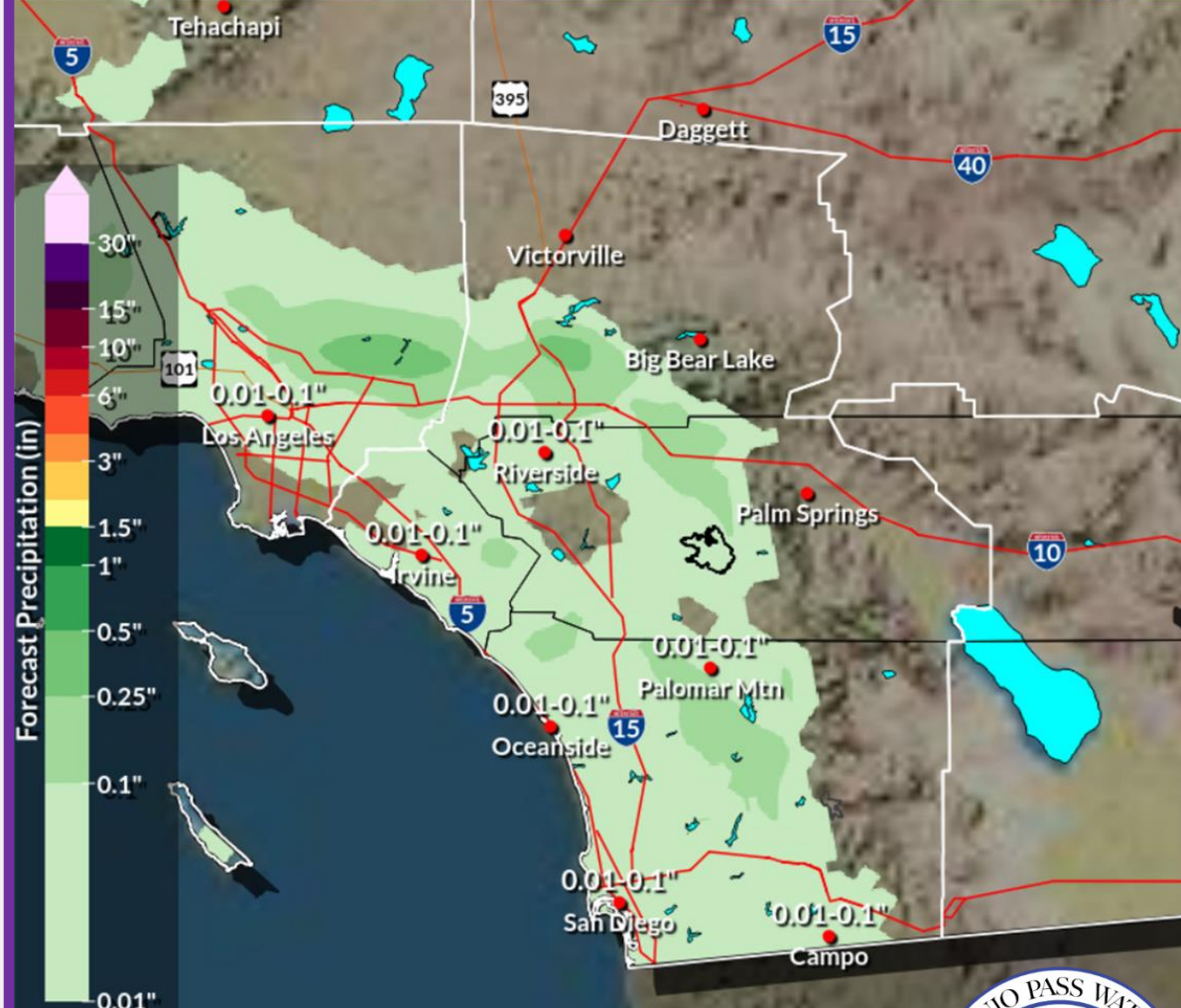


6-Day Forecast Precipitation

California Nevada
River Forecast Center

Thu Apr 13, 2023 5 AM PDT to Wed Apr 19, 2023 5 AM PDT

Issued Apr 13, 2023 7:14 AM PDT



f t y NWSCNRF



Forecasted Weather Conditions



CURRENT REGIONAL SNOWPACK FROM AUTOMATED SNOW SENSORS

% of April 1 Average / % of Normal for This Date



NORTH	
Data as of April 12, 2023	
Number of Stations Reporting	24
Average snow water equivalent (Inches)	58.4
Percent of April 1 Average (%)	196
Percent of normal for this date (%)	208

CENTRAL	
Data as of April 12, 2023	
Number of Stations Reporting	44
Average snow water equivalent (Inches)	62.1
Percent of April 1 Average (%)	233
Percent of normal for this date (%)	242

SOUTH	
Data as of April 12, 2023	
Number of Stations Reporting	25
Average snow water equivalent (Inches)	60.5
Percent of April 1 Average (%)	300
Percent of normal for this date (%)	317

STATE	
Data as of April 12, 2023	
Number of Stations Reporting	93
Average snow water equivalent (Inches)	60.7
Percent of April 1 Average (%)	236
Percent of normal for this date (%)	248

Statewide Average: 236% / 248%

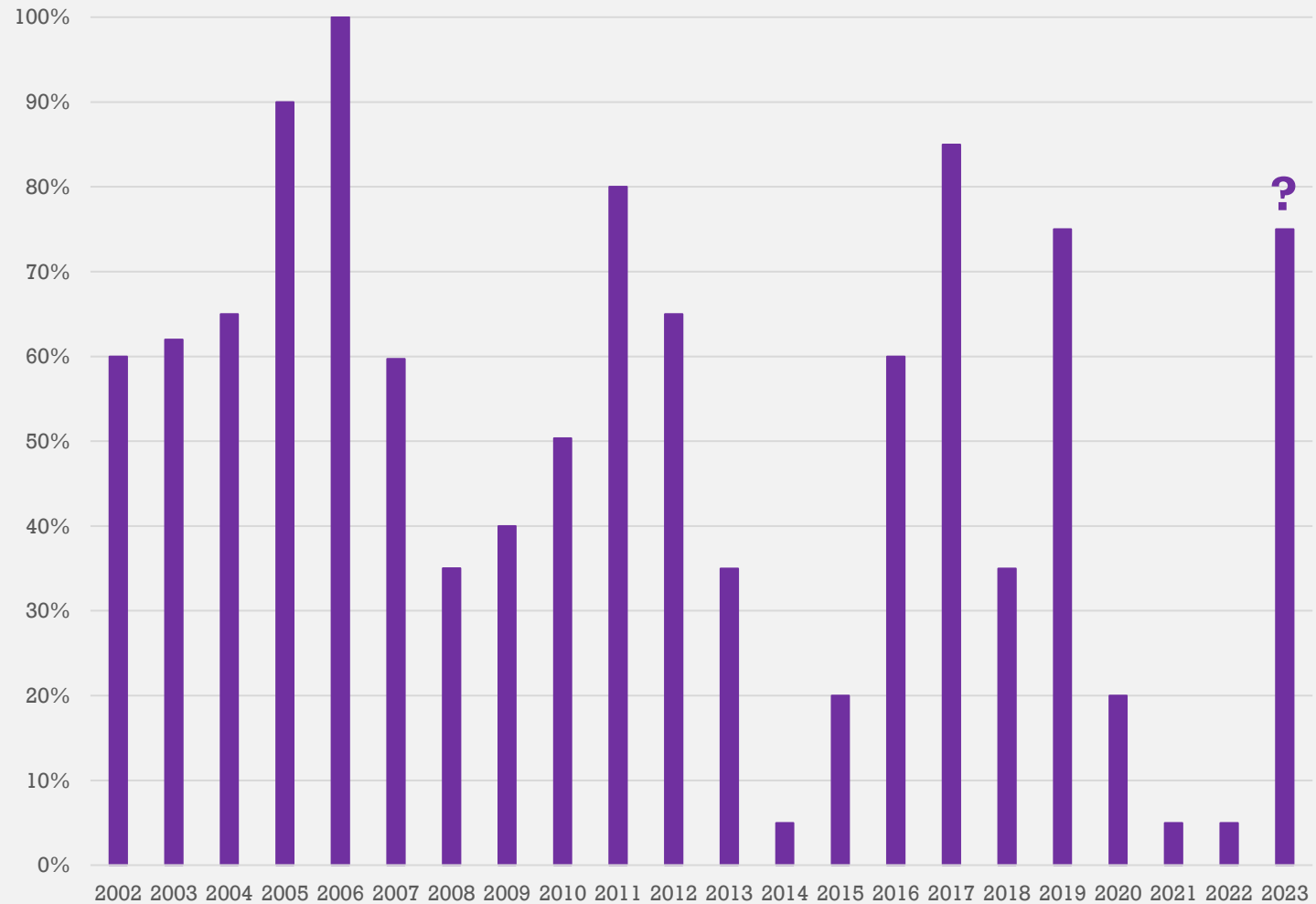


Sierra Nevada Mountain Snowpack

SGPWA Portfolio @ 75%		
Source	TOTAL (AF)	Delivered
SWP - Carryover	2,231	✓
SWP – CCWA Return Water	800	✓
SWP – City of Yuba Transfer	~500	✓
SWP – Article 21	~800 (to date)	✓
SWP - Table A	12,975	
SWP - Ventura	7,500	
Subtotal SWP	24,806	
Non-SWP - Nickel Water	1,700	
Total	26,506	

**Subject to Final Verification*

Historic SWP Allocations



2023 SWP Allocation & Portfolio Update



BCVWD Recharge Facilities



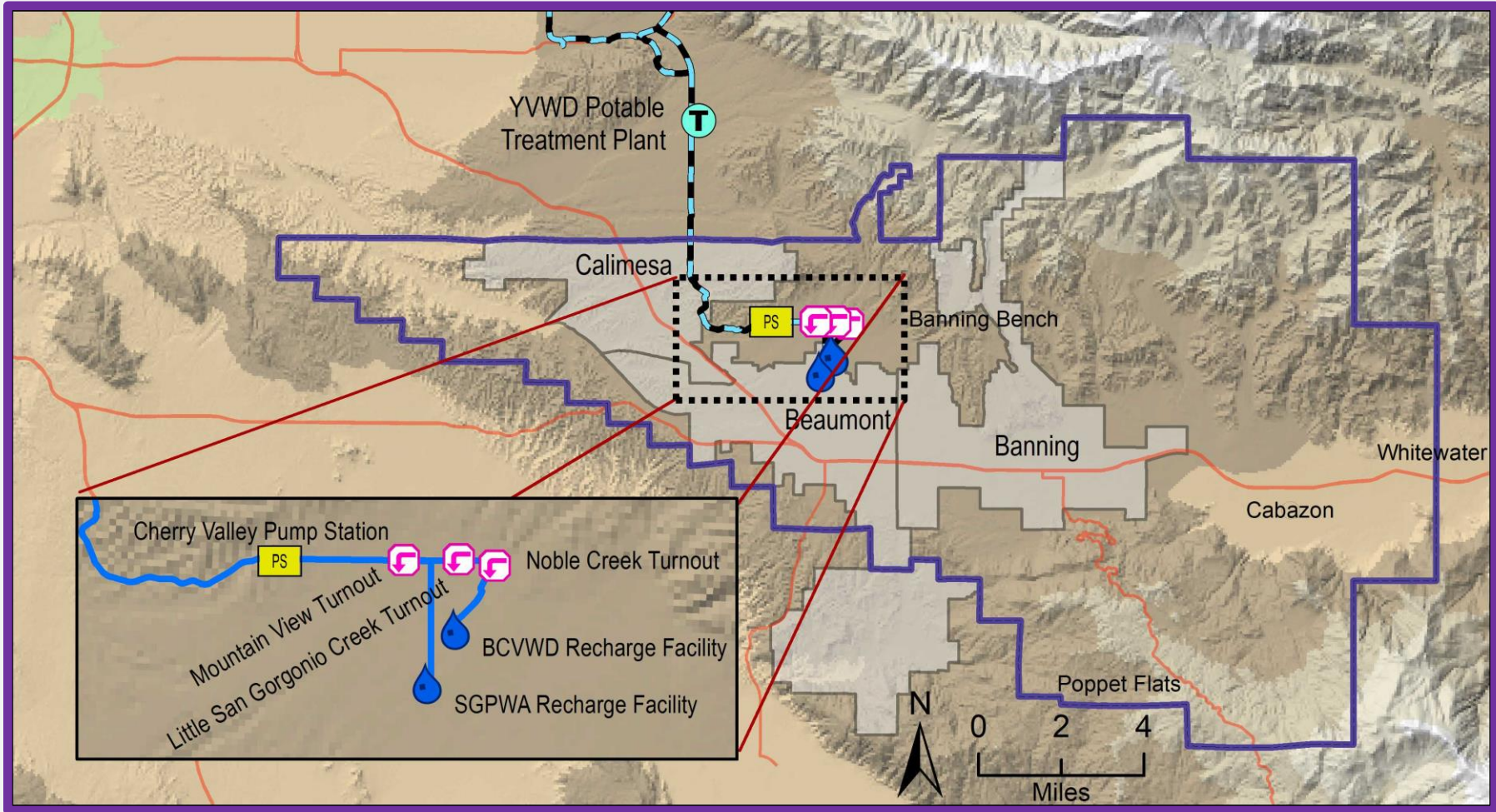
Brookside East Recharge Facility



April 2023 Recharge Activities

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	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total
Recharge	0	1,339	2,539	~2,000									5,878
Direct	0	0	0	0									0

*Estimated
*From Local Storage



Local Deliveries 2023 (acre-feet)



Newest Easter Mascot



**Beaumont-Cherry Valley Water District
Regular Board Meeting
April 27, 2023**

Item 8

Update: Legislative Action and Issues Affecting BCVWD

FEDERAL

NEWS: (CSDA updates April 2023) Congress voted to end the COVID-19 National Emergency effective April 10.

Congress returns from recess on April 17. The most important legislative items for Congress to address are the debt limit, the farm bill reauthorization, and the Federal Aviation Administration (FAA) reauthorization. All could have significant impacts for local government.

Focus on addressing the debt ceiling: Following exchanges in the press by President Biden and Speaker of the House Kevin McCarthy, a group of centrist Democrats and Republicans are working behind the scenes to create a potential backup plan for the \$31.4 trillion debt limit. The summer deadline has spurred some lawmakers into action, while the Biden administration has avoided conversations that include compromises or spending cuts. After McCarthy called for a meeting, the president responded by saying that he would not meet until House Republicans released a budget plan of their own. Negotiations are expected to be in earnest when the recess concludes.

PFAS regulations (article from CSDA 3/28/23) On March 14, following months of delay, the United States Environmental Protection Agency (EPA) announced the proposed National Primary Drinking Water Regulation (NPDWR) for six PFAS, including perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), perfluorononanoic acid (PFNA), hexafluoropropylene oxide dimer acid (HFPO-DA, commonly known as GenX Chemicals), perfluorohexane sulfonic acid (PFHxS), and perfluorobutane sulfonic acid (PFBS). EPA is proposing to establish legally enforceable levels, known as Maximum Contaminant Levels (MCLs) for the six PFAS in drinking water.

The scope of the regulated chemicals was a bit of a surprise, as EPA had previously indicated that PFOS and PFOA were the only categories of PFAS that would be regulated. It is notable that the other four may have particular significance as they represent chemicals that industry switched to after health concerns regarding PFOA and PFOS became clearer.

To read the full article, click here: https://www.csda.net/blogs/vanessa-gonzales/2023/03/28/pfas-drinking-water-proposed-rule-making-and-more?utm_source=informz&utm_medium=email&utm_campaign=electronic%20newsletter&zs=glAgM1&zl=Q4Q47

CHANGES MADE		NO CHANGES MADE	NEW SINCE LAST UPDATE
Issue	Status	Description	
HR 1 Lower Energy Costs Act	3/14/23 Introduced 3/30/23 Passed House	Aims to lower energy costs by increasing American energy production, exports, infrastructure, and critical minerals processing, by promoting transparency, accountability, permitting and production of American resources, and by improving water quality certification and energy projects, and for other purposes.	

HR 924 – Stop The Delta Tunnel Act	2/9/23 – Reintroduced 2/9: Ref to House Com on Transportation and Infrastructure 2/10: Ref to Subcommittee	<p>This bill prohibits the U.S. Army Corps of Engineers (USACE) from issuing a federal permit that would be necessary to build the proposed Delta Conveyance Project in California. Specifically, the USACE may not issue a Section 404 permit (i.e., a permit that allows for the discharge of dredged or fill material into navigable waters) for the project.</p> <p>The USACE published a draft environmental impact statement in December 2022 about the project, which involves constructing new California State Water Project diversion and conveyance facilities in the Sacramento-San Joaquin Delta. The Delta Conveyance Project includes an underground tunnel to deliver water south of the delta.</p> <p>Press release from Harder’s office: Bill will prohibit the Army Corps of Engineers from advancing the project</p> <p>Representative Josh Harder (CA-9) reintroduced his <i>Stop the Delta Tunnel Act</i> which prohibits the Army Corps of Engineers from issuing a federal permit necessary for the State of California to build the Delta Conveyance Project, commonly known as the Delta Tunnel. Rep. Harder is a longtime opponent of the Delta Tunnel project, first voicing his opposition in 2018. KCRA3 News has called Rep. Harder’s <i>Stop the Delta Tunnel Act</i>, “the strongest step yet to stop the state’s proposed giant water tunnel from gaining ground.” Read the bill online here.</p>
HR 1407 – Financing Lead Out of Water Act	3/7/23: Introduced, ref to Com on Ways and Means	Allows bonds issued by public water utilities to finance the replacement of private lead service lines to bypass the IRS “private business use” test
HR 1520 – Reauthorization of the Energy and Efficiency Conservation Block Grant	3/7/23: Introduced 3/9 – Ref to House Com on Energy & Commerce	Provides grants to state, local and tribal governments to support initiatives that will reduce fossil fuel emissions and conserve energy
HR 1721 /S 806 – Healthy Drinking Water Affordability Act	3/22/23: Introduced and ref to Com on Agriculture	Provides grants for water testing and treatment technology directly to individuals and nonprofits in rural communities. Water quality systems installed at the faucet or within a building can provide immediate and ongoing protections from known and emerging water contaminants, like PFAS, lead and nitrates
HR 1837 Investing in Our Communities Act	3/28/23: Introduced, ref to Com on Ways and Means	Restores tax-exempt advance refunding for municipal bonds so state and local governments can more efficiently invest in projects throughout their communities.

CALIFORNIA

4/10/2023 – Department of Water Resources releases 'Drinking Water Well Impacts' guidance: <https://mavensnotebook.com/2023/04/10/notice-department-of-water-resources-releases-drinking-water-well-impacts-guidance-and-water-shortage-planning-brochure/>

California's budget deficit may be even larger than predicted (Cal Matters 2/20/23) Last year, California's state budget assumed a \$97.5 billion surplus, but the state now faces a hefty budget deficit and the Legislature's budget analyst says it may be even larger than predicted. Read article here:

<https://calmatters.org/commentary/2023/02/budget-deficit-may-be-larger/>

CHANGES MADE		NO CHANGES MADE	NEW SINCE LAST UPDATE	OF INTEREST TO BOARD
Issue	Status	Description (Most of the following descriptions have been provided by the CSDA)		
AB 30: Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program	12/5/22: Introduced 3/14: revised, ref to Appropriations	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. The bill would also require the department to take all actions within its existing authority to operate reservoirs in a manner that improves flood protection in the state and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers.		
AB 62: Statewide Water Storage: expansion	12/6/2022: Introduced 2/28: Ref to Com on Water, Parks & Wildlife	Existing law declares that the protection of the public interest in the development of the water resources of the state is of vital concern to the people of the state and that the state shall determine in what way the water of the state, both surface and underground, should be developed for the greatest public benefit. Existing law establishes within the Natural Resources Agency the State Water Resources Control Board and the California regional water quality control boards. Existing law requires the work of the state board to be divided into at least 2 divisions, known as the Division of Water Rights and the Division of Water Quality. This bill would establish a statewide goal to increase above- and below-ground water storage capacity by a total of 3,700,000 acre-feet by the year 2030 and a total of 4,000,000 acre-feet by the year 2040. The bill would require the state board, in consultation with the Department of Water Resources, to design and implement measures to increase statewide water storage to achieve the statewide goal. The bill would require the state board, beginning July 1, 2027, and on or before July 1 every 2 years thereafter until January 1, 2043, in consultation with the department, to prepare and submit a report to the Legislature on the progress made in designing and implementing measures to achieve the statewide goal.		

	AB 66: Natural Resources Agency: water storage projects: permit approval	12/6/2022: Introduced	Existing law establishes the Natural Resources Agency, composed of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state's natural and cultural resources. Existing law establishes in the agency the Department of Water Resources, which manages and undertakes planning with regard to water resources in the state. This bill would require the agency, and each department, board, conservancy, and commission within the agency, to approve the necessary permits for specified projects within 180 days from receiving a permit application, and would deem those permits approved if approval does not occur within this time period.
	AB 249: Water: School sites: lead	1/18/23: Introduced 3/3/23: Ref to Com on Environmental Safety and Toxic Materials 3/29 Read 2 nd time and amended 3/30: Re-ref to Appropriations	CSDA OPPOSES. SUMMARY: Requires a community water system that serves a school site, as defined, with a building constructed before January 1, 2010, to test for lead in each of the school site's potable water system outlets, as defined, on or before January 1, 2027, and report its findings to the applicable school or local educational agency within 10 business days after receiving the results from the testing laboratory or within two business days if the water lead level from any potable water system outlet on the school site exceeds five parts per billion. The community water system, local educational agency, or school may request assistance from the state board or any local health agency responsible for regulating community water systems in developing the plan. This bill provides that it shall not apply to a building that was constructed after January 1, 2010. This bill provides that State Water Resources Control Board (SWRCB) shall allocate \$10,000,000 each fiscal year from 2024 to 2027 from the funds the board receives from the federal Infrastructure Investment and Jobs Act to the extent allowed under federal law, to pay for drinking water testing, drinking water filters, and related training for school personnel, at school sites subject to the water-testing requirement. This bill also provides that SWRCB shall allocate \$5,000,000 each fiscal year from 2024 to 2027, from its federal Drinking Water State Revolving Fund federal allocation, to the extent allowed under federal law, to pay for water efficient faucet and fixture replacements at school sites subject to the water-testing requirement.
	AB 281: Planning and Zoning: housing: post entitlement phase permits	1/24/23: Introduced, ref to Com on Local Govt and Housing and Community Development 3/9: Amended, passed Com LGOV	Would require a special district that receives an application for a post entitlement phase permit, as specified, to provide written notice to the applicant or local agency of additional information that may be required to begin to review the application for service or approval or next steps in the review process. The bill would require the special district to provide this notice within 30 business days of receipt of the application for a housing development with 25 units or fewer, and within 60 business days for a housing development with more than 25 units. By imposing additional duties on special districts, the bill would impose a state-mandated local program
	AB 334 Public Contracts: Conflict of Interest	1/30/23: Introduced, ref to Com on Elections 3/16: In Com, hearing canceled by author	Current law prohibits members of the Legislature and state, county, district, judicial district, and city officers or employees from being financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Current law authorizes the Fair Political Practices Commission to commence an administrative or civil action against persons who violate this prohibition, as prescribed, and includes provisions for the collection of penalties after the time for judicial review of a commission order or decision has lapsed, or if all means of judicial review of the order or decision have been exhausted. Current law identifies certain remote interests in contracts that are not subject to this prohibition and other situations in which an official is not deemed to be financially interested in a contract. This bill would establish that an independent contractor, who meets specified requirements, is not an officer for purposes of being subject to the prohibition on being financially interested in a contract

	AB 340: CEQA: grounds for noncompliance	1/30/23: Introduced, ref to Coms on Natural Resources and Judicial 3/27: In Com, hearing canceled by author	The California Environmental Quality Act (CEQA) prohibits an action or proceeding from being brought in a court to challenge the approval of a project by a public agency unless the alleged grounds for noncompliance are presented to the public agency orally or in writing by a person during the public comment period provided by CEQA or before the close of the public hearing on the project before the issuance of the notice of determination. This bill would require the alleged grounds for noncompliance with CEQA presented to the public agency in writing be presented at least 10 days before the public hearing on the project before the issuance of the notice of determination. The bill would prohibit the inclusion of written comments presented to the public agency after that time period in the record of proceedings and would prohibit those documents from serving as basis on which an action or proceeding may be brought.
	AB 400: Local agency design-build projects: authorization	2/9/23: Introduced Ref to Com on Local Govt	Current law authorizes local agencies, as defined, to use the design-build procurement process for specified types of projects, as prescribed. Current law, among other requirements for the design-build procurement process, requires specified information submitted by a design-build entity to be certified under penalty of perjury. These provisions authorizing the use of the design-build procurement process are repealed on January 1, 2025. This bill would remove the January 1, 2025, repeal date, thereby making these provisions operative indefinitely. CSDA SUMMARY: AB 400, sponsored by a partner association, makes the existing local government Design-Build Authority found in Public Contract Code Sections 22160-22169 permanent by eliminating the sunset of January 1, 2025. <i>(updated 2.5.23)</i>
	AB 469: Calif Public Records Act: Ombudsperson	2/6/23: Introduced 2/17: Ref to Coms on A & AR and JUD 3/29: Authors revised 4/11: Passed and ref to Com on APPR	Would establish, a California Public Records Act Ombudsperson. The bill would require the California State Auditor to appoint the ombudsperson subject to certain requirements. The bill would require the ombudsperson to receive and investigate requests for review, as defined, determine whether the denials of original requests, as defined, complied with the California Public Records Act, and issue written opinions of its determination, as provided. The bill would require the ombudsperson to create a process to that effect, and would authorize a member of the public to submit a request for review to the ombudsperson consistent with that process. The bill would require the ombudsperson, within 30 days from receipt of a request for review, to make a determination, as provided, and would require the state agency to provide the public record if the ombudsperson determines that it was improperly denied. The bill would, if requested by the ombudsperson, require any state agency determined to have improperly denied a request to reimburse the ombudsperson for its costs to investigate the request for review. The bill would require the ombudsperson to create a process through which a person whose information is contained in a record being reviewed may intervene to assert their privacy and confidentiality rights, and would otherwise require the ombudsperson to maintain the privacy and confidentiality of records, as provided. The bill would require the ombudsperson to report to the Legislature, on or before January 1, 2025, and annually thereafter, on, among other things, the number of requests for review the ombudsperson has received in the prior year.

	AB 480: Surplus Land	2/7/2023 Introduced 2/17: Ref to Coms on L GOV and H&CD 3/14: amended, re-ref to LGOV 4/5: Passed as amended re-ref to H&CD 4/6 Amended	Current law prescribes requirements for the disposal of surplus land by a local agency. If the local agency receives a notice of interest, the local agency is required to engage in good faith negotiations with the entity desiring to purchase or lease the surplus land. Current law defines terms for purposes of these provisions, including the term "exempt surplus land," which includes, among other things, surplus land that is put out to open, competitive bid by a local agency, as specified, for purposes of a mixed-use development that is more than one acre in area, that includes not less than 300 housing units, and that restricts at least 25% of the residential units to lower income households with an affordable sales price or an affordable rent for a minimum of 55 years for rental housing and 45 years for ownership housing. This bill would modify these provisions to require that the mixed-use development include not less than 300 residential units.
	AB 516: Mitigation Fee Act: fees for improvements: timeline	2/7/23: Introduced 2/17: Ref to Coms on L GOV and H&CD 4/5: amended, re-ref to LGOV	The Mitigation Fee Act, requires a local agency that establishes, increases, or imposes a fee as a condition of approval of a development project to, among other things, determine a reasonable relationship between the fee's use and the type of development project on which the fee is imposed. The Mitigation Fee Act also imposes additional requirements for fees imposed to provide for an improvement to be constructed to serve a development project, or which is a fee for public improvements, as specified, including that the fees be deposited in a separate capital facilities account or fund. This bill would require a local agency that requires a qualified applicant, as described, to deposit fees for improvements, as described, into an escrow account as a condition for receiving a conditional use permit or equivalent development permit to expend the fees within a reasonable time of the deposit. The bill would require any fees not expended within this period to be returned to the qualified applicant that originally deposited the fees.
	AB 541: Calif Safe Drinking Water Act: wildfire aftermath	2/8/23: Introduced 2/17 Ref to Com on ES & TM 3/15 Passed, ref to APPR	Would direct the State Water Resources Control Board, on or after January 1, 2024, to require a public water system, water corporation, or water district that has experienced a major wildfire event within their service territory to test their water source for the presence of benzene immediately following that major wildfire event.
	AB 557 – Remote meetings	2/8/23: Introduced 2/17 Ref to Com on LGOV	CSDA-sponsored bill. Would eliminate the January 1, 2024 sunset placed on the provisions added to California Government Code section 54953 by AB 361 regarding emergency remote meetings. Further, AB 557 would change the renewal window for resolutions passed by local agencies under the AB 361 framework from 30 days to 45 days.
	AB 604: Mobile home parks: water utility charges	2/8/23: Introduced 2/17 Ref to Com on H&CD 3/29 Passed Com, ref to APPR	Under current law, a person or corporation that maintains a mobilehome park and provides water service to users through a submeter service system is not a public utility and is not subject to the jurisdiction, control, or regulation of the commission if each user of the submeter service system is charged at the rate which would be applicable if the user were receiving the water directly from the water corporation. Under current law, a mobilehome park that provides water service only to its tenants from water supplies and facilities that it owns, not otherwise dedicated to public service, is not a water corporation, but that mobilehome park is subject to the jurisdiction of the commission to the extent that, if a complaint is filed with the commission by tenants of the mobilehome park that represent 10% or more of the park's water service connections during any 12-month period, claiming that the water rates charged by the park are not just and reasonable or

			that the service is inadequate, the commission has jurisdiction to determine the merits of the complaint and determine whether the rates charged are just and reasonable and whether the water service provided is adequate. Current law prohibits the commission from making an order for the payment of reimbursement upon the ground of unjustness or unreasonableness if the rate in question has been previously declared by formal finding of the commission to be reasonable. This bill would prohibit the commission from making an order for the payment of reimbursement upon the ground of unjustness or unreasonableness if the rate in question complies with limitations on charges and fees in connection with water utility service under the Mobilehome Residency Law. The bill would provide that a person or other entity that maintains a mobilehome park or a multiple unit residential complex, and provides water service through a submeter service system, is exempt from regulation as a public utility if management of the mobilehome park complies with those limitations on charges and fees
	AB 627: Heavy duty trucks: grant program: operating requirements	2/9/23 Introduced 2/17: Ref to Coms on TRANS, and B&F 3/8 Hearing canceled by author 4/3 Amended, ref to TRANS 4/8 2 nd hearing canceled by author	AMENDED: Existing law <i>generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Under existing law, a violation or failure to comply with a provision of the Vehicle Code constitutes an infraction.</i> This bill would prohibit, on and after January 1, 2030, a person from operating a diesel-fueled heavy-duty truck on the city streets or county roads located in the Counties of Riverside or San Bernardino, as specified. <i>bill, commencing on January 1, 2035, and except as specifically exempted, would prohibit the operation of a heavy-duty diesel-fueled vehicle, as defined, within the city limits of any city identified by the state board as containing a disadvantaged community and meeting specified air pollution criteria with respect to diesel particulate matter, as specified. A violation of this prohibition, as a provision within the Vehicle Code, would be punishable as an infraction. By expanding the scope of an existing crime, the bill would impose a state-mandated local program.</i> This bill would require the- <i>South Coast Air Quality Management District</i> to establish a <i>statewide</i> program to provide grants to operators of diesel-fueled heavy-duty trucks to replace a diesel-fueled truck with a new truck using a specified power source or to retrofit the diesel-fueled truck by replacing the diesel engine with a power source using a qualifying technology. The bill would- require the SCAQMD to prioritize grants for certain purposes.
	AB 664: Calif Safe Drinking Water Act: domestic wells	2/9/23: Introduced 2/17/23: Ref to Com on Environmental Safety and Toxic Materials 3/15 Passed, ref to APPR	Current law authorizes the State Water Resources Control Board to order consolidation where a disadvantaged community, in whole or in part, is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water, or are at-risk domestic wells. Current law provides that any domestic well owner within the consolidation or extended service area that does not provide written consent shall be ineligible, until the consent is provided, for any future water-related grant funding from the state other than funding to mitigate a well failure, disaster, or other emergency. Current law makes it a crime to knowingly commit several acts related to safe drinking water, including violating an order issued by the board pursuant to the act that has a substantial probability of presenting an imminent danger to the health of persons. This bill would require any domestic well owner within the consolidation or extended service area that does not provide written consent to ensure that tenants of rental properties served solely by that domestic well have access to safe drinking water until consent is provided.

	AB 676: Water: general state policy	2/13/23: Introduced 3/13: Amended, ref to Com on Water, Parks & Wildlife 3/17: Hearing postponed by com	Current law establishes various state water policies, including the policy that the use of water for domestic purposes is the highest use of water and that the next highest use is for irrigation. This bill would instead declare that the use of water for health and safety purposes is the highest use of water.
	AB 754: Water: management planning – automatic conservation plan	2/13/23 – Introduced 3/13: Amended, ref to Com on Water, Parks & Wildlife	Current law requires an urban water management plan to identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier over a specified period of time, providing supporting and related information, including, among other things, a description of the management of each supply in correlation with the other identified supplies when multiple sources of water supply are identified. This bill would additionally require an urban water management plan, if a reservoir is identified as an existing or planned source of water available to the supplier, to include specified information related to water storage and conservation, including, among other things, a target water supply storage curve, calculated as provided, and an automatic conservation plan that would be implemented when the reservoir storage level falls below the target water supply storage curve.
	AB 817: Open meetings: teleconferencing: subsidiary body	2/13/23: Introduced 3/16 Ref to Com on LGOV 3/20 Amended, re-ref to LGOV	This bill would allow “subsidiary bodies” (i.e., a legislative body that serves exclusively in an advisory capacity and is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements) to meet remotely without the Brown Act requirements traditionally associated with teleconferencing (e.g., that agenda meeting notices are posted at all teleconference locations) and without regard to any emergency situation. Each member of the subsidiary body would be required to participate through both audio and visual technology.
	AB 838: California Water Affordability and Infrastructure Transparency Act of 2023	2/14/23 – Introduced 3/21 Ref to Com on ES&TM. Amended. 3/29 Ref to APPR	Would require, on January 1, 2025, and annually thereafter, public water systems to provide specified information and data related to customer water bills and efforts to replace aging infrastructure to the State Water Resources Control Board. By requiring information and data to be provided to the state board, this bill would expand the scope of a crime and create a state-mandated local program.
	AB 900: Aquifer recharge: grant program: streamlined permitting	2/13/23 – Introduced 2/8/23: Introduced 2/17 Ref to Com on LGOV 3/22: In Com on W,P&W. Hearing postponed	Current law authorizes the Department of Water Resources to investigate any natural situation available for reservoirs or reservoir systems for gathering and distributing flood or other water not under beneficial use in any stream, stream system, lake, or other body of water. Current law also authorizes the department to ascertain the feasibility of projects for those reservoirs or reservoir systems, the supply of water that may thereby be made available, and the extent and character of the areas that may be thereby irrigated, as well as the cost of those projects. The bill would require the department to prepare and produce a report outlining best practices for aquifer recharge. The bill would require the report to include guidelines for a streamlined permitting process for aquifer recharge projects that implement the best practices outlined in the report.
	AB 1072: Water use efficiency	2/15/23 – Introduced 3/27: In Com on W,P&W. Amended.	Current law requires the State Water Resources Control Board, in conjunction with the Department of Water Resources, to adopt long-term standards for the efficient use of water, as provided, on or before June 30, 2022. This bill would provide that it is the intent of the Legislature to enact subsequent legislation that will address issues related to water use efficiency.

	AB 1205: Water permits and licenses temporary: water or water rights transfers	2/15/23 – Introduced 3/23: Ref to Com on W,P&W. Amended.	Current law authorizes the State Water Resources Control Board to consider a petition for a long-term water or water rights transfer involving a change of point of diversion, place of use, or purpose of use. Current law requires a long-term transfer to be for a period over one year. Existing law requires, after the expiration of that long-term transfer period, all rights to automatically revert to the original holders of the right without any action by the board. This bill would make a nonsubstantive change to that later provision.
	AB 1334: Mobilehome parks: additional spaces: exemption from fees or charges	2/15/23 – Introduced 3/2: Ref to Com H&CD	The Mobilehome Parks Act regulates various classifications of mobilehome and related vehicle parks, and imposes enforcement duties on the Department of Housing and Community Development and local enforcement agencies. The act authorizes any person to file an application with the governing body of a city or county for a conditional use permit for a mobilehome park. The act requires a person, before operating a mobilehome park, and each year thereafter, to obtain a permit from the enforcement agency in order to operate. The act also requires the owner of to obtain a permit to create, move, shift, or alter park lot lines. This bill would authorize an owner of an existing mobilehome park that is subject to, or intends to qualify for, a valid permit to operate the park, to apply to the enforcement agency to add additional spaces to the mobilehome park not to exceed 10% of the previously approved number of spaces in the mobilehome park. The bill would exempt the additional spaces from any business tax, local registration fee, use permit fee, or other fee that does not apply to the existing spaces in the park. This bill contains other related provisions and other existing laws.
	AB 1337: State Water Resources Control Board: water shortage enforcement	2/16/23 – Introduced 3/2: Ref to Com on W,P&W and JUD.	Would authorize the State Water Resources Control Board to adopt regulations for various water conservation purposes, including, but not limited to, to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, and to implement these regulations through orders curtailing the diversion or use of water under any claim of right. The bill would require the board to provide notice and an opportunity to be heard before issuing an order, except where an opportunity to be heard before the issuance of an order would be impractical given the likelihood of harm to the purposes of the various water conservation regulations. The bill would provide that a person or entity may be civilly liable for a violation of any regulation or order issued by the board pursuant to these provisions in an amount not to exceed \$1,000 for each day in which the violation has occurred and \$2,500 for each acre-foot of water diverted or used in violation of the applicable requirement. The bill would authorize the imposition of this civil liability by the superior court, as specified, or administratively by the board. The bill would provide that a regulation or order issued by the board pursuant to these provisions, or by emergency regulation, is exempt from the California Environmental Quality Act (CEQA).
	AB 1379: Open meetings: local agencies: teleconference	2/17/23: Introduced 3/23 Ref to Com on LGOV 3/23 From com w/ author's amendments 3/27 re-ref to LGOV	This bill would provide that a local agency may instead post agendas at a singular designated physical meeting location, rather than at all teleconference locations. The bill would remove the requirements for the legislative body of the local agency to identify each teleconference location in the notice and agenda, that each teleconference location be accessible to the public, and that at least a quorum of the members participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The bill would instead provide that, for purposes of establishing a quorum of the legislative body, members of the body may participate remotely, at the designated physical location, or at both the designated physical meeting location and remotely. The bill would require the legislative body to have at least two meetings per year in which the legislative body's members are in person at a singular designated physical meeting location. Notably, AB 1379 also revises a number of provisions added to the Brown Act by AB 2449 (Lee, 2022)

	AB 1490: Affordable housing development: adaptive reuse	2/15/23: Introduced 3/9: Ref to Com on H&CD 4/10 Amended by author, re-ref to H&CD	Current law requires the Department of Housing and Community Development to give priority with respect to funding under the Multifamily Housing Program to projects that prioritize adaptive reuse in existing developed areas served with public infrastructure, as specified. This bill would define adaptive reuse as the retrofitting and repurposing of an existing building to create new residential units. The bill would require a local government to provide an affordable housing project that is an adaptive reuse project Watch B. Watch Legislative Committee, Page 15 - March 30, 2023 and that guarantees that 100% of the units be made available for lower income households, 50% of which shall be made available to extremely low income households or very low income households, specified benefits and exemptions by local government agencies, including, among other things, approval of all entitlements and permits applicable to the project in 30 days or less, exemption from any minimum floor area ratio, and waiver of local building and permit fees, as specified.
	AB 1563: Groundwater sustainability agency: groundwater extraction permit: verification	2/17/23 – Introduced 3/13: Ref to Com on Water, Parks & Wildlife 3/28: Passed com, ref to APPR	Existing law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval. This bill would instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval. This bill contains other related provisions and other existing laws.
	AB 1567: Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2023	2/17/23 – Introduced 3/13: Ref to Com on Water, Parks & Wildlife and Com on Natural Resources 4/7 Amended by author. Re-ref to W,P&W	The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide primary election, authorizes the issuance of bonds in the amount of \$4,100,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all programs. Article XVI of the California Constitution requires measures authorizing general obligation bonds to specify the single object or work to be funded by the bonds and further requires a bond act to be approved by a 2/3 vote of each house of the Legislature and a majority of the voters. This bill would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2023, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,105,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.
	AB 1572: Potable water: nonfunctional turf	2/17/23 – Introduced 3/13: Ref to Com on Water, Parks & Wildlife 4/11 Amended by author, re-ref to com	Existing law establishes various state water policies, including the policy that the use of water for domestic purposes is the highest use of water. This bill would make legislative findings and declarations concerning water use, including that the use of potable water to irrigate nonfunctional turf is wasteful and incompatible with state policy relating to climate change, water conservation, and reduced reliance on the Sacramento-San Joaquin Delta ecosystem. The bill would direct all appropriate state agencies to encourage and support the elimination of irrigation of nonfunctional turf with potable water. This bill contains other related provisions and other existing laws.

	AB 1573: Water conservation: landscape design: model ordinance	2/17/23 – Introduced 3/9: Ref to Com on Water, Parks & Wildlife 3/23: Amended by author. Re-ref to com on W,P&W	Note: Name change since last report. Current law, the Water Conservation in Landscaping Act, requires the Director of Water Resources to convene a working group comprised of representatives from the landscape nursery industry, the agricultural community, the landscape retail industry, environmental organizations, urban water agencies, and other professionals to examine the current state of consumer information available and accessible regarding water use associated with landscape plants and to explore and identify options for improving the availability, accessibility, and quality of consumer information regarding water use associated with landscape plants, as specified. This bill would delete that requirement. BBK Analysis: This bill would enact a prohibition on watering nonfunctional turf with potable water. What is surprising about the amount of time spent debating this bill in association meetings and calls is that there is little opposition to the central purpose of the bill. Putting drinking water on median strips has become almost unthinkable, yet the other details of the bill are truly difficult. Who is responsible for enforcement? SWRCB or local agencies? How is non functional turf defined? Despite little opposition to the core purpose of the bill, the details have been the focus of hours of debate and it is unclear if there will be broad consensus on the bill.
	AB 1594: Medium and heavy duty zero emission vehicles: public agency utilities	2/15/23: Introduced 3/9 Ref to Com on TRANS 3/13 Amended by author, re-ref to com on TRANS	Current law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for purposes of funding projects related to, among other things, the reduction of criteria air pollutants and improvement of air quality, and establishes the Medium- and Heavy-Duty Zero-Emission Vehicle Fleet Purchasing Assistance Program within the Air Quality Improvement Program to make financing tools and nonfinancial supports available to operators of medium- and heavy-duty vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles. This bill would require any state regulation that seeks to require, or otherwise compel, the procurement of medium- and heavy-duty zero-emission vehicles by a public agency utility to ensure that those vehicles can support a public agency utility's ability to maintain reliable water and electric services, respond to disasters in an emergency capacity, and provide mutual aid assistance statewide and nationwide, among other requirements. The bill would define a public agency utility to include a local publicly owned electric utility, a community water system, and a wastewater treatment provider, as specified.
	AB 1637: Local Govt: internet websites and email addresses	2/17/23: Introduced 3/16: Ref to Com on LGOV and P&CP 3/16 amended by author and re-ref to P&CP 3/20: Re-ref to Com on LGOV	The California Public Records Act requires a local agency to make public records available for inspection and allows a local agency to comply by posting the record on its internet website and directing a member of the public to the internet website, as specified. This bill, no later than January 1, 2025, would require a local agency, as defined, that maintains an internet website for use by the public to ensure that the internet website utilizes a ".gov" top-level domain or a ".ca.gov" second-level domain, and would require a local agency that maintains an internet website that is noncompliant with that requirement to redirect that internet website to a domain name that does utilize a ".gov" or ".ca.gov" domain. This bill, no later than January 1, 2025, would also require a local agency that maintains public email addresses to ensure that each email address provided to its employees utilizes a ".gov" domain name or a ".ca.gov" domain. Watch B. Watch Legislative Committee, Page 16 - March 30, 2023 domain name. By adding to the duties of local officials, the bill would impose a state-mandated local program.

	AB 1639: Water systems: manufactured housing communities	2/17/23 – Introduced	Existing law authorizes an owner of a master-metered mobilehome park or manufactured housing community that provides gas or electrical service to residents to transfer ownership and operational responsibility to the gas corporation or electrical corporation providing service in the area in which the park or community is located. This bill would, in addition to making specified findings and declarations, state the intent of the Legislature to enact future legislation to require water corporations to purchase, own, and operate water systems currently owned and operated by manufactured housing communities, upon request of the owner, to assume responsibility for direct delivery of water to residents of those communities, as specified.
	ACA 1: Local Government Financing: affordable housing and public infrastructure: voter approval	12/5/2022: Introduced	<p>This is the same legislation that has been introduced and failed over the last two legislative sessions. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 1 and 4 of Article XIII A thereof, by amending Section 2 of, and by adding Section 2.5 to, Article XIII C thereof, by amending Section 3 of Article XIII D thereof, and by amending Section 18 of Article XVI thereof, relating to local finance. The bill would lower the threshold for voter approval of to 55 percent.</p> <p>For detail: https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202320240ACA1</p> <p>CSDA SUMMARY: This measure is a reintroduction of the same bill from the 2019-20 and 2021-22 sessions. It provides for a new 55% voter threshold for local agencies to pass special taxes for certain infrastructure and housing projects. It also provides the same threshold for local governments to pass General Obligation bonds for the same infrastructure and housing projects. There are strict accountability measures attached to these new mechanisms. This is a constitutional amendment and will require a 2/3rds vote in each house of the Legislature, as well as a vote of the people in 2023, to take effect. The prior-year measure was not taken up for a hearing or vote in 2022. <i>(updated 2.3.23)</i></p>
	ACA 2: Water and Wildfire Resiliency Act of 2023	12/5/2022: Introduced	Would establish the Water and Wildfire Resiliency Fund and require transfer of 3% of all State revenues that may be appropriated from the General Fund to the Water and Wildfire Resiliency Fund. Would require the monies in the fund to be appropriated by the Legislature and would require that 50% be used for water projects.
	SCR 52	Introduced 4/10/23	Proclaims the week of May 14-20, 2023 to be Special Districts Week
	SB 3: Discontinuation of residential water	12/5/23: Introduced 3/21: Passed E,U&C Com, ref to APPR 4/10 Hearing postponed by com, set for 4/17	<p>CSDA SUMMARY: Effective on and after August 1, 2024, this bill extends the existing requirement that a community water system not discontinue residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days, and other requirements (including notices, policies and procedures, alternative payment plans, prohibitions on disconnection under certain circumstances, capped reconnection fees and interest waivers for specified low income customers, language requirements, tenant protections, website postings and reporting if a website exists, and enforcement mechanisms), to all community water systems, not just those with over 200 service connections. "Community water system" has the same meaning as defined in Health and Safety Code Section 116275 (a public water system that serves at least 15 service connections used by year-long residents or regularly serves at least 25 year-long residents of the area served by the system). This bill deletes prior references to "Urban and community water system" and "Urban water supplier," and deletes existing requirements applicable to those entities. <i>(updated 2.1.23)</i></p>

	SB 23: Water supply and flood risk reduction projects: expedited permitting	12/5/2022: introduced 1/18: Ref to RLS 2/22: Ref to Nat Res and Env Quality 3/30 Amended in NR com, read 2 nd time and amended. 4/11 Passed, ref to Com on EQ	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, including, among other things, overseeing the issuance and enforcement of public water system permits, as provided. Existing law authorizes specified works of improvement for the control, conservation, and utilization of destructive flood waters and the reclamation and protection of lands that are susceptible to overflow by flood waters. This bill would express the intent of the Legislature to enact subsequent legislation to expedite the regulatory permitting process for water supply and flood risk reduction projects, as provided.
	SB 29: FPPC: political reform education program	12/5/22: Introduced 1/18: Ref to E&CA 3/9 Amended, re-ref to E&CA 3/21 Passed and ref to APPR Consent Calendar 4/10 Hearing postpd	Current law makes a knowing or willful violation of the Political Reform Act a misdemeanor and subjects offenders to criminal penalties. Under existing law, a person who files an original statement or report after a deadline imposed by the PRA is liable in the amount of \$10 per day after the deadline until the report is filed. A filing officer is authorized to not impose this liability if the late filing was not willful and if enforcement will not further the purposes of the PRA. This bill would authorize the FPPC to establish and administer a political reform education program as an alternative to an administrative proceeding.
	SB 48: Water and Energy Savings Act	12/5/22: Introduced 3/30: From Com on RLS w/ Author's amendments 4/10 Hearing set	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. This bill would expand those requirements, beginning January 1, 2025, to include each utility that provides water service and its water usage data.
	SB 57: Utilities: disconnection of residential service	12/16/22: Introduced 1/18: Ref to RLS 3/15 From com w/ author's amendments. Read 2nd time, re-ref to RLS 3/22: Re-ref to coms on E,U&C, and JUD 4/18 Hearing set	Would require a local agency that owns a public water system to postpone the disconnection of a customer's residential service for <u>nonpayment of a delinquent account when the temperature will be 32 degrees Fahrenheit or cooler</u> , or 95 degrees Fahrenheit or warmer, within the utility's service area during the 24 hours after that service disconnection would occur, as specified. The bill would require each of those utilities to notify its residential ratepayers of that requirement and to create an online reporting system available through its internet website, if it has one, that enables its residential ratepayers to report when Watch B. Watch Legislative Committee, Page 17 - March 30, 2023 their utility service has been disconnected in violation of that requirement, as specified. The bill would require the PUC to establish a citation program to <u>impose a penalty on an electrical corporation or gas corporation that violates that requirement</u> , and require each local publicly owned electric utility and local publicly owned gas utility to annually report to the State Energy Resources Conservation and Development Commission the number of residential service connections it disconnected for nonpayment of a delinquent account. <u>The bill would authorize the State Water Resources Control Board to enforce the requirement that a water corporation and local agency that owns a public water system postpone a disconnection of a customer's residential service</u> , as specified.

	SB 66: Water: predictive models and data collection	1/5/2023: Introduced 1/18: Ref to RLS 3/21: From Com w/ author's amendments 3/29: Ref to Com on EQ	Current law requires the Department of Water Resources, as part of updating The California Water Plan every five years, to conduct a study to determine the amount of water needed to meet the state's future needs and to recommend programs, policies, and facilities to meet those needs. This bill would state the intent of the Legislature to ensure that reliable predictive models and data collection systems are used to properly forecast and allocate surface water.
	SB 68: Local government Vehicles: Safety regulations	1/5/2023: Introduced 3/20 Amended by author	Gutted and amended. No longer relevant to BCVWD. Existing law provides for the formation and powers of various local governments, including counties and cities. Existing law, the Cortese Knox Hertzberg Local Government Reorganization Act of 2000, provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. This bill would state the intent of the Legislature to enact legislation relating to local government. There is no further information on the intent of Senator Mike McGuire on this bill.
	SB 231: Drought modeling Water Measurement	1/23/23 Introduced 2/1 Ref to Com on Rules 3/21: From com w/ author's amendments Read 2 nd time, re-ref to RLS 3/29: Ref to NR&W 4/18 Hearing date	Existing law requires the Department of Water Resources, the State Water Resources Control Board, and the State Department of Public Health to coordinate the collection, management, and use of agricultural and urban water measurement information provided to each agency. Existing law requires the board, in collaboration with the department, the California Bay-Delta Authority or its successor agency, and the State Department of Public Health, to prepare and submit a report to the Legislature by January 1, 2009, evaluating the feasibility, estimated costs, and potential means of financing a coordinated water measurement database. This bill would require the board, in collaboration with the department, the authority or its successor agency, and the State Department of Public Health, to prepare and submit an update to the report to the Legislature by January 1, 2025, evaluating the feasibility, estimated costs, and potential means of financing a coordinated water measurement database, as specified. Current law requires the Department of Water Resources to include a discussion of various strategies in the California Water Plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. This bill would state the intent of the Legislature to enact subsequent legislation to require the Department of Water Resources to modify its predictive models as necessary to account for California's persistent drought.
	SB 248: Political Reform Act: disclosures: candidate experience	1/26/23 Introduced 3/21 Hearing in Com on E&CA postponed 4/10 From com w/ author's amendments Re-ref to E&CA	The Political Reform Act of 1974 requires candidates for elective office to make various disclosures relating to a campaign for elective office. This bill would require, on or after April 1, 2024, a candidate for elective office to file with the Secretary of State, no later than the final filing date of a declaration of candidacy, a form to disclose the candidate's prior education and work history, and history of military service, if any. The filing would contain a statement, signed under penalty of perjury, that the information contained in the form is accurate to the best of the candidate's knowledge.

	SB 251: Political Reform Act: elected officers: conflict of interest	1/30/23: Introduced 3/8 From Com on E&CA w/ author's amendments. 4/18 Hearing date	The Political Reform Act of 1974 provides for the comprehensive regulation of conflicts of interest of public officials. This bill would prohibit an elected officer from employment by any other elected officer with the same constituency, as provided. The bill would not apply to statewide elected officers. By expanding the scope of an existing crime, this bill would impose a state-mandated local program.
	SB 315: Groundwater: groundwater sustainability agencies: probationary basins	2/6/23: Introduced 3/21 From Com on RLS w/ author's amendments. 3/29 Re-ref to Com on NR&W 4/10: From Com on NR&W w/ author's amendments.	<p>Amended: Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. The act authorizes the State Water Resources Control Board to designate specified basins as probationary basins if certain conditions are met, including, but not limited to, that the department, in consultation with the board, determines that a groundwater sustainability plan is inadequate or that the groundwater sustainability program is not being implemented in a manner that will likely achieve the sustainability goal. Existing law requires the board, if it designates a basin as a probationary basin pursuant to specified conditions, to identify the specific deficiencies and potential remedies. Existing law authorizes the board to request the department, within 90 days of the designation, to provide technical recommendations to local agencies to remedy the deficiencies and to develop an interim plan for the probationary basin one year after the designation, as specified.</p> <p>This bill would delete the authorizations for the board to request technical recommendations from the department and to develop an interim plan as described above. The bill would instead require the board to grant an 18-month grace period before the probationary basin designation becomes effective and would place various requirements on the board in working with a groundwater sustainability agency, including, among other things, requiring the board to provide clear benchmarks and guidance for groundwater sustainability agencies to improve their groundwater management plans. This bill would establish the Tule SubBasin Critical Facilities Subsidence Mitigation Fund in the State Treasury, to be administered by the department. The bill would, upon appropriation by the Legislature, deposit \$50,000,000 in the fund to be used for groundwater sustainability agencies that meet certain criteria and for certain purposes.</p>
	SB 328: Political Reform Act: contribution limits	2/7/23: Introduced 3/23 Passed Com on E&CA, re-ref to Com on ED 4/10: From com w/ author's amendments Re-ref to Com on ED	The Political Reform Act of 1974 prohibits a person, other than a small contributor committee or political party committee, from making to a candidate for elective state, county, or city office, and prohibits those candidates from accepting from a person, a contribution totaling <u>more than \$3,000 per election</u> , as that amount is adjusted by the Fair Political Practices Commission in January of every odd-numbered year to reflect changes in the Consumer Price Index. This bill would apply those contribution limits to candidates for school district, community college district, and other special district elections. The bill would make certain other provisions of the act relating to contribution limits applicable to candidates for district office.

	SB 366: Calif Water Plan: long term supply targets	2/8/23 Introduced 2/15 Ref to RLS 3/22 From Com w/ author's amendments 3/29: Re-ref to Com on NR&W 4/25 Hearing date	<p>Existing law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as the California Water Plan. Existing law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. Existing law requires the department to establish an advisory committee to assist the department in updating the plan.</p> <p>This bill would require DWR to instead establish a stakeholder advisory committee, to expand the membership of the committee to include tribes and environmental justice interests, to prohibit a member of the committee from serving longer than the development of 2 updates, and to require the committee to meet a minimum of 4 times annually. The bill would require the department, in coordination with the California Water Commission, the State Water Resources Control Board, other state and federal agencies as appropriate, and the stakeholder advisory committee to develop a comprehensive plan for addressing the state's water needs and meeting specified water supply targets established by the bill for purposes of "The California Water Plan." The bill would require the plan to provide recommendations and strategies to ensure enough water supply for all beneficial uses. The bill would require the plan to include specified components, including an economic analysis and a long-term financing plan. The bill would require the department to develop the long-term financing plan, as provided, to meet the water supply targets and include the final financing plan as part of each update. The bill would require the Director of Water Resources to provide an oral and written report to the Legislature, each year by May 1, regarding the progress made toward meeting the water supply targets, as specified. The bill would also require the department to conduct public workshops to give interested parties an opportunity to comment on the plan and to post the preliminary draft of the plan on the department's internet website. The bill would include findings and declarations relating to water supply and climate change.</p>
	SB 389: State Water RCB: determination of water right	2/9/23 Introduced 2/22: Ref to Com on Natural Resources 4/25: Hearing date	<p>This bill provides that State Water Resources Control Board may investigate the diversion and use of water from a stream system to determine whether the diversion and use are based on appropriation, riparian right, or other basis. In furtherance of such an investigation, the state board may issue an information order to a water right claimant, diverter, or user to provide technical reports or other information related to a diversion and use of water, as specified in the bill. After notice and opportunity for hearing, the state board may issue a decision or order determining the diversion and use basis of right, including the authorized scope of the diversion and use, or may issue a decision or order determining that the diversion and use is not authorized under any basis of right. In determining whether a holder of an appropriative water right has forfeited the right or any portion of the right, as specified, the state board is not required to find the existence of a conflicting claim by any water right holder within the stream system during the period of forfeiture. In a proceeding to determine a diversion and use basis of right under this article, the water right claimant, diverter, or user shall have the burden of proving by the preponderance of evidence the elements of the basis of right.</p>

	SB 411: Open meetings: teleconferencing	2/9/23 Introduced 2/22: Ref to coms on GOV & F and JUD 4/19: Hearing date	This bill would allow a board, commission, or advisory body of a local agency, the membership of which board, commission, or advisory body is appointed, and which board, commission, or advisory body is otherwise subject to the Brown Act to use teleconferencing in order to hold public meetings. "Advisory body" includes, but is not limited to, 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 (i.e., the City of Los Angeles) that is subject to the Brown Act. These entities would be allowed to use the process established by AB 361 (R. Rivas, 2021) irrespective of any emergency. This bill is also an urgency measure, requiring the support of two-thirds of both houses to pass. <i>(updated 2.14.23)</i>
	SB 414: Drought tolerant landscaping: local incentive programs: Synthetic grass	2/9/23 Introduced 2/22: Ref to Com on Govt and Finance, and Com on EQ 3/29: Passed com as amended. Re-ref to EQ 3/30: Amended. Re-ref to EQ	Current law prohibits a city, including a charter city, county, and city and county, from enacting or enforcing any ordinance or regulation that prohibits the installation of drought-tolerant landscaping, synthetic grass, or artificial turf on residential property, as specified. The Personal Income Tax Law and the Corporation Tax Law, in conformity with federal income tax law, generally defines "gross income" as income from whatever source derived, except as specifically excluded. Current law provides, among other exclusions, an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a public water system, as defined, local government, or state agency for participation in a turf replacement water conservation program. This bill would prohibit a city, including a charter city, county, city and county, or special district, from issuing a rebate, voucher, or other financial incentive for the use of synthetic grass or artificial turf that contains contaminants, including zinc, plastic, or perfluoroalkyl and polyfluoroalkyl substances (PFAS).
	SB 537: Open meetings: local agencies: teleconferences	2/14/23: Introduced 2/22 Ref to RLS 3/22 Author amendments 3/29 Ref to G&F, and JUD 4/19 Hearing date	This bill would allow boards, commissions, or advisory bodies of multijurisdictional, cross county agencies, the membership of which is appointed, to use the emergency remote meeting provisions of AB 361 without regard to an emergency. "Multijurisdictional" in this sense means a legislative body that includes representatives from more than one county, city, city and county, special district, or a joint powers entity. This bill expands the definition of "just cause" added as part of AB 2449 to include situations in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely
	SB 597: Rainwater capture systems Building standards: rainwater catchment systems	2/9/23 Introduced 2/22: Ref to Com on Rules 3/21: From RLS w/ author's amendments 3/29 Re-ref to HOUS 4/18 Hearing date	The Calif Building Standards Law requires a state agency that adopts or proposes adoption of a building standard to submit the standard to the California Building Standards Commission for approval and adoption. Existing law makes the commission responsible for publication of an updated edition of the California Building Standards Code every 3 years. Existing law requires the Department of Housing and Community Development to propose to the commission the adoption, amendment, or repeal of building standards for, among other things, the installation of recycled water systems for newly constructed single-family residential and multifamily residential buildings, as specified. This bill would require the department to conduct research, as specified, to assist in the development of mandatory building standards for the installation of rainwater catchment systems in newly constructed residential dwellings. The bill would require the department to submit those mandatory building standards to the commission for adoption and for consideration during the next regularly scheduled triennial code adoption cycle. The bill would also authorize the department to propose an amendment or repeal of these mandatory standards as necessary in subsequent code

			adoption cycles. The bill would authorize the department to expend moneys from the Building Standards Administration Special Revolving Fund for the above-described purposes, upon appropriation by the Legislature, as specified.
	SB 651: Water storage and recharge: CEQA: Sacramento-San Joaquin Delta Reform Act of 2009: exemptions	2/16/23 Introduced 2/22: Ref to NR and Com on Env Quality 3/29 Author's amd 4/12 Amended, re-ref to Com on EQ	Would make it the policy of this state that, to help advance groundwater recharge projects, and to demonstrate the feasibility of projects that can use available high water flows to recharge local groundwater while minimizing flood risks, the state board and the regional water quality control boards prioritize water right permits, water quality certifications, waste discharge requirements, and conditional waivers of waste discharge requirements to accelerate approvals for projects that enhance the ability of a local or state agency to capture high precipitation events for local storage or recharge, consistent with water right priorities and protections for fish and wildlife. This bill contains other related provisions and other existing laws.
	SB 659: California Water Supply Solutions Act of 2023 Groundwater recharge: minimum requirement	2/16/23 Introduced 2/22: Ref to Com on Natural Resources 3/20 From com w/ author's amendments 4/11 Passed com, ref to Com on RLS 4/12 Amended, re-ref to Com on RLS	Would establish that it is the policy of the state to recharge groundwater by a minimum of 10 million acre-feet of water annually. The bill would require the DWR to promulgate regulations necessary to implement this policy.
	SB 706: Progressive Design-Build	2/16/23: Introduced 3/1: Ref to G&F 3/21 From com w/ author's amendments 3/30 Passed as amended, to APPR 4/17 Hearing set	Would allow counties, cities and special districts to use the progressive design-build (PDB) project delivery method for construction contracts. This bill would remove the 15-project maximum and would authorize all cities, counties, city and counties, or special districts to use the PDB process for other projects in addition to water-related projects. The bill would change the required reporting date to no later than December 31, 2028
	SB 737: Groundwater recharge	2/17/23 Introduced 2/22: Ref to Com on Rules	Would establish that it is the policy of the state to recharge groundwater by a minimum of 10 million acre-feet of water annually. The bill would require the department to promulgate regulations necessary to implement this policy.
	SB 861: CEQA: water conveyance or storage projects: judicial review	2/17/23 Introduced 3/1: Ref to Coms on EQ and JUD 3/30 Passed as amended 4/18 Hearing date	The California Environmental Quality Act (CEQA) requires a lead agency, to prepare and certify the completion of an environmental impact report (EIR) on a project that the lead agency proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. This bill would require the Judicial Council to adopt rules of court applicable to actions or proceedings brought to attack, review, set

			aside, void, or annul the certification or adoption of an environmental impact report for water conveyance or storage projects, as defined, or the granting of project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to those projects.
	SB 867: Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, etc. Bond Act of 2023	2/17/23 Introduced 3/1: Ref to Coms on NR&W, and G&F 3/28: Passed com, re-ref to GOV	Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023. Would enact the Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023, which, if approved by the voters, would authorize the issuance of bonds in an unspecified amount pursuant to the State General Obligation Bond Law to finance projects for drought and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, and park creation and outdoor access programs.

End report

<u>Committee abbreviations</u>	AGRI: Agriculture	APPR: Appropriations	B&F: Banking and Finance
A&AR: Accountability and Admin Review	B,P&CP: Business, Professions, & Consumer Protection	BUDG: Budget B&FR: Budget and Fiscal Review	E&R: Elections and Reapportionment
BP&E: Business, Professions and Economy	E&CA: Elections and Constitutional Amendment	ES&TM: Environmental Safety and Toxic Materials	J,ED&E: Jobs, Economic Development and Economy
ED: Education	EQ: Environmental Quality	G&F: Governance and Finance	HOUS: Housing
HS: Human Services	JUD: Judiciary	L&E: Labor & Employment	LGOV: Local Government
GO: Governmental Organization	R&T: Revenue and Taxation	RLS: Rules	TRANS: Transportation
E,U&C: Energy, Utilities and Communications	PE&R: Public Employment and Retirement	NR&W: Natural Resources and Wildlife	W,P&W: Water, Parks and Wildlife

Attachments:

1. ACWA Federal Regulatory Issues chart – March 2023

Federal Regulatory Issues Mar 2023 Update

Environmental Protection Agency		
Issue	Summary	Status
Clean Water Act rule on new definition of “waters of the United States”	<p>In 2021, the Biden Administration announced plans to revise the WOTUS definition – this is the third consecutive administration to revise WOTUS. In 2015, the Obama Administration issued the Clean Water Rule (CWR) and in 2020 the Trump Administration issued its own rule called the Navigable Waters Protection Rule (NWPR). The rulemakings were heavily litigated, with the CWR repealed in 2019 and the NWPR currently being repealed.</p> <p>A federal district judge then vacated the NWPR. The agencies halted implementation of the NWPR and are interpreting WOTUS consistent with the pre-2015 regulatory regime until further notice. ACWA submitted comments on previous iterations of the WOTUS rulemaking process in 2019 and 2021.</p>	<p>On 1/18/23, EPA and the Army Corps published a final rule revising the definition of WOTUS. The rule will be effective on 3/20/23.</p> <p>ACWA previously submitted comments on 2/7/22. The rule is currently being litigated.</p> <p>A second forthcoming rulemaking is expected to build on the initial WOTUS rule.</p> <p>A potential complication for the agencies will be the forthcoming SCOTUS ruling on the <i>Sackett v. EPA</i> case, which will determine the scope of EPA’s power to define WOTUS.</p>
Subsurface/ groundwater connection and NPDES permits	<p>ACWA submitted comments on 5/21/18. On 4/23/2020, SCOTUS held in <i>Country of Maui v. Hawaii Wildlife Fund</i> that the CWA requires a permit when there is a direct discharge, or a functional equivalent of a direct discharge via groundwater, of pollutants from a point source into navigable waters. EPA then published new draft implementing guidance on 12/10/20. ACWA submitted comments via NWRA on 1/11/21. The final guidance was released on 1/14/21.</p>	<p>In July, a federal judge held, in <i>Hawaii Wildlife Fund v. County of Maui</i>, that the functional equivalent test was met and Maui must obtain a CWA permit.</p> <p>On 9/15/21, EPA rescinded the Trump-era guidance for applying the Maui decision. EPA is currently evaluating next steps following rescission of the guidance, and will apply site-specific evaluations to make permit determinations.</p>

<p>PFAS</p>	<p>SDWA: On 3/3/21, EPA moved forward with the final regulatory determination to set a drinking water standard for PFOA and PFOS.</p> <p>CERCLA: EPA is working on proposing to designate PFOA and PFOS as hazardous substances under CERCLA.</p> <p>On 6/15/22, EPA released drinking water health advisories (HAs) for PFOA, PFOS, PFBS and GenX chemicals. HAs are not legally enforceable federal drinking water standards – they provide info and human health-based levels of protection from drinking water contaminants.</p>	<p>SDWA: On 3/3/23 OMB concluded its review of the proposal. On 3/14, EPA published the pre-publication notice. Once published in the Federal Register, there will be a 60-day comment period.</p> <p>CERCLA: On 9/6/22, EPA published a proposed rule to designate PFOA and PFOS as hazardous substances under CERCLA. ACWA submitted comments on 11/7/22.</p> <p>Additionally, EPA is taking various steps to address PFAS contamination. More information can be found on EPA's website.</p>
<p>Lead and Copper Rule Revisions (LCRR)</p>	<p>On 3/10/21, EPA extended the LCRR effective date to 6/17/21 and sought comment on further extending the effective and compliance dates. ACWA and CMUA submitted comments on 4/12/21.</p> <p>On 6/16/21, EPA further delayed the LCRR effective date from 6/17/21 to 12/16/21. EPA also delayed the LCRR compliance date from 1/16/24 to 10/16/24. EPA then engaged in various stakeholder outreach on the LCRR.</p>	<p>On 8/4/22, EPA released its implementation guidance on service line inventories in the LCRR. The guidance is meant to help water systems comply with the LCRR's service line inventory requirements by 10/16/24. ACWA, in coordination with the California Municipal Utilities Association (CMUA) developed industry-led guidance on LCRR implementation.</p>
<p>Lead and Copper Rule Improvements (LCRI)</p>	<p>EPA will develop a new proposed rule, the LCRI, which is meant to strengthen the LCRR. The agency plans to finalize the LCRI prior to the LCRR compliance deadline of 10/16/24.</p>	<p>EPA opened a comment period for the agency's LCRI federalism consultation. ACWA and CMUA submitted comments on 12/9/22.</p>
<p>Cybersecurity in Public Water Systems</p>	<p>EPA is evaluating regulatory approaches to ensure improved cybersecurity at public water systems. EPA plans to include an evaluation of cybersecurity in sanitary surveys. Many states do not currently assess cybersecurity practices in their sanitary surveys.</p>	<p>On 3/3/23, EPA issued an interpretive memo requiring states to evaluate cybersecurity of operational technology used when conducting sanitary surveys or through other state programs.</p> <p>EPA emphasized that since this memo represents a legal re-interpretation of existing authorities, the implementation timeline is immediate. To support implementation, EPA is providing no-cost technical assistance, training, and resources to states and water systems.</p>
<p>Buy America Build America Act (BABA)</p>	<p>On 1/3/22, ACWA joined a coalition letter with the national water associations asking for flexibility in the BABAA implementation process.</p> <p>On 4/18, OMB released guidance for the BABA provisions within the Bipartisan Infrastructure Law (BIL). Agencies are working on their own</p>	<p>On 5/20/22, ACWA submitted comments on EPA's WIFIA proposed waiver. On 6/22/22, EPA approved the waiver for eligible WIFIA-funded projects that initiated project design and planning prior to 5/14/22.</p>

	implementation guidance and providing limited waivers. EPA has been very active on proposing BABA waivers.	On 6/29/22, ACWA submitted comments on EPA's SRF proposed waiver. On 9/2/22, EPA approved the waiver for SRF-funded projects that initiated project design planning prior to 5/14/22. On 7/27/22, ACWA submitted comments on EPA's proposed waiver for selected EPA funding programs. On 9/2/22, EPA approved a 6-month waiver for covered programs.
Army Corps of Engineers		
Issue	Summary	Status
Nationwide Permit Proposal	Proposed rule published on 9/15/2020. ACWA worked with NWRA to provide supportive comments on 11/16/20. The final rule was released on 1/13/21. The final rule reissued 12 of the 52 existing NWP's and 4 of the 5 new NWP's, including for water utility lines. Shortly after publication, the Biden Administration put this rule under review , however, the rule went into effect on 3/15/21.	On 12/27/21, the Army Corps issued a final rule reissuing the remaining 40 existing NWP's and one new NWP for water reclamation and reuse facilities.
White House Council on Environmental Quality		
Issue	Summary	Status
NEPA Reform	Notice of proposed rulemaking released 1/10/20. ACWA worked with a coalition to provide comments . Final rule released 7/16/20. The final rule is currently pending litigation On 6/29/21, CEQ announced an interim final rule that allows agencies until 9/14/23 to propose revisions to their NEPA procedures.	On 4/20/22, CEQ published its Phase 1 final rule to restore prior 2020 regulatory provisions. The rule took effect on 5/20/22. On 1/9/23, CEQ released updated guidance on how agencies consider climate impacts of proposed projects. The interim guidance is effective immediately, however, comments can be submitted by 3/10/23. A forthcoming Phase 2 rulemaking will propose broader NEPA changes.
Endangered Species Act Implementation		
Issue	Summary	Status
Biological Opinion	The FWS BiOp on coordinated operations between the Central Valley Project (CVP) and State Water Project (SWP) is pending litigation. This is a key factor in negotiations leading to VAs on the Sacramento-San Joaquin Bay-Delta, which recently made progress via a MOU that advances integrated efforts to improve ecosystem and fisheries health within the Sacramento-San Joaquin Bay-Delta.	In 2021, the Biden Administration requested re-initiation of consultation on the BiOp. On 2/28/22, Reclamation published a notice that it intends to prepare an EIS for analyzing potential modifications to the Long-Term Operation of the CVP and SWP.
FWS/NMFS Revisions to Section 7	Proposed 7/25/18. ACWA, working with NESARC, provided comments on 9/24/18. Final rule published on 8/27/19 and largely consistent with proposed rule.	On 7/5/22, a federal district court in California vacated the rule. On 11/16/22 the judge reversed course and let the

Consultation Requirements		<p>Trump-era rule stand while the agencies revise the rule.</p> <p>The new proposed rule is currently under review at OMB.</p>
FWS/NMFS Revisions to Section 4 Critical Habitat Designations	<p>Proposed 7/25/18. ACWA, working with NESARC, provided comments on 9/24/18. Final rule published on 8/27/19 and largely consistent with proposed rule.</p>	<p>On 7/5/22, a federal district court in California vacated the rule. On 11/16/22 the judge reversed course and let the Trump-era rule stand while the agencies revise the rule.</p> <p>The new proposed rule is currently under review at OMB.</p>
FWS Rescind the blanket 4(d) Rule	<p>Proposed 7/25/18. ACWA, working with NESARC, provided comments on 9/24/18. Final rule published 8/27/19 and identical to proposed rule.</p>	<p>On 7/5/22, a federal district court in California vacated the rule. On 11/16/22 the judge reversed course and let the Trump-era rule stand while the agencies revise the rule.</p> <p>The new proposed rule is currently under review at OMB.</p>
FWS Critical Habitat Exclusions under Section 4(b)(2)	<p>NESARC filed comments on the proposed rule in October 2020. Final rule published on 12/18/20.</p>	<p>On 10/27/21 the Service proposed to rescind the previous 2020 final rule. NESARC submitted comments on 12/13/21. On 7/21/22, FWS rescinded the 2020 rule.</p> <p>The agencies are reviewing ESA Section 4 regs to determine whether and how they should be revised/rescinded. Proposed rule expected Summer 2023.</p>
FWS/NMFS "habitat" Definition	<p>NESARC commented on the proposed rulemaking in September 2020. Final rule published on 12/16/20 and narrowed the definition of habitat (for the purposes of designating critical habitat only) to areas that currently or periodically support a species. Takes effect on 1/15/21.</p>	<p>On 10/27/21 the Service proposed to rescind the previous 2020 final rule defining "habitat." NESARC submitted comments on 12/13/21. On 6/24/22, the agencies rescinded the 2020 definition of "habitat."</p>
FWS Experimental Populations Designation	<p>On 6/7/22, FWS issued a proposed rule to revise its regulations on experimental populations of endangered and threatened species.</p>	<p>NESARC submitted comments on 8/8/22. Final rule expected summer 2023.</p>



**Beaumont-Cherry Valley Water District
Regular Board Meeting
April 27, 2023**

Item 9

STAFF REPORT

TO: Board of Directors

FROM: Dan Jagers, General Manager

SUBJECT: **Consider Support or Opposition of Current California Legislation (Seven Bills and One Initiative)**

Staff Recommendation

Consider support or oppose positions on the following legislation and direct staff to produce, execute and send appropriate correspondence:

Bill No.	Title	Staff Recommendation
AB 249	Testing for Lead Drinking Water in Schools	OPPOSE
AB 460	State Water Resources Control Board: water rights and usage: interim relief procedures	OPPOSE
AB 557	Emergency Remote Meetings	SUPPORT
AB 1337	State Water Resources Control Board: water shortage enforcement	OPPOSE
SB 23	Water supply and flood risk reduction projects: expedited permitting	SUPPORT
SB 389	State Water Resources Control Board: determination of water right	OPPOSE
SB 867	Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023	SUPPORT if amended
Initiative 1935	Taxpayer Protection and Government Accountability Act	OPPOSE

Discussion

The following legislation has been analyzed by the Association of California Water Agencies (ACWA) and / or the California Special Districts Association (CSDA) and a position or action has been recommended as indicated.



AB 249 Water: School Sites: Lead testing (Holden)

ATTACHMENT 1	CSDA	ACWA	RECOMMEND
	OPPOSE	OPPOSE	OPPOSE

AB 249 would require a community water system (CWS) that serves public or private TK-12 schools, with a building constructed before January 1, 2010, to test for lead in each of the schoolsite's potable water system outlets on or before January 1, 2027. ACWA supports appropriate regulation of lead in drinking water, as it is critical to public health, particularly for children. However, the bill is premature. The U.S. Environmental Protection Agency's (USEPA) Lead and Copper Rule Revisions (LCRR) went into effect on December 16, 2021. The LCRR requires CWSs to conduct lead testing in elementary schools and child care facilities that they serve, over no more than five years from October 16, 2024. CWSs are also required to provide testing to secondary schools on request during the five-year period, and to elementary schools and child care facilities upon request after the first round of mandatory testing. USEPA under the Biden Administration is already in the process of developing a new proposed federal rule, the Lead and Copper Rule Improvements (LCRI), to strengthen the LCRR. USEPA plans to finalize the LCRI before October 16, 2024. Given that the Biden Administration is in the process of strengthening the requirements of the LCRR, AB 249 would likely result in conflicting or duplicative and different requirements for testing for lead in drinking water at schoolsites. This is the fundamental flaw with AB 249.

AB 460: State Water Resources Control Board: water rights and usage: interim relief procedures (Bauer-Kahan)

ATTACHMENT 1	CSDA	ACWA	RECOMMEND
	WATCH	OPPOSE	OPPOSE

AB 460 would grant the State Water Resources Control Board new and sweeping authority to issue interim relief orders against water diverters and users. Additionally, these orders could be issued without holding a hearing in which water right holders could defend their actions. The bill would also authorize the State Water Board to enforce the orders by imposing onerous and costly requirements on water users. This could include curtailing diversions, imposing new minimum streamflow requirements, directing reservoir operations, requiring the diverter to conduct technical studies, and more.

AB 557 Open Meetings: local agencies: teleconferences (Hart)

ATTACHMENT 2	CSDA	ACWA	RECOMMEND
	SPONSORED - SUPPORT	NO POSITION	SUPPORT

This is CSDA's 2023 sponsored bill on the Brown Act. This bill follows the successful passage of Assembly Bill 361 (R. Rivas, 2021), which established modified remote meeting procedures within the Brown Act for local agencies meeting during specified emergencies. CSDA is requesting a support letter.

Local agencies have been able to utilize the procedures established by AB 361 to meet remotely during the COVID-19 pandemic. The COVID-19 state of emergency in California terminated in



February 2023, whereupon local agencies could no longer use AB 361 for COVID-19-related reasons. However, local agencies may rely on AB 361's provisions after February should there be a different emergency (e.g., flooding, wildfires, earthquakes) that makes it unsafe to meet in-person, so long as that emergency is accompanied by a formal state of emergency declaration made by the Governor.

In order to preserve the modified remote meeting procedures of AB 361 beyond the end of 2023, CSDA has sponsored AB 557, which would abolish the sunset that would otherwise repeal these procedures. AB 557 also changes the timeframe for the renewal resolutions required under the AB 361 framework. from 30 days **to 45 days**, providing agencies with an additional two weeks.

AB 1337 State Water Resources Control Board: water shortage enforcement (Wicks)

ATTACHMENT 3	CSDA	ACWA	RECOMMEND
	OPPOSE	OPPOSE	OPPOSE

AB 1337 would authorize the State Water Board to adopt wide-ranging regulations and enforce them through curtailing diversions or use of water under any claim of right. The bill would not require the State Water Board to hold a hearing before issuing curtailments.

This bill would strip water right holders of their constitutional due process guarantees and create significant uncertainty for communities and industries that depend on a reliable supply of water that California's existing water rights system ensures.

SB 23 Water supply and flood risk reduction projects: expedited permitting (Caballero)

ATTACHMENT 4	CSDA	ACWA	RECOMMEND
	SUPPORT	SPONSORED - SUPPORT	SUPPORT

ACWA members are on the front lines of preparing for a changing climate where wetter wets and drier dries are revealing the need for continued investments in California's water infrastructure. Despite the urgent need for water supply and flood risk reduction projects, the process of permitting these critical projects can result in significant delays and increased costs. SB 23 would streamline the regulatory permitting of water supply and flood risk reduction projects in four ways:

- Reform the process by which an application for a Section 401 Water Quality Certification is deemed complete;
- Require the review and approval of Section 401 Water Quality Certifications and Lake and Streambed Alteration Agreements to be completed within 180 days of submittal of a complete permit application;
- Avoid duplicative planning efforts by allowing certain watershed management plans that are already developed and implemented to be used for mitigation required through Section 401 Water Quality Certifications; and
- Allow project applicants to voluntarily contribute resources to state permitting agencies in order to provide agencies with additional resources to meet the permitting



SB 389 State Water Resources Control Board: determination of water right (Allen)

ATTACHMENT 1	CSDA	ACWA	RECOMMEND
	WATCH	OPPOSE	OPPOSE

Would authorize the State Water Board to investigate and determine the scope and validity of any water right claim. In any proceeding to evaluate the basis of a water right, the water right holder would have the burden of proving the basis of the right. ACWA has serious concerns with authorizing the State Water Board to drag water right holders before the Board to prove their claims.

SB 867 Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023 (Allen)

ATTACHMENT 5	CSDA	ACWA	RECOMMEND
	WATCH	SUPPORT IF AMENDED	SUPPORT IF AMENDED

ACWA is urging members to support SB 867 (Allen) if it is appropriately amended to include ACWA's infrastructure priorities. This bill would place a drought and water resilience bond on a future California statewide ballot to fund infrastructure investments in water and drought, wildfire and forest resilience, coastal resilience, and other natural resources issues.

ACWA is advocating for a \$7.85 billion bond investment in water infrastructure that focuses on a number of critical water issues including, recycled water, groundwater recharge and storage, flood protection, dam safety, conveyance, storage, safe drinking water, regional watershed resilience, State Water Project improvements, and water conservation.

California Initiative 1935

Taxpayer Protection and Government Accountability Act

ATTACHMENT 6	CSDA	ACWA	RECOMMEND
	OPPOSE	OPPOSE	OPPOSE

This statewide initiative measure has qualified for the November 5, 2024 ballot. This is a measure to amend the California Constitution sponsored by the California Business Roundtable and is the most consequential proposal to limit the ability of the State and local governments to enact, modify, or expand taxes, assessments, fees, and property-related charges since the passage of Propositions 218 and 26. If enacted, public agencies would face a drastic rise in litigation that could severely restrict their ability to meet essential services and infrastructure needs.

Fiscal Impact

No fiscal impact for establishing positions on legislation.



Attachments

1. ACWA April 2023 Priority Issues Update
2. AB 557 Fact Sheet from Asm Greg Hart
3. AB 1337 Coalition letter to Bauer-Kahan
4. ACWA SB 23 Fact Sheet
5. Sample ACWA Support letter re: SB 867
6. CSDA Analysis of Ballot Initiative 1935

Staff Report prepared by Lynda Kerney, Administrative Assistant

ACWA UPDATE ON PRIORITY ISSUES

A high-level look at recent ACWA activity and initiatives.



Attachment 1

APRIL 2023

Water Rights Legislation

ACWA continues to work closely with its Water Rights Work Group and State Legislative Committee to advocate against water rights legislation that is seeking to fundamentally change the way California's water rights system is implemented and enforced. Bills that have been introduced this year include: AB 460 by Assembly Member Rebecca Bauer-Kahan (D-Orinda), which would grant the State Water Resources Control Board new and sweeping authority to issue interim relief orders against water diverters and users; AB 1337 by Assembly Member Buffy Wicks (D-Oakland), which would authorize the State Water Board to adopt wide-ranging regulations and enforce them through orders curtailing the diversion or use of water under any claim of right; and SB 389 by Senator Ben Allen (D-Santa Monica), which would authorize the State Water Board to investigate and determine the scope and validity of any water right claim. AB 460 and AB 1337 are scheduled to be heard on April 18 at the Assembly Water, Parks and Wildlife Committee. ACWA distributed Alerts March 14 and April 5 urging members to join the ACWA-led coalition to oppose all three bills and to contact legislators to express opposition. The Alerts are available at acwa.com/notifications. Members may still join the coalition.

STAFF CONTACT

Kristopher Anderson
State Relations
Advocate
krisa@acwa.com

SB 867 - Drought and Water Resilience Bond

The Senate Natural Resources and Water Committee passed SB 867 (Allen) on March 28. The bill will be heard next by the Senate Governance and Finance Committee. SB 867 would place a drought and water resilience General Obligation Bond on a future California statewide ballot to fund infrastructure investments in water and drought, wildfire and forest resilience, coastal resilience, and other natural resources issues. ACWA is urging members to support SB 867 if it is appropriately amended to include [ACWA's state infrastructure funding priorities](#). ACWA is advocating for a \$7.85 billion bond investment in water infrastructure that focuses on a number of critical water issues including, recycled water, groundwater recharge and storage, flood protection, dam safety, conveyance, storage, safe drinking water, regional watershed resilience, State Water Project improvements, and water conservation. More information is available in an Alert that ACWA distributed to members March 9 at acwa.com/notifications.

STAFF CONTACT

Adam Quiñonez
State Relations
Director
adamq@acwa.com

SB 23 - Streamlining Permitting of Critical Water Projects

The Senate Natural Resources and Water Committee passed ACWA-sponsored SB 23 (Caballero) on April 11. The bill will be heard next by the Senate Environmental Quality Committee. SB 23 would improve and streamline the regulatory permitting process, while preserving established environmental protections, so that critical infrastructure projects are built at the pace and scale needed to prepare for climate change. More information on how SB 23 would streamline the regulatory permitting process of water supply and flood risk reduction projects can be found in a fact sheet available at acwa.com/resources. ACWA distributed an Alert March 22 asking members to join the ACWA-led coalition in support of the bill. Members may still join the coalition. The ACWA Alert is available at acwa.com/notifications.

STAFF CONTACT

Kristopher Anderson
State Relations
Advocate
krisa@acwa.com

AB 249 - Testing for Lead in Drinking Water at Schools

ACWA has a not-favor-unless-amended position on AB 249 (Holden) which would establish new requirements in state law for testing by community water systems for lead in drinking water at public schools. ACWA's fundamental concern is that the Legislature is working on the bill at the same time the Environmental Protection Agency (EPA) is developing the federal Lead and Copper Rule Improvements. If AB 249 is enacted, the two programs would likely have different requirements with overlapping compliance periods. This timing could likely lead to public water agencies having to conduct testing in public schools twice for the same purpose. ACWA is coordinating on this bill with the California Municipal Utilities Association (CMUA) and the California Special Districts Association. The State Legislative Committee's Lead in Drinking Water Work Group is engaged with staff on this legislation.

STAFF CONTACT

Cindy Tuck
Deputy Executive
Director
cindy@acwa.com

Eligible Ballot Measure that Would Affect Requirements for Local Taxes and Charges

On March 31, the ACWA Board of Directors approved an oppose position on The Taxpayer Protection and Government Accountability Act (Ballot Measure). The California Business Roundtable is the lead proponent for this proposed California ballot measure. The proponents have obtained sufficient signatures for the Ballot Measure to qualify for the November 2024 ballot. The text of the Ballot Measure is available at oag.ca.gov.

The measure includes provisions regarding both state and local taxes and charges. One of the concerns with the measure is that the justification of much needed public water agency fees or charges would become even more difficult, and as a result, there would likely be more litigation in this area. Cal Cities and the California Special District Association have also taken oppose positions on the measure.

STAFF CONTACT

Cindy Tuck

Deputy Executive Director

cindy@acwa.com

Water Use Efficiency

The State Water Board recently released the [proposed regulatory framework](#) for "Making Conservation a California Way of Life." This new framework proposes unique water use efficiency goals for each urban retail water supplier, including urban water use efficiency standards, variances, an urban water use objective, and commercial, industrial, and institutional (CII) performance measures. On March 22, the State Water Board held a workshop gather public input on the proposal before the State Water Board implements the rulemaking process. ACWA staff provided verbal comments to address overarching concerns with the draft framework and technical concerns with the outdoor standard. In addition, 14 of ACWA's member agencies also provided comments with specific examples that illustrated and highlighted the feasibility concerns of the proposed regulation. ACWA submitted a comment letter to the State Water Board that is available at acwa.com/resources. The formal rulemaking is anticipated to start in May, and more information is available in an ACWA Alert that was distributed on March 16 at acwa.com/notifications.

STAFF CONTACT

Chelsea Haines

Regulatory Relations Manager

chelseah@acwa.com

Clean Fleets Rule

The California Air Resources Board (CARB) recently released the [final draft regulatory language](#) for the proposed Advanced Clean Fleets (ACF) regulation. The ACF regulation would require California fleet owners and operators, including ACWA members, to start purchasing zero emission vehicles (ZEVs) in 2024, with the goal to move California's medium- and heavy-duty trucks to zero emission, where feasible, by 2045. ACWA staff worked with its Clean Fleets workgroup to continue to advocate for CARB to provide workable exemption pathways when ZEVs do not meet public water agencies' fleet needs and to provide more certainty in the process for submitting successful exemption requests. ACWA submitted comments to CARB on April 7. The full comment letter is available at acwa.com/resources. CARB is expected to adopt the ACF regulation at the April 27 CARB [Board meeting](#).

STAFF CONTACT

Nick Blair

State Relations Advocate

nickb@acwa.com

Federal Drinking Water Standards for PFAS

Last month, the EPA announced the proposed National Primary Drinking Water Regulation for six PFAS substances. The proposal would regulate PFOA and PFOS as individual contaminants, and will regulate four other PFAS – PFNA, PFHxS, PFBS, and GenX Chemicals – as a mixture. EPA proposed 4 parts per trillion (ppt) enforceable limit on PFOA or PFOS that could be in drinking water. The agency also proposed water concentration limits for each of the remaining four PFAS based on its estimated hazards, known as a Hazard Index. The proposal was [published](#) in the Federal Register on March 29 with a 60-day comment period with comments due May 30. ACWA will submit comments. EPA plans to finalize the regulation by the end of 2023. For more information on the proposal visit EPA's [website](#).

STAFF CONTACT

Madeline Voitier

Federal Relations Representative

madelinev@acwa.com

Federal Lead and Copper Rule Revisions Implementation

ACWA joined CMUA and others to create an [industry-led guidance document](#) on lead service line inventories pertaining to the Lead and Copper Rule Revisions (LCRR). The document aims to fill gaps between the EPA [guidance released](#) last August and State Water Board materials covering the inventory requirements. The document is meant to help water systems comply with the LCRR's requirements by Oct. 16, 2024.

STAFF CONTACT

Madeline Voitier
Federal Relations
Representative
madelinev@acwa.com

ACWA Elections

ACWA has launched two separate but concurrent election processes for the 2024-'25 term: the Board officers' election for ACWA President and Vice President and the region board elections. The Board officers' Election Committee will issue an official call for candidates this month for members interested in running for President or Vice President. ACWA's region Nominating Committees will also issue similar call for candidates for those interested in serving on the 10 region boards. As a result of bylaw changes approved by the membership in 2022, the way in which ACWA members elect the President and Vice President has changed. More information on the changes, how to vote and how to become a candidate is available at acwa.com/elections.

STAFF CONTACT

**BOARD OFFICER
ELECTION:**
Donna Pagborn
Senior Clerk of the
Board
donnap@acwa.com

REGION ELECTIONS:
**Your Region
Representative**

Quench California

ACWA's statewide public education campaign, Quench California, is offering additional partnership opportunities, including the ability to place customized digital ads in targeted communities to help member agencies take advantage of the campaign branding and website while amplifying the importance of investing in water infrastructure. In addition, ACWA distributed new toolkit items to member agencies in an Advisory on April 6. Members are encouraged to utilize toolkit items, including a website button, customizable social media posts and graphics, campaign logos, handouts and four videos in three different lengths and with Spanish subtitles, to complement local outreach efforts and help increase the visibility of the campaign. The Advisory and items are available at acwa.com/notifications.

More information about the partnership program is available [online](#). The toolkits and videos are available to members at acwa.com/resources. More information on the campaign is available at QuenchCA.com.

STAFF CONTACT

Heather Engel
Director of
Communications
heathere@acwa.com

Upcoming Events - Visit www.acwa.com/events for more

- ACWA 2023 Spring Conference and Exhibition - **May 9 - 11**
- ACWA Region 2 Program & Tour: Sites Reservoir, a Resilient Water Supply for California's Future - **June 1**
- ACWA Region 10 Program and Tour - **June 29**



ASSEMBLY BILL 557

EMERGENCY BROWN ACT MEETING PROCEDURES

SUMMARY

AB 557 eliminates the January 1, 2024 sunset on the provisions of the Brown Act that provided additional flexibility for local agencies looking to meet remotely during an emergency while still maintaining public access and transparency. This legislation will provide a narrow but important emergency authority, allowing local governing bodies to safely meet and take action during applicable states of emergency declared by the Governor.

BACKGROUND

AB 361 (Rivas, 2021) codified, until Jan 1, 2024, numerous provisions of Governor Newsom's Executive Orders pertaining to the Brown Act in 2020. The provisions only apply in the event that an emergency situation or public health orders prevent a local agency board from meeting in-person. If the meeting could still be held in-person without endangering local agency board members or personnel, then the local agency would not be permitted to rely on the provisions added to California Government Code section 54953 by AB 361. Local agencies needing to meet remotely pursuant to those provisions are only permitted to do so in concert with an emergency declared by the Governor of California.

PROBLEM

While the worst of the COVID-19 pandemic appears to have subsided, the need to be prepared for future emergencies remains. Recent events in California, including disastrous flooding and devastating wildfires, underscore this point.

AB 361 was extensively used by local agencies to meet during the pandemic and was designed to address all emergency situations where it would be unsafe, or even impossible, to meet in-person.

The flexibility these provisions provide will remain a critical tool for use in other emergencies declared by the Governor even after the COVID-19 state of emergency expires.

In cases where a state of emergency persists, AB 361 required local agencies to renew their emergency remote meeting resolution within 30-days. However, many agencies regularly meet once-per-month (e.g. every third-Tuesday), which is sometimes a span of just over 30 days. This forced agencies to unnecessarily move meetings to days and times less accustomed to the public or to expend unnecessary time and expense to conduct an additional meeting

SOLUTION

By removing the sunset, AB 557 preserves the critical flexibility for local agencies needing to meet remotely to continue providing the public with essential services during a Governor-declared emergency. By adjusting the renewal period for resolutions to 45 days (up from 30 days), AB 557 would provide accommodation for those agencies regularly meeting on a fixed date every month.

SUPPORT

CA Special Districts Association (Co-Sponsor)
League of California Cities (Co-Sponsor)
CA State Association of Counties (Co-Sponsor)

Attachment 3

AB 1337 (Wicks): State Water Resources Control Board: water shortage enforcement OPPOSE



April 11, 2023

Honorable Rebecca Bauer-Kahan
Chair, Assembly Water, Parks, and Wildlife Committee
1020 N Street, Room 160
Sacramento, CA 95814

RE: AB 1337 (Wicks) – State Water Resources Control Board: water shortage enforcement.
Position: OPPOSE

Dear Chair Bauer-Kahan:

The undersigned organizations write to respectfully express our opposition to AB 1337, which would provide unprecedented statutory authority for the State Water Resources Control Board (State Water Board) to restrict water diversions through regulation and to enforce the regulations through orders curtailing the diversion or use of water under any claim of right.

Water suppliers are collectively responsible for delivering water for domestic, agricultural, and industrial purposes throughout the state. Many of these agencies also provide water for fish and wildlife uses. These agencies rely on a water rights priority system that is essential to our state's economic, social, and environmental stability. The water rights that the people, the Legislature, and the courts have developed over the past century provide the legal framework upon which billions of dollars have been invested to make water consistently available to Californians.

AB 1337 would overhaul how California has managed and delivered water for more than a century. The bill's vision for future water management is little more than handing the State Water Board unfettered authority to control water use as it sees fit. Under this proposed system of water management, water managers would operate at the whims of the state. Reliability in water rights would be severely diminished, and many water agencies would struggle to meet the needs of homes and businesses throughout the state.

AB 1337 threatens to undermine the basic foundation of water management and water delivery in California by proposing to authorize the State Water Board to reallocate water rights with little or no constitutional process.

The bill would authorize the State Water Board to adopt sweeping regulations and to enforce them by later orders curtailing diversions or use of water under any claim of right. The bill would not require the State Water Board to hold a hearing before issuing curtailment orders when a hearing would be "impractical." Of course, this would be incredibly subjective. Given the absence of specificity regarding these regulations, it is impossible to know whether or how any curtailment orders would be tailored to specific factual situations. The bill excludes the involvement of a neutral arbitrator to evaluate whether a diverter is complying with regulations. Instead, the bill is structured so the State Water Board may write the rules and enforce them when and how it sees fit. AB 1337 proposes no less than to strip every water right holder in California of their state and federal constitutional guarantee of due process.

If the State Water Board did afford diverters and users of water a hearing before curtailing their rights, AB 1337 would allow the Board to tailor the hearing to the "circumstances" of the order—a vague standard that provides almost no assurances to water right holders. In addition, the hearing could be collective rather than an individual process and may be an oral or written process. The bill lacks any

specifics as to how a hearing would be conducted. It is silent as to the burden of proof, standard of review, who would oversee the hearing, how a party or parties subject to an order could defend their diversions or uses, whether they would have an opportunity to present or cross-examine witnesses, etc. The State Water Board could seemingly satisfy its obligations for issuing a curtailment order by merely giving each party a minute or two to present their case before making a final determination.

Furthermore, this raises the question of timing and delay. It would be infeasible for the State Water Board to fill up every Board agenda for months with hearings. Water diverters who have been curtailed without an opportunity to be heard first would be at the mercy of whenever the State Water Board can put their hearing on the agenda, further compromising due process protections and water supply reliability. This “process” would provide little more comfort to those subject to a curtailment order than issuing a curtailment order without any due process.

AB 1337 would allow the State Water Board to remake water management through unconstrained rulemaking authority

Compounding our concerns over the absence of constitutional due process guarantees is that AB 1337 would authorize the State Water Board to adopt sweeping, and *permanent*, regulations. Neither the proponents nor opponents of this bill know what regulations the State Water Board would adopt in accordance with the bill. The rulemaking authority that would be afforded to the State Water Board is almost entirely without guardrails. The State Water Board would merely need to argue any regulations advance the reasonable use doctrine, protect public trust resources, promote water conservation, or further any of the other enumerated justifications provided in the bill.

Proposing to hand the State Water Board unbounded rulemaking authority ignores the plethora of tools already available to implement, manage, and enforce California’s water rights system. The State Water Board has a century’s worth of laws, regulations, and court decisions it commonly relies on to balance consumptive and environmental demands.

Exempting regulations and curtailment orders from CEQA would prevent the State Water Board from understanding the environmental impacts of these decisions

AB 1337 would exempt all regulations and orders issued in accordance with the bill or Water Code Section 1058.5, which allows the State Water Board to adopt emergency regulations during extreme droughts, from the California Environmental Quality Act (CEQA). This would be extremely problematic, as it would authorize the State Water Board to ignore impacts within the service areas of a water supplier.

For example, if regulations and curtailment orders limited a municipal water supplier’s diversions, the water supplier would need to make up for this loss of supply through increased use of other sources, such as groundwater or desalination. Alternative water sources have their own environmental costs and benefits. In addition, reducing diversions may also decrease the amount of recycled water a water supplier has access to, as inputs to the system decrease. A CEQA exemption would prevent the State Water Board from considering these impacts.

The CEQA exemption further underscores why decisions regarding reasonable use and public trust cannot be made in a regulatory process without giving the affected parties the right to present evidence

of the impacts of these decisions. A robust regulatory and hearing process provides neutral decisionmakers with information and scientific evidence sufficient to make a truly informed decision.

Instead of proposing to radically overhaul water management in California, we support the Legislature modernizing the administration of the existing water rights system

There are a number of promising proposals this year that would modernize administration of the water rights priority system with improved data, efficiency, and transparency, while maintaining the existing priority system as its legal and operational foundation. Governor Newsom has proposed appropriating more than \$30 million to implement a new State Water Board project called Updating Water Rights Data for California (UPWARD). This program is intended to improve the way the state collects and manages its water rights data and information, which will be critical for data-driven water management decisions, particularly when hydrology affects supply, such as during droughts. In addition, we support proposals that have been introduced that would lead to increased deployment of stream gages, which would provide data essential to better water management. The Legislature has recognized the importance of improved data, as well, investing more than \$82 million over the past two years to help advance this important effort.

The consequences of AB 1337 should not be considered lightly. This bill would provide unfettered authority for the State Water Board to adopt regulations when it sees fit and for any purpose it sees fit. Once those regulations are adopted, the bill would hand the State Water Board punitive authority to curtail and penalize diverters and users without the information needed to make informed decisions. This bill represents an unconstitutional violation of state and federal due process protections. Ultimately, the real losers of AB 1337 will be the communities and industries that depend on the reliable supply of water that California's existing water rights system ensures.

For these reasons, we respectfully request a "NO" vote when AB 1337 is heard in the Assembly Water, Parks and Wildlife Committee on April 18. For questions about our position or comments, please contact Kristopher Anderson, Legislative Advocate with the Association of California Water Agencies, at (916) 441-4545 or krisa@acwa.com.

Sincerely,

Tricia Geringer
Vice President of Government Affairs
Agricultural Council of California

Matthew Knudson
General Manager
Antelope Valley-East Kern Water Agency

Kristopher M. Anderson, Esq.
Legislative Advocate
Association of California Water Agencies

Michael Müller
Director of Government Relations
California Association of Winegrape Growers

P. Anthony Thomas
Senior Vice President of Legislative Affairs
California Building Industry Association

Brenda Bass
Policy Advocate
California Chamber of Commerce

Chris Reardon
Director, Government Affairs
California Farm Bureau

Robert Spiegel
Senior Policy Director
California Manufacturers & Technology
Association

Andrea Abergel
Manager of Water Policy
California Municipal Utilities Association

Matthew Hargrove
President and Chief Executive Officer
California Business Properties Association

Cathy Lee
General Manager
Carmichael Water District

Bruce Houdesheldt
Mayor
City of Roseville

J.M. Barrett
General Manager
Coachella Valley Water District

Mary Rogren
General Manager
Coastside County Water District

John Bosler
General Manager/CEO
Cucamonga Valley Water District

Mark Krause
General Manager and Chief Engineer
Desert Water Agency

William Vanderwaal
General Manager
Dunnigan Water District

Mike Tietze
General Manager
East Turlock Subbasin Groundwater
Sustainability Agency

Greg Thomas
General Manager
Elsinore Valley Municipal Water District

Bruce Kamilos, P.E.
General Manager
Florin Resource Conservation District/Elk Grove
Water District

Jason Phillips
Chief Executive Officer
Friant Water Authority

John Friedenbach
General Manager
Humboldt Bay Municipal Water District

Thomas McCarthy
General Manager
Kern County Water Agency

Catherine Cerri
General Manager
Lake Arrowhead Community Services District

Patrick Kaspari, P.E.
General Manager
McKinleyville Community Services District

Paul E. Shoenberger, P.E.
General Manager
Mesa Water District

Ed Franciosa
General Manager
Modesto Irrigation District

Allison Febbo
General Manager
Mojave Water Agency

Tobe Plough
Board President
Montecito Water District

Rick Thomasser, P.G.
District Manager
Napa County Flood Control & Water
Conservation District

Ivy Brittain
Legislative Affairs Director
Northern California Water Association

Scot Moody CSDM
General Manager
Oakdale Irrigation District

Jason Franklin
General Manager
Pinedale County Water District

Anthony Firenzi
Director of Strategic Affairs
Placer County Water Agency

James Peifer
Executive Director
Regional Water Authority

Trent Taylor
Water Resources Manager
Rosedale-Rio Bravo Water Storage District

Tom Coleman
General Manager
Rowland Water District

Darin Kasamoto
General Manager
San Gabriel Valley Municipal Water District

Lance Eckhart
General Manager
San Geronio Pass Water Agency

Paul Helliker
General Manager
San Juan Water District

J. Scott Petersen, P.E.
Water Policy Director
San Luis & Delta-Mendota Water Authority

Daniel R. Ferons
General Manager
Santa Margarita Water District

Matt Stone
General Manager
Santa Clarita Valley Water Agency

Chris Lee
Interim General Manager
Solano County Water Agency

Cary Keaten
General Manager
Solano Irrigation District

Peter M. Rietkerk
General Manager
South San Joaquin Irrigation District

Charles Wilson
Executive Director
Southern California Water Coalition

Richard Atkins
Board President
Stockton East Water District

Tom Neisler
General Manager
Tehachapi-Cummings County Water District

Matthew Litchfield
General Manager
Three Valleys Municipal Water District

Danny Wade
General Manager
Tranquillity Irrigation District

Kathleen K. Haff
Chair, Tuolumne County Board of Supervisors
Tuolumne County Water Agency

Don Perkins
General Manager
Tuolumne Utilities District

Michelle Reimers
General Manager
Turlock Irrigation District

Deanna Jackson
Executive Director
Tri-County Water Authority

Mauricio E. Guardado, Jr.
General Manager
United Water Conservation District

Gary Arant
General Manager
Valley Center Municipal Water District

Erik Hitchman
General Manager
Walnut Valley Water District

Gail Delihant
Senior Director, CA Government Affairs
Western Growers Association

Craig Miller
General Manager
Western Municipal Water District

Noelle Cremers
Director, Environmental & Regulatory Affairs
Wine Institute

Willie Whittlesey
General Manager
Yuba Water Agency

cc: The Honorable Buffy Wicks
Honorable Members, Assembly Water, Parks, and Wildlife Committee
Pablo Garza, Chief Consultant, Assembly Water, Parks, and Wildlife Committee
Brent Finkel, Consultant, Assembly Republican Caucus

SB 23 (Caballero)

Streamlining Delivery of Critical Water Projects while Protecting the Environment to Meet Challenges of Climate Change

Attachment 4

California is in a race against climate change. As the wets get wetter and dries get drier, our water systems must be prepared to ensure California can continue to thrive. Building water infrastructure for the 21st century requires regulatory frameworks to move quickly to keep up. SB 23 identifies opportunities to improve and streamline the regulatory permitting process, while preserving established environmental protections, so these critical infrastructure projects are built at the pace and scale needed to prepare for climate change.

The Challenge

While our weather patterns have always been variable, climate change has, and will continue to, exacerbate the weather whiplash that is intensifying both droughts and precipitation events. From 2020 to 2022, California experienced the driest three-year period on record. In 2023, this prolonged drought was met with a series of atmospheric rivers and a bomb cyclone that brought significant amounts of rain and snow, leading to widespread flooding, property damage, and evacuation orders for tens of thousands of residents.

While the need for water supply and flood protection infrastructure is evident, getting these critical, timely projects approved and built can be a significant challenge. Even after the California Environmental Quality Act (CEQA) process is complete, the permitting process can be mired in delays caused by overlapping jurisdictions of state and federal agencies, confusion over what's required for a completed application, and state agency and project applicant staffing issues. As delays occur, costs increase, and depending on the size of the project, delays can ultimately cost water rate payers and taxpayers tens of millions of dollars. This regulatory gridlock can also lead to worse environmental outcomes and delay projects that will benefit the environment.

How SB 23 Can Help

SB 23 would streamline the regulatory permitting of water supply and flood risk reduction projects in four ways:

- 1 Reform the process by which an application for a Section 401 Water Quality Certification is deemed complete;
- 2 Require the review and approval of Section 401 Water Quality Certifications and Lake and Streambed Alteration Agreements to be completed within 180 days of submittal of a complete permit application;
- 3 Avoid duplicative planning efforts by allowing certain watershed management plans that are already developed and implemented to be used for mitigation required through Section 401 Water Quality Certifications; and
- 4 Allow project applicants to voluntarily contribute resources to state permitting agencies in order to provide agencies with additional resources to meet the permitting deadlines established in the bill.

SB 23 Answers Governor Newsom's Call To Action

In August 2022, Governor Gavin Newsom unveiled a set of actions for increasing and diversifying California's water supply. The "Water Supply Strategy: Adapting to a Hotter, Drier Future" calls for a modernization of the state's water system through major investments in infrastructure to create new sources of water supply. The plan also sets specific goals for increasing the amount of water that is stored above and below ground, recycled and reused, and making new water available for use by capturing stormwater and desalinating ocean water and salty water in groundwater basins.

The "Water Supply Strategy" identifies permitting delays as a problem that must be addressed and calls on the Legislature to streamline processes so projects can be planned, permitted, and built more quickly, while still protecting the environment.

SB 23 answers this call to action by proposing specific ideas for how California can streamline the regulatory permitting process for water supply and flood risk reduction projects without compromising environmental protection. This bill would set deadlines for processing applications for a multitude of projects, reduce duplicative planning efforts, broaden the use of existing streamlining tools, and provide permitting agencies with additional resources to meet the requirements of this bill.

Building 21st Century Infrastructure for a 21st Century Climate

Past investments in water storage have proven invaluable in managing extended periods of dry conditions. But we must recognize that new challenges require comprehensive, long-term solutions that will meet the needs of California's communities, economy, and environment through the 21st century. This means integrating modern infrastructure into multi-benefit water management approaches to improve water supply reliability and ecosystem resiliency.

SB 23 would streamline projects that utilize natural infrastructure, such as groundwater recharge to help achieve sustainable groundwater management. Regions of California, long dependent on imported water supplies, are making substantial investments in projects that will create new sources of supply. SB 23 will help accelerate recycled water, desalination, and stormwater capture projects so that these regions have access to a drought-proof sustainable supply of high-quality water.

Streamlining projects incentivizes investment in water projects. Infrastructure investments not only prepare California for a changing climate, they generate jobs and contribute to state and local economies through taxes and purchasing of products and services.

URGENCY FOR INFRASTRUCTURE



DROUGHT RESILIENCE

Water and land managers throughout California are facing steep challenges. The Sierra snowpack supplies about 30 percent of California's water storage, and climate scientists project by the 2040's the snowpack could disappear for years at a time. Prolonged droughts are straining our reservoirs and groundwater basins. The state needs more projects that capture, store, and recycle water amid declining opportunities for conservation and a rapidly changing climate.



FLOOD PROTECTION

Intensified atmospheric rivers can bring large accumulations of rain and snowfall causing severe flooding that disrupts travel and forces people to evacuate their homes. Warmer temperatures due to climate change increase the amount of precipitation that is possible, and late-season warmer, wetter storms can cause rapid melting of snowpack and the overwhelming of water and flood protection infrastructure. This year's storms illustrate the importance of widespread bolstering of flood risk reduction projects that protect life and property.

March XX, 2023

Attachment 5

The Honorable Dave Min
Chair, Senate Natural Resources and Water Committee
1021 O Street, Room 3220
Sacramento, CA 95814

RE: SB 867 (Allen) – Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023.

Position: SUPPORT IF AMENDED

Dear Senator Min,

The Association of California Water Agencies (ACWA) and the undersigned organizations wish to express our support-if-amended position on SB 867 and strongly urge the author and Committee to take amendments that would make a generational investment in California's water infrastructure system.

ACWA represents over 460 public water agencies throughout California that deliver over 90% of the water used for agricultural, commercial, and residential purposes. ACWA supports efforts to advance a general obligation bond related to climate change and water and is appreciative of Senator Allen's leadership on this issue over the years.

California's changing climate creates increased risks of drought, floods, intense rain events, and sea level rise that will present unique challenges to public water agencies and their ability to reliably provide water to California's farms and cities. The State is currently underprepared to manage a water system with a decreasing snowpack, less frequent precipitation, and weather extremes. Adapting to climate change will require California to urgently and significantly rehabilitate and modify existing water facilities, improve operational flexibility, and make generational investments in new water infrastructure.

Additional above- and below-ground storage capacity must be developed to capture precipitation, especially in extreme weather events such as atmospheric rivers, and to mitigate disappearing snowpack. In addition, new and enhanced conveyance facilities are essential for moving collected and stored water, connecting suppliers with different supply sources, transferring water among water users, recharging groundwater, and storing water for multi-beneficial purposes, including environmental benefits. State investment in water infrastructure

is crucial to providing the reliable delivery of safe water to California residents, businesses, and agriculture. In addition, climate resilience projects have also been shown to stimulate local economies and create jobs.

The undersigned organizations respectfully request that SB 867 be amended to include funding for water infrastructure projects as identified in the attached document. These amendments focus on capital investments in water infrastructure projects that would improve California's capacity to adapt to the effects of climate change.

We thank you for your consideration of the amendments and urge the author and Committee to make these investments now. If you have any questions, please do not hesitate to contact ACWA State Relations Director, Adam Quiñonez at adamq@acwa.com or (916) 441-4545.

Sincerely,

Adam Quiñonez
State Relations Director
Association of California Water Agencies

BALLOT INITIATIVE #21-0042A1 (AKA #1935)

LIMITS ABILITY OF VOTERS AND STATE AND LOCAL GOVERNMENTS TO RAISE REVENUES FOR GOVERNMENT SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT.

Eligible for November 5, 2024 California General Election Ballot

BACKGROUND

The purported “Taxpayer Protection and Government Accountability Act,” a statewide initiative measure to amend the California Constitution sponsored by the [California Business Roundtable](#) (“CBRT”), is the most consequential proposal to limit the ability of the state and local governments to enact, modify, or expand taxes, assessments, fees, and property-related charges since the passage of Proposition 218 (1996) and Proposition 26 (2010). If enacted, public agencies would face a drastic rise in litigation that could severely restrict their ability to meet essential services and infrastructure needs.

On February 1, 2023, California Secretary of State Shirley Weber issued a [memo to all county clerks/registrars of voters](#) announcing that proponents of Initiative 21-0042A1, or Initiative 1935 as now numbered by the Secretary of State, had filed the necessary number of valid signatures to make it eligible for the November 5, 2024 General Election ballot. Proponents now have until June 27, 2024 to consider withdrawing the initiative before the Secretary of State officially certifies it for the ballot.

SUMMARY

Ballot Initiative [21-0042A1](#) would result in the loss of billions of dollars annually in critical state and local funding, restricting the ability of local agencies and the State of California to fund services and infrastructure by:

- Adopting new and stricter rules for raising taxes, fees, assessments, and property-related fees.
- Amending the State Constitution, including portions of Propositions 13, 218, and 26 among other provisions, to the advantage of the initiative’s proponents and plaintiffs; creating new grounds to challenge these funding sources and disrupting fiscal certainty.
- Restricting the ability of local governments to issue fines and penalties to corporations and property owners that violate local environmental, water quality, public health, public safety, fair housing, nuisance and other laws and ordinances.

The initiative includes provisions that would retroactively void *all* state and local taxes or fees adopted after January 1, 2022 if they did not align with the provisions of this initiative. This may also affect indexed fees that adjust over time for inflation or other factors. Effectively, it would allow voters throughout California to invalidate the prior actions of local voters, undermining local control and voter-approved decisions about investments needed in their communities.

Specifically, among other provisions effecting the state government, the initiative would impact local agencies through changes to the California Constitution as follows:

Restricting Local Tax and Fee Authority to Provide Local Services

Fees:

- With few exceptions, fees and charges shall not exceed the “actual cost” of providing the product or service for which the fee is charged.
 - “Actual cost” is defined as the “...*minimum amount necessary...less other sources of revenue including, but not limited to taxes, other exempt charges, grants, and state or federal funds...*”
- The burden on the local government to prove the fee or charge does not exceed “actual cost” is heightened from a “*preponderance of the evidence*” to “*clear and convincing evidence*”.
- In addition to limiting fees and charges to the actual cost to the local government for providing the service, fees and charges must also be “reasonable” to the payor themselves; no definition is provided for this new subjective reasonableness test that is separate and apart from the test as to how closely the fee or charge is related to the cost of service.
- Defines *all* sources of revenue as either taxes or “exempt charges.”
- Includes Article XIID charges in Proposition 218 under the definition of “exempt” charges subjecting them to potential litigation.
- Exposes previously established fees indexed to inflation or other metrics to new standards and legal challenges.
- Adds to the Constitution a requirement for a board action to adopt, enact, create, establish, collect, increase, or extend any and all fees.

Taxes:

- Increases the threshold for voters to pass a local special tax initiative placed on the ballot by voters from a simple majority to a two-thirds majority, likely to address concerns over the 2017 California Supreme Court decision in *California Cannabis Coalition v. City of Upland*.
- Requires voter approval when an expansion of boundaries extends existing taxes or fees to new territory.
- New taxes can be imposed only for a specific duration.

Fines and Levees:

- Interferes with local enforcement efforts, by making it more difficult to impose fines and penalties for state and local law violations related to activities such as water discharge, waste recycling, weed abatement, fireworks, and housing code violations and unlawful commercial marijuana sales, just to name a few. The measure converts administratively imposed fines and penalties into taxes unless a new, undefined, and ambiguous “adjudicatory due process” is followed.

Increasing Litigation Exposure

- Significantly increases a public agency’s burden of proof from “preponderance of evidence” to “clear and convincing evidence” to prove compliance with the new fee requirements. By changing evidence standards to favor corporations suing public agencies, the initiative will promote costly litigation.
- The local government would bear the burden of proving by clear and convincing evidence that a levy, charge or exaction is an “exempt charge” and not a tax. Moreover, the local government would bear the burden of proving by clear and convincing evidence that the amount of the exempt charge is *both* “reasonable” to the payor and that the amount charged does not exceed the “actual cost” of providing the service or product to the payor.
- By enacting a new requirement that all fees must be “reasonable” to the payor but offering no definition as to what “reasonable” means, the initiative provides a new avenue to challenge fees by enabling a plaintiff to claim a fee is not reasonable even if the fee meets the actual costs of service.
- Prop. 218 currently requires fees cover the *reasonable* cost of service. This initiative amends Prop. 218 to require the near-impossible standard of predicting *actual* costs years into the future. To compound this challenge, the new standard also factors in the receipt of external revenues that are constantly shifting and typically outside the control of the local agency. It defines “actual costs” as:
 - “(i) the minimum amount necessary to reimburse the government for the cost of providing the service or product to the payor, and (ii) where the amount charged is not used by the government for any purpose other than reimbursing that cost. In computing “actual cost” the maximum amount that may be imposed is the actual cost less all other sources of revenue including, but not limited to taxes, other exempt charges, grants, and state or federal funds received to provide such service or product.”
- Fosters endless litigation challenging local fees claiming they are not the “minimum amount necessary”. For instance:
 - Do roads need to be paved every 10 years or 50 years?
 - Does infrastructure need to be upgraded or replaced or not improved at all?
 - What is the minimum emergency response time necessary?

IMPACTS

- Could prevent virtually any new fees or assessments to fund water, sewer, trash, fire protection, parks and recreation, and other essential services and infrastructure.
 - Places over \$20 billion of local government fee and charge revenues over 10 years at heightened legal peril.
- Jeopardizes the public health and safety of communities by cutting off new revenue intended to pay for essential local services and infrastructure.
 - Substantially increases the legal and administrative cost of public infrastructure financing.
- With billions of dollars in deferred maintenance and unmet needs for California's infrastructure, exacerbates the neglect and deterioration of our roads, dams, waterways, and other facilities.
- By limiting revenues to the "minimum amount necessary", imposes a "race-to-the-bottom" in California that will halt investment in technological advancements that future generations will depend upon.
- Prevents critical investments in climate adaptation and community resilience to address drought, flooding, and wildfire as well as reduce emissions and harmful pollutants.
- Exposes taxpayers to a new wave of costly litigation, limits the discretion and flexibility of locally elected boards to respond to the needs of their communities, and injects uncertainty into the financing and sustainability of critical infrastructure.
- Restricting local services and infrastructure to the lowest and minimum amount possible will disproportionately impact the most underserved communities the hardest.

SUPPORT

- California Business Roundtable (CBRT) – Sponsor
 - Financial contributors to the initiative and CBRT Issues PAC include, but are not limited to:
 - Aera Energy
 - Albertsons Safeway
 - AMR Holdco Inc.
 - Blackstone Real Estate Partners
 - California Business PAC, Sponsored by CalChamber
 - CJ Segerstrom & Sons
 - Cypress Management Company
 - Dart Container
 - Douglas Emmett Properties
 - Enterprise Rental Car
 - Five Point Operating Company
 - Grimmway Enterprises
 - Howard Jarvis Taxpayers Association
 - Kilroy Realty
 - Majestic Realty

- Michael K. Hayde
- Pacific Ethanol
- PEPSICO
- Pharmaceutical Research and Manufacturers of America
- Semptra Energy
- State Farm Insurance
- Sutter Health
- 7-Eleven
- In addition to the CBRT Issues PAC, direct contributors to the initiative include, but are not limited to:
 - AMR Holdco, Inc.
 - Michael K. Hayde, Including Western National Group and Affiliated Entities
 - Kilroy Realty
 - Hudson Pacific Properties and Affiliated Entities
 - Douglas Emmett Properties, LP and Affiliated Entities
 - Shorenstein Realty Services and Affiliated Entities

OPPOSITION

- Alliance for a Better California
- AFSCME California
- CalCities (League of California Cities)
- California Alliance for Jobs
- California Contract Cities Association
- California Professional Firefighters
- California Special Districts Association
- California State Association of Counties
- California State Council of Laborers
- Rebuild SoCal Partnership
- SEIU California
- Nearly 200 local agencies, including over 80 special districts