

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. seg.

Thursday, April 25, 2024 - 6:00 p.m. 560 Magnolia Avenue, Beaumont, CA 92223

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=SXIzMFZCMGh0YTFIL2tnUGlpU3h0UT09

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

BCVWD provides remote attendance options primarily as a matter of convenience to the public. Unless a Board member is attending remotely pursuant to provisions of GC 54953 et. seq., BCVWD will not stop or suspend its in-person public meeting should a technological interruption occur with respect to the Zoom teleconference or call-in line listed on the agenda. Members of the public are encouraged to attend BCVWD meetings in person at the above address, or remotely using the options listed.

Meeting materials are available on the BCVWD's website:

https://bcvwd.gov/documents/2024-board-meeting-agendas/

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BCVWD ENGINEERING WORKSHOP - APRIL 25, 2024

Call to Order: Vice President Slawson

Pledge of Allegiance: Director Ramirez

Invocation: Director Williams

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

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

Roll Call - Board of Directors

Roll Call and Introduction of Staff Members Present

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
- Discussion Regarding Issuance of Grading Water for Upcoming Development Within Fairway Canyon Master Planned Community (Tract 31462 – Phase IVC) (pages 5 - 8)
- 3. Presentation, Discussion, and Possible Action Regarding Preparation of a Joint Communities Facilities Agreement for the Proposed Tract 31462 Phases IVB and IVC (Fairway Canyon Development) located West of Tukwet Canyon Parkway and North of Oak Valley Parkway (pages 9 28)

BCVWD ENGINEERING WORKSHOP - APRIL 25, 2024

- 4. Update: Presentation on BCVWD Capital Improvement Program (pages 29 40)
- 5. Update: Making Conservation a California Way of Life (AB 1668 and SB 606) (no written report)
- 6. Update: State Water Resources Control Board Rulemaking on Chromium 6
 Maximum Contaminant Level (pages 41 50)

7. 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 12, 2024 (Hoffman, Slawson, Williams)
- ACWA Region 9 Board Meeting and Tour Inland Empire Utilities Agency in Chino on April 12, 2024 (Williams)
- Water Education for Latino Leaders Conference in Tehachapi on April 12-13, 2024 (Ramirez)
- San Gorgonio Pass Water Agency Meeting on April 15, 2024 (Slawson)
- b. Directors' General Comments
- c. General Manager's Report (pages 51 87)
- d. Legal Counsel Report

8. 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
- Engineering and Operations Center

9. Announcements

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

- Collaborative Agencies Committee: Wednesday, May 1 at 5 p.m.
- Finance & Audit Committee meeting: Thursday, May 2 at 3 p.m.
- Regular Board meeting: Wednesday, May 8 at 6 p.m. CANCELED
- Special Board meeting: To be scheduled
- Personnel Committee meeting: Tuesday, May 21 at 5:30 p.m.
- San Gorgonio Pass Regional Water Alliance: Wednesday, May 22 at 5 p.m.
- Engineering Workshop: Thursday, May 23 at 6 p.m.
- Beaumont Basin Watermaster Committee: Wednesday, June 5 at 11 a.m.

10. Recess to Closed Session

a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
 Pursuant to California Government Code Section 54956.8

 Property: APNs 408-080-009, 408-080-010, 408-080,011, 480-080-012
 Agency Negotiator: Dan Jaggers, General Manager
 Under Negotiation: Price and terms of payment

- b. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Pursuant to California Government Code Section 54956.9(d)(4)
 One case
- c. PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54947 Title: General Manager
- 11. Report on Action Taken During Closed Session
- 12. 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: https://bcvwd.gov/.

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 Office may be contacted by telephone at (951) 845-9581, email at info@bcvwd.gov 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 25, 2024

Item 2

STAFF REPORT

TO: Board of Directors

FROM: Dan Jaggers, General Manager

SUBJECT: Discussion Regarding Issuance of Grading Water for Upcoming

Development Within Fairway Canyon Master Planned Community (Tract

31462 - Phase IVC)

Staff Recommendation

No recommendation. Information only.

Executive Summary

A Developer (Meritage Homes) has communicated with District staff regarding their need for grading water for the final phase (Phase IVC) of Fairway Canyon. The final phase of this development consists of six (6) tracts and proposes to construct 366 single-family residential homes and a proposed school site. A brief summary of the lot counts has been included in Table 1. Staff is bringing this item to the Board as an informational item and to provide an update.

Background

At the October 24, 2019, Engineering Workshop, District staff identified a request for grading water from SDC Fairway Canyon, LLC. This request was for grading activities associated with a portion of Fairway Canyon Phase IV (identified as Phase IVA), see Attachment 1. The developer was allotted a maximum flow of 800 gallons per minute (gpm), so long as the District's ability to service existing rate payers was not affected. The grading activities associated with Phase IVA were completed around September 2020.

At the December 14, 2020 meeting, the Board discussed the provision of grading water to the next portion of Fairway Canyon Phase IV (identified as Phase IVB, Planning Area [PA] 21B and 22), and staff further advised the Board that the grading activities would be monitored to ensure the District water system was not adversely impacted related to customer supply. At that time, staff notified the Board that the developer may not complete the grading operations for Phase IVB within the allotted six-month period. This grading was completed in September of 2021.

SDC Fairway Canyon, LLC sold the remaining Phase IV areas of Fairway Canyon to Meritage Homes in June of 2021 and Meritage Homes requested grading water from the District to further grading activities for Fairway Canyon Phase IV, PA 18 (shown in Attachment 1). The work was expected to be completed in approximately 28 weeks.

At the October 28, 2021, Engineering Workshop, the Board discussed updated provisions of grading water to a portion of Fairway Canyon Phase IV (identified as Phase IVB, Planning Area [PA] 18) and a Grading Water Letter was issued for the requested water on November 1, 2021 (See Figure 3). The ongoing operation was provided with a conditional supply set at a maximum flowrate of 800 gpm.

At the March 24, 2022, Engineering Workshop and the June 8, 2022, Regular Board Meeting, the Board discussed the extension of the Grading Water Letter for the completion of grading for Phase



IVB of the Fairway Canyon Development. After a thorough discussion, the Board ultimately approved the request for extension of the grading water for Phase IVB of the Fairway Canyon Development under the condition that the District's ability to service existing rate payers would not be affected.

Discussion

The Developer has returned to the District to request grading water for Phase IVC of the Fairway Canyon Development. Phase IVC includes six (6) tracts (one of which will be returning to the Board at a later date for a *Will Serve Letter*). A brief summary has been included in Table 1, below.

Tract Number of Lots Tract 31462-17 59 Tract 31462-18⁽¹⁾ Proposed School Site Tract 31462-19 107 Tract 31462-27 68 Tract 31462-28 68 Tract 31462-29 64 TOTAL 366

Table 1 – Summary of Tract 31462 Phase IVC

The Applicant has identified to Staff the grading duration and approximate quantity of water for the Board's consideration. The Applicant has provided the following information to District staff:

- Six (6) months of mass grade at 250,000 gallons per day
- Two (2) months of finish grade at 100,000 gallons per day

Staff has drafted a letter which would conditionally provide water to the developer for grading activities for Fairway Canyon Phase IVC. This letter indicates that the provision of water may begin on July 1, 2024; the letter would expire on March 31, 2025 (39 weeks or 9 months).

Staff will continue to have periodic conference calls with the developer to discuss ongoing system constraints and anticipated developer grading water needs.

District staff identifies that Meritage Homes did comply with the conditions which were set in the Grading Water Letter from the 2022 grading activities.

Fiscal Impact

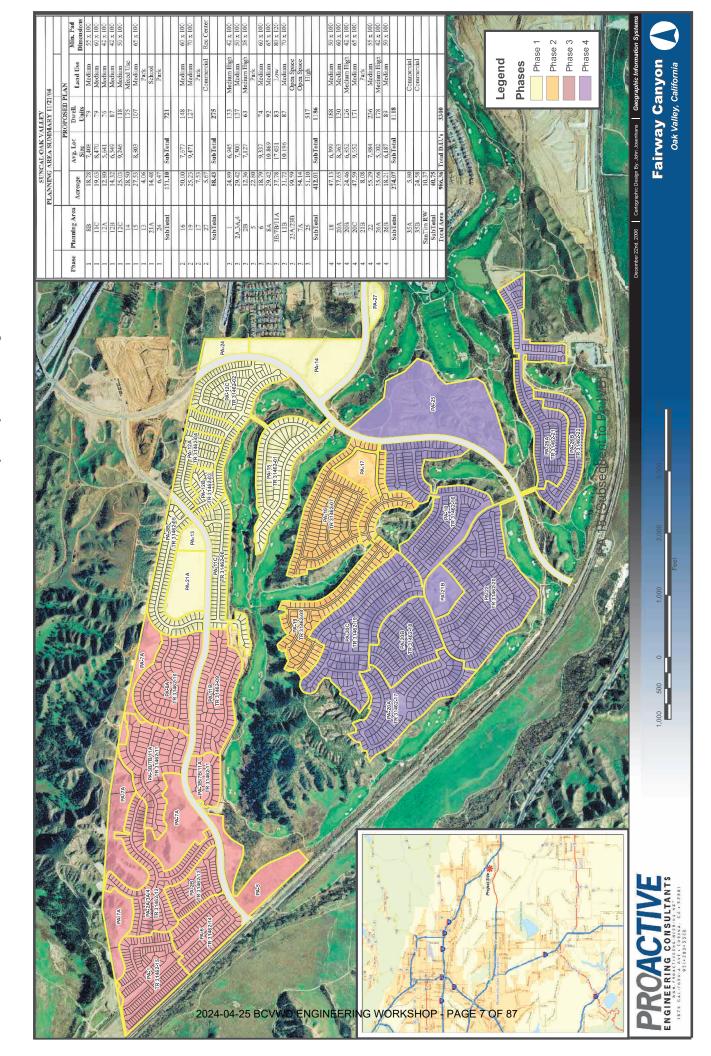
None. The developer will pay all rates and fees related to metered water use associated with grading of Tract 31462 – Phase IVC.

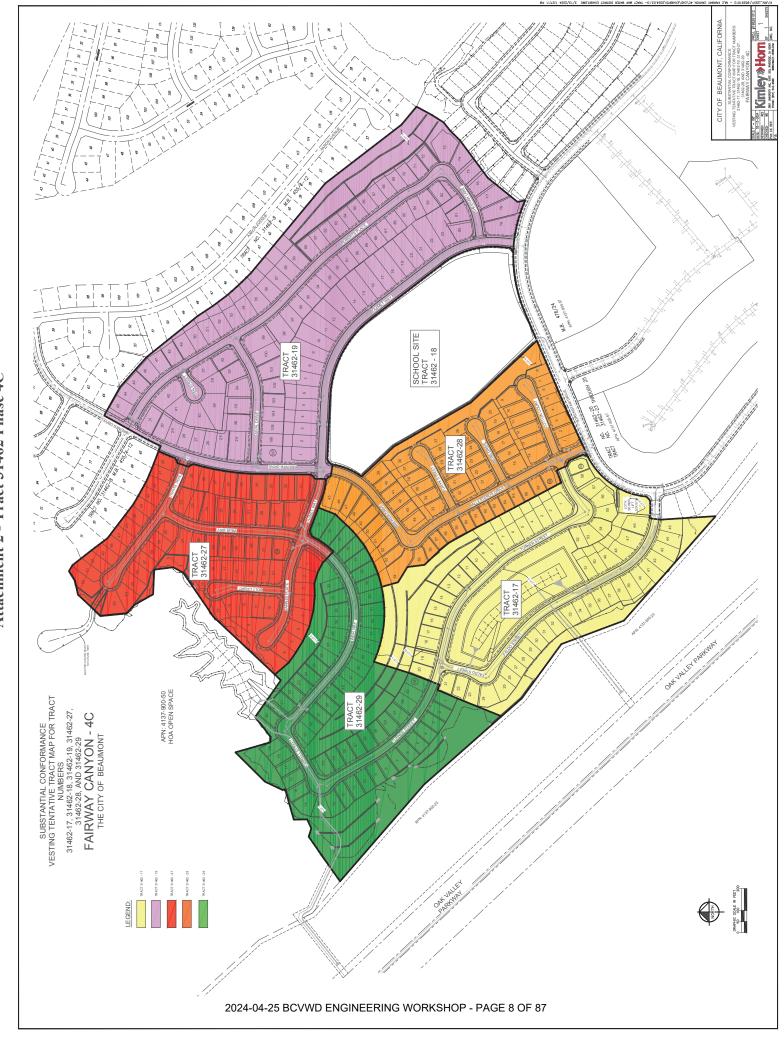
Attachments

- 1. Overall Fairway Canyon Site Map
- 2. Tract 31462 Phase IVC

Staff Report prepared by Evan Ward, Civil Engineering Assistant

⁽¹⁾ Will be brought back to the Board at a later date for a Will-Serve Letter.







Beaumont-Cherry Valley Water District Regular Board Meeting April 25, 2024

Item 3

STAFF REPORT

TO: Board of Directors

FROM: Dan Jaggers, General Manager

SUBJECT: Presentation, Discussion, and Possible Action Regarding Preparation of a

Joint Communities Facilities Agreement for the Proposed Tract 31462 Phases IVB and IVC (Fairway Canyon Development) located West of

Tukwet Canyon Parkway and North of Oak Valley Parkway

Staff Recommendation

Consider the request from the developer to proceed with the development of a Joint Community Facilities Agreement with the City of Beaumont for water facilities located within Oak Valley Parkway, and within the Fairway Canyon development Phases IVB and IVC and:

- a. Approve the request from the developer to proceed with the development of a Joint Community Facilities Agreement for said project, or
- b. Deny the request from the developer to proceed with the development of a Joint Community Facilities Agreement

Executive Summary

Meritage Homes (Applicant) has requested that the Board of Directors of the Beaumont-Cherry Valley Water District (District) consider entering a Joint Community Facilities Agreement (JCFA), which would allow for the financing of the developer's portion of the cost of construction of supporting backbone infrastructure associated with Phase IVB and IVC of the Fairway Canyon Development. This item was discussed at the October 26, 2023, Engineering Workshop regarding the consideration of a JCFA. District staff is bringing the consideration of a JCFA forward to the Board at this time for discussion, consideration and to allow the Applicant to present their request.

Background

At the January 26, 2023, Engineering Workshop, the Board of Directors considered changes to the District Rules and Regulations Part 8-2 Main Extension Procedures to include Reimbursement Agreement and Oversizing Agreement Provisions and discussed potential participation with the JCFA for the Fairway Canyon Development Phases IVB and IVC (Project). District staff is presenting only the consideration of a JCFA at this time. District staff will bring back the Oversizing Agreement component of this Project to the Board at a later date.

District staff identifies that Phase IVB of the Fairway Canyon Development consists of Tracts 31462-16, -20, -23, -24, -25, and -26 which have all received *Will Serve Letters*, have approved water improvement plans, paid capacity charges (facilities fees), and facilities have been constructed. Phase IVC of the Fairway Canyon Development, which is located in the southwestern portion of Phase IV, is the final phase of this development and has recently received *Will Serve Letters* from the Board. The Project is currently within the District's Service Boundary and does not require annexation (see Attachment 1 – Project Map).



The Applicant presented the Communities Facilities District (CFD) for Phase IVB of the Project to the City of Beaumont (City) at the June 20, 2023, City Council Meeting. It is the understanding of District staff that the Applicant plans to present Phase IVC of the Project to the City at a later date. The only participation required of the District with regards to the CFD would be for the approval of the JCFA; all CFD administration costs would be covered by Meritage Homes, if considered and approved. The District's current Rules and Regulations do not address the financing of District facilities covered by developers. District staff identifies that the CFD would only collect funds for the construction of water facilities, and not the overall maintenance and eventual replacement of the facilities, such as presented in a previous recent CFD presentation for a separate development.

At the October 26, 2023, Engineering Workshop, the developer presented the concept of a CFD and Joint Community Facilities Agreement (JCFA) between the City and the District for the improvements associated with the infrastructure and in-tract improvements associated with the final phases of the Fairway Canyon Development. Following a long discussion regarding the funding component and management of the JCFA, it was requested that the Board have more time to digest information and the item was tabled for a future meeting (see Attachment 3 for the October 26, 2023 Engineering Workshop Minutes).

Discussion

The Applicant no longer plans to include the in-tract facility improvements as a part of the JCFA. Previously, this item was presented as though the JCFA would be financially responsible for the in-tract improvements and the infrastructure. However, the developer has indicated that the JCFA would only include the infrastructure, as identified in Table 1, below.

	_	
Phase	Improvement	Note
	Oak Valley Pkwy (Potable)	4,170 LF of 18-in. Pipeline (2650 PZ) 4,150 LF of 24-in. Pipeline (2520 PZ)
IVB	Oak Valley Pkwy (Non-Potable)	4,120 LF of 18-in. Pipeline (2600 PZ)
	Sorenstam Drive Potable Infrastructure	3,190 LF of 12-in. Pipeline (2520 PZ)
IVC	Oak Valley Pkwy (Non-Potable)	6,050 LF of 12-in. Pipeline (2400 PZ)

Table 1 – Proposed Phase IVB Project Summary

District staff identifies that the Developer is proposing that monies collected as a part of the CFD will be for the construction of the supporting backbone infrastructure that the Applicant is required to construct to service their Project.



The off-site infrastructure improvements that the Applicant has been conditioned to construct, as a part of Phase IVB, is a 4,150 linear foot (LF) section of Oak Valley Parkway that will consist of the three following pipelines:

- An 18" potable ductile iron pipe (DIP) within the District's 2650 Pressure Zone
- A 24" potable DIP within the District's 2520 Pressure Zone
- An 18" non-potable DIP within the District's 2600 Pressure Zone

As part of Phase IVC, the Applicant will be required to construct a 12-inch non-potable ductile iron pipeline from the southwest area of Phase IVC to Oak Valley Parkway.

The Applicant has indicated to District staff that the construction of the off-site infrastructure water improvements are costly in today's economic environment and requests that the Board consider entering into a JCFA with the City.

Fiscal Impact

There is no fiscal impact to the District. All costs associated with the District's participation in the CFD would be paid by the Applicant.

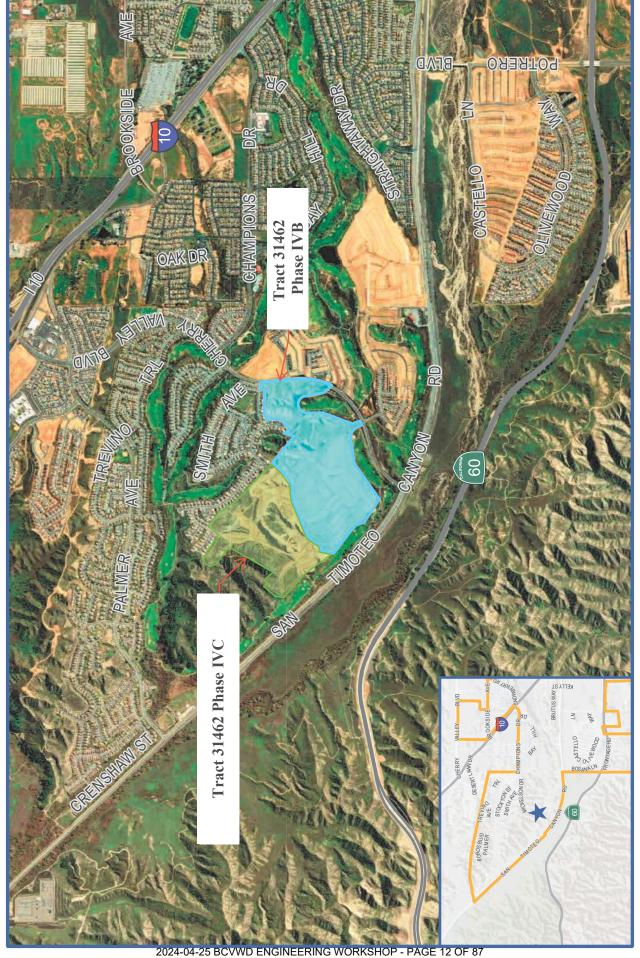
Attachments

- 1. Project Map
- 2. Fairway Canyon Phase IVB & Phase IVC Potable and Non-Potable Infrastructure
- 3. Minutes of Special Meeting Tuesday, October 26, 2023
- 4. Presentation by Developer

Staff Report prepared by Evan Ward, Civil Engineering Assistant









Attachment 2 - Fairway Canyon Phase IVB & Phase IVC Potable and Non-Potable Infrastructure



Attachment 3



BEAUMONT-CHERRY VALLEY WATER DISTRICT 560 Magnolia Avenue, Beaumont, CA 92223

MINUTES OF SPECIAL MEETING – ENGINEERING WORKSHOP OF THE BOARD OF DIRECTORS Tuesday, October 26, 2023 at 6:00 p.m.

Meeting held in person at 560 Magnolia Ave., Beaumont, CA pursuant to California Government Code Section 54950 et. seq.

Call to Order: President Hoffman opened the meeting at 6:05 p.m.

Pledge of Allegiance was led by President Hoffman.

Invocation was given by Director Williams.

Announcement and Verification of Remote Meeting Participation No Board members were attending via teleconference.

Roll Call:

Directors present:	Covington, Hoffman, Slawson, Williams
Directors absent:	Ramirez
Staff present:	General Manager Dan Jaggers Director of Engineering Mark Swanson Director of Information Technology Robert Rasha Civil Engineering Assistant Evan Ward Civil Engineering Assistant Inmar Shihab Water Utility Superintendent Julian Herrera Executive Assistant Lynda Kerney
Legal Counsel	Steve Flower

Members of the public who registered their attendance: Lance Eckhart, Kevin Walton, and Mickey Valdivia from the San Gorgonio Pass Water Agency; Dr. Blair Ball, Paul Onufer, David Hendrix, and Jim Zimmerman.

Public Comment: None.

1. Adjustments to the Agenda

At the request of staff, President Hoffman continued to a future meeting Item 6: Resolution 2023-___ - Amending the District Policies and Procedures Manual Adopting Policy 3235 Military Leave and Policy 3110 Jury and Witness Duty.

General Manager Jaggers corrected the lot count for Item 2, the Fairway Canyon development.

2. Presentation, Discussion, and Consideration of Preparation of a Joint Communities Facilities Agreement for the Proposed Tract 31462 Phases IVB and IVC (Fairway Canyon Development) located west of Tukwet Canyon Parkway and north of Oak Valley Parkway

General Manager Jaggers introduced the request and noted that the purpose of the item is to allow the developer to present the concept of a Community Facilities Agreement. Director of Engineering Mark Swanson noted the request is for the water infrastructure facilities. He described the project location and provided background on the ongoing development.

This discussion is related to Oak Valley parkway Improvements, and the west side of Tukwet Canyon (near Sorenstam), Swanson stated, and the developer's goal is to finance the facilities into a CFD. Traditionally, the Dsitct has not participated in a CFD, but it is required of the developer by the City of Beaumont.

Swanson reminded the Board of prior discussion in January 2023. Director Covington recalled that the direction from the Board in January was to gain more information at a later date. It was on the City's agenda in June, he advised.

Mr. David Hendrix of Meritage Homes introduced Jim Zimmerman and noted that the City has approved the Tentative Map for Phase IV-C (366 homes and a 12-acre school site), the developer has met with the BCVWD Engineering Department, and grading is expected to begin in the next four months.

Mr. Hendrix enumerated the \$5.3 million in public facilities to be installed. Approved and ready for construction (out for bid) are the Oak Valley Parkway improvements, he noted.

CFD 2023-1 has been formed by the City of Beaumont, Hendrix continued. He emphasized that Meritage is the sole project in 2023-1 with funding for improvements only and the old CFD 93-1 has been canceled and has no effect on the project. All improvements will be constructed and paid for and funded by Meritage Homes prior to any of the bond sale proceeds (i.e., Meritage fronts all the costs and completes the improvements), he stated, then would be reimbursed.

Bonds will be issued in series and will have a term of 30 years, Hendrix explained. In response to President Hoffman, Hendrix confirmed the builder's responsibilities and bond obligation. He said the outlay would be a little more than \$28 million before any bonds are issued or any reimbursement to the builder. He provided additional detail on the bonds.

Director Covington asked about the typical process in the absence of a CFD. Mr. Hendrix explained that all developments within Fairway Canyon have CFDs with master infrastructure improvements included. The purpose is to have improvements completed and eligible for reimbursement, he continued.

President Hoffman noted that the developer would be extending the funding to complete the infrastructure but would not be building all of the homes that will utilize the infrastructure. It will be a series of bond issuances, Hendrix stated. There will be a number of homes within each established improvement district and the bonds would be sold for that district, then the improvements would be reimbursed. The overall benefit is the larger master improvements with an allocated portion to each district, he explained.

The Water District has no connection to the bonds, Hendrix assured. The District would sign a joint community facilities agreement and the CFD is managed by third parties, along with the funding mechanisms which are outside of the City's or developer's control. The developer pays all the costs of the improvements and pays fees to BCVWD, he noted. After full dedication, the improvements become full assets to BCVWD. Mr. Jaggers noted that BCVWD had not participated in the Fairway Canyon CFDs but had done so in the past with the City and there had been issues with the management of the prior CFDs.

Director Slawson asked about BCVWD staff responsibilities; Mr. Hendrix indicated there would be no added work for District staff.

Director Covington asked about replacement of the prior CFD 93-1, and Mr. Hendrix noted it had been canceled and its obligations were canceled. He provided an overview of the current progress of the development. He confirmed in response to Director Covington that CFD 2023-1 would include only Phase IV-B, and Phase IV-C would likely have a 2025 number.

Director Williams asked for clarification on the bond sales. Mr. Hendrix said it will be explained to the purchaser about the assessment on the property tax bill at a rate lower than the mortgage rate. The residents will be the ones paying for the bonds, Williams noted, and asked about the third-party administrator. Hendrix clarified further, and Jim Zimmerman added that the administrator team is hired by the City (CFD) and consists of bond counsel, tax consultant, and trustees who make sure the funds are handled appropriately. He confirmed that the City does not have access to that money.

Director Williams asked about the need for BCVWD's participation. Mr. Hendrix said bonds would be issued because there are other eligible city improvements such as a sewage lift station and park site, but there are not sufficient improvements to fulfill the ability to satisfy the bond structure to fund more improvements. The District is needed to join in order to provide a larger group of eligible improvements, he stated.

Director Williams said it sounds like the residents would be paying for the project development. Mr. Zimmerman pointed to the boundary of the CFD and said the homeowners are paying for the house and infrastructure one way or another. The CFD provides a financing mechanism whereby they can purchase the home at a reduced price, and pay for the infrastructure part through the property taxes. Access to municipal financing and bond rates are much more beneficial than the higher mortgage rates, he posited.

BCVWD will not be involved in the bond issuance, and will not be on the tax bill line item, Zimmerman assured. It is intended to be a no cost proposition to the District; Meritage will cover costs related to the document.

Mr. Hendrix listed the benefits to BCVWD: Facilitate new development and additional customers, facilitate City providing BCVWD reclaimed water, facilitate low-cost financing of public water infrastructure, facilitate low cost housing to help solve the statewide housing crisis, and no risk or costs to BCVWD. It is invisible to the homeowner, but is all public information, he noted.

Mr. Zimmerman discussed the benefits to the homeowner. Director Williams asked if the charge was a fixed rate; Mr. Zimmerman said yes. Director Covington asked about limits on the rate, and Zimmerman acknowledged rates have been volatile. The rate is currently about 5.25 to 5.5, he stated. Bonds are secured for a 30 year term, he responded to President Hoffman.

The bonds can be refinanced to achieve a lower rate for the benefit of the homeowner, Jaggers pointed out, but the term may be extended to another 30 years. Mr. Zimmerman acknowledged that bonds are issued with the intention of refinancing for the benefit of the homeowners, but the term cannot be extended.

Mr. Zimmerman detailed the funding process.

Director Slawson asked why the District would approve the reimbursement cost. Mr. Zimmerman said the CFD, before the money is released to the developer, needs to assure the Water District did receive the improvements. Slawson asked if this would be work for the District, and Jaggers indicated the inspections would have been done but there is a potential project management component. It would be expected for the administrator to reimburse the District to recover any costs of those hourly wages.

Director Slawson shared that he was paying a Mello-Roos on his home but said these Fairway Canyon homeowners would be paying for the infrastructure that was built for their home, not City-wide. Mr. Swanson added some detail on the existing CFDs.

In response to Director Williams, Mr. Hendrix described the labor and materials and construction bond, and the warranty bond which runs for one year after the improvements have been accepted. He confirmed for President Hoffman that inspections would be done as usual to assure the facilities meet District standards. President Hoffman noted the construction timeline and the one-year warranty application to the mainlines and asked Field Superintendent Julian Herrera if there was any concern. Mr. Herrera indicated there was not.

Director Covington posited that this has little or no effect on BCVWD. Mr. Hendrix explained that the developer is making this request because the facilities improvements are not eligible for reimbursement unless the District enters the CFD with the City as the lead agency.

Director Covington asked about the construction of Phase IV-C. Mr. Hendrix indicated that it is the current intention of Meritage to build all the homes, but they may bring in another guest builder who complements the product. Meritage Homes will record all the maps.

General Manager Jaggers reviewed the backbone and supporting infrastructure covered by the CFD:

- Phase VI-B: in-tract work, non-potable, and potable pipelines in Oak Valley Parkway
- Phase IV-C: non-potable pipeline, and in-tract facilities

In past CFDs, the District has accepted funds for facilities such as wells and transmission pipelines, and but there has not been a case where the District has joined the City, and there has not been a CFD since he has been with the District, Jaggers noted. He recalled a letter from the prior Fairway Canyon developer, Mike Turner, memorializing their conversation regarding how the infrastructure would be provided. It included an oversizing component of the line in Oak Valley Parkway which would involve contribution from the District's capacity charges (facilities fees), he continued, and the developer's responsibilities.

Mr. Swanson added that the net cost of the Oak Valley Parkway pipeline is \$5.3 million, and an oversizing contribution will be requested. Director Williams asked about the cost to the District, and Jaggers clarified the oversizing component as a system-wide support.

Director Covington requested further information on the oversizing agreement. District Legal Counsel Steve Flower advised that Government Code 53316.2 provides for a mini-joint powers authority to allow multiple jurisdictions to work together for the limited purpose of financing facilities. The District will have to make a clear finding that it will benefit the residents who will ultimately be financing the facilities, he explained. The parties to the agreement would be the District and the City, he noted.

Director Williams asked about the working relationship under the agreement. Mr. Flower said he did not think it would be any different regarding the District's approval authority over the infrastructure installation, and the City's role would remain the same.

President Hoffman stated this is a big financial step, and it would take some time to digest the information. He tabled the item to a future meeting without objection.

3. Water Reuse Plans and Recycled Water Partnership with the City of Beaumont

General Manager Jaggers reminded that the City and BCVWD created a 2x2 Water Reuse Committee. He noted that he had reported to the Board progress was being made. Jaggers recapped recent activities and said he received a call from Beaumont City Manager Elizabeth Gibbs identifying that the City is planning to pause and take a step back regarding the recycled water agreement.

To move forward, the District needs to do work involving a significant investment, Jaggers continued. To be confident in the investment in a booster station design and construction, the District needs the agreement, he stated, and the indication from Ms. Gibbs was that more may be known sometime in December.

Jaggers reminded that a facilitator was hired via a three way agreement including the SGPWA for \$173,000, to get to the point where there was a recommendation by an independent third party. The consultant, Tom Holliman, identified that an adaptive management plan and a change of use permit were required to get the water out of the main tributary of Cooper's Creek, he explained, and the City let the RFP in June. The City received and filed the report from consultant Holliman which recommended the City produce the recycled water, enter an agreement with BCVWD, BCVWD build, operate, and maintain the facilities to distribute the recycled water for approved uses, and the SGPWA expand its current hydrological monitoring of groundwater recharge, make its basin available, and host meetings of the District.

The District provided a draft recycled water agreement to Ms. Gibbs on July 20, Jaggers continued. The City received proposals for the adaptive management plan and on July 27 the three agencies met regarding the Holliman recommendations and how to move forward at a staff level and make presentations to the Board.

At its August 15 meeting, the City Council awarded a contract to Tom Dodson for the Adaptive Management and Mitigation Plan, Jaggers stated. He noted that previous Director of Public Works Jeff Hart had left the City, but the issue may be more than lack of staff.

The Urban Water Management Plans (UWMP) of BCVWD and SGPWA rely on the implementation of recycled water and prevent the need for more water from outside sources, Jaggers advised. He suggested a meeting of the 3x2 Committee to determine how to move forward and for the elected officials to weigh in.

SGPWA General Manager Lance Eckhart acknowledged the work and reiterated the importance of recycled water to the region. This is one of the highest growth areas of the state, and the UWMPs show the water is available. Being able to use local water over and over again is fundamental to the economic development of the area. He described the complexity of imported water, and said he is encouraged by the City's recognition of the needed planning and permitting.

SGPWA is looking to develop more recharge facilities at Brookside, and potentially incorporating the design of recycled water for winter peaking, Eckhart continued. The City also recently wrote a letter of support for grant funding for those facilities, he noted. The path forward is murky, he stated, and encouraged continued collaboration.

Jaggers emphasized the need to move forward and asked the Board to schedule a meeting of the 3x2 Committee.

Director Covington pointed out the gaps between responses from the City of Beaumont, and supported a meeting of the 3x2 Committee to produce a go-forward schedule. He suggested reminding the City that the three agencies provided more than \$100,000 for the consultant to produce a report, and all agreed to live by the results of the report. He noted that the take permit issue was an oversight by the City, and recycled water has been in process for 30 years.

Mr. Jaggers added that the District has been pushing to avoid a compression of facilities building and activities. He said he would request the City set a 3x2 Committee meeting as soon as possible.

Director Williams asked if a meeting of the elected officials would make a difference. Director Covington said he did not think the outcome would be any different. Jaggers pointed out there were WSLs for approval tonight that rely on recycled water components. It is important to find out what the issues are, he said.

Director Covington wondered if all agencies might contribute toward the Dodson contract. He agreed that it is imperative to find out why the City is pausing, but cautioned to give them the benefit of the doubt. The City is still a great partner, but BCVWD has been a good partner and done much more than necessary, and deserves an answer regarding the City's pause. Get everyone together to vet out the issue, he suggested.

SGPWA Director Mickey Valdivia concurred with Director Covington and said he recalled BCVWD installing purple pipe 20 years ago and he was excited that recycled water was coming. He said he would advocate for moving forward and getting answers.

President Hoffman emphasized the need for continued courtesy, respect, and honesty while addressing goals and serving the people.

4. Request for Will-Serve Letter for Riverside County Assessor's Parcel No. (APN) 403-030-023 (end of the dedicated cul-de-sac within Napoleon Street, in the Community of Cherry Valley)

Director of Engineering Mark Swanson presented the request and reminded that there are two parcels belonging to the same owner, and the Board approved extension of the 2015 WSL for the other parcel at the last Board meeting. This is the parcel located on the northwest side of the cul-de-sac and is proposed for an approximately 4,000 square foot single family home with 913 square foot accessory dwelling unit. It is an infill project of 1 EDU.

The County is requiring roadway extension improvements, and the District would require extension of existing facilities into the cul-de-sac, Swanson noted. Both parcels have been conditioned to make the extension, and the owner will need to figure out how to complete it and any cost share between parcels.

The Board approved the request for water service and furnishing of a Will Serve Letter with conditions as enumerated for the property located at APN 403-030-023 within the community of Cherry Valley, subject to payment of all fees to the District and securing all approvals from the County of Riverside, by the following roll-call vote:

MOVED: Williams	SECONDED: Slawson	APPROVED 4-0	
AYES:	Covington, Hoffman, Slawson, Williams		
NOES:	None		
ABSTAIN:	None		
ABSENT:	Ramirez		

5. Request for Extension to *Will-Serve Letter* and Annexation Approval for a Proposed Multi-Family Residential Development "Xenia Apartments" (APN 419-160-005,-024 and 419-170-016, -017,-018,-022,-027) – Xenia Avenue, south of 8th Street and north of 6th Street in the City of Beaumont

Director of Engineering Mark Swanson presented the request for extension of the original WSL issued August 12, 2020. The project was extended once by the General Manager and now returns to the Board for extension.

Swanson explained the EDUs assigned to the 192 apartments plus common area, and non-potable demand. Estimated consumption would be a little less than 61,000 gallons per day (124.7 EDUs).

The project is going through the entitlement process and requires annexation, Swanson advised. The WSL is needed to proceed.

There are facilities in 8th Street, and should those not be sufficiently sized to satisfy the project demands, there will be extensions required, Swanson added.

General Manager Jaggers noted that a Plan of Service would be provided as part of the LAFCO process. He pointed to the UWMP and the requirement for non-potable water and reiterated the prior discussion about recycled water and need for delay. From a total water planning perspective, any impact needs to be understood in order to accurately reflected in the Plan of Service, he stated. He suggested that it be communicated to the City that any uncertainty creates a pause from the District's perspective to assure the information put forward is accurate, regarding this project and all projects moving forward.

In response to Director Wiliams, Swanson clarified the parcels to be annexed. Director Slawson observed that it seemed strange to have facilities surroundings the project, yet annexation is still required. Swanson provided some background on annexations to the City of Beaumont, which omitted annexation into the District. The area has been brought into the City piecemeal since the 1950s, Jaggers added.

President Hoffman invited public comment. There was none.

The Board approved the extension of Will-Serve Letter and approved the annexation for the proposed multi-family residential development at APNs 419-160-024, 419-170-016, 419-170-017, 419-170-018, 419-170-022, and 419-170-027 within the City of Beaumont, subject to payment of all fees to the District and securing all approvals from the City of Beaumont by following roll-call vote:

MOVED: Williams	SECONDED: Covington APPROVED 4-0		
AYES:	Covington, Hoffman, Slawson, Williams		
NOES:	None		
ABSTAIN:	None		
ABSENT:	Ramirez		

6. Resolution 2023-__ - Amending the District Policies and Procedures Manual Adopting Policy 3235 Military Leave and Policy 3110 Jury and Witness Duty

At the request of staff, President Hoffman continued this item to a future meeting.

7. Reports for Discussion and Possible Action

- a. Directors' Reports:
 - Beaumont Chamber of Commerce Breakfast on October 13, 2023 (Hoffman, Slawson)
 - ii. Water Education Foundation Annual Water Summit on October 25, 2023 (Covington)
 - CSDA 2023 Special District Leadership Academy on October 22-25, 2023 (Slawson, Williams)
- b. Directors' General Comments: None.
- c. General Manager's Report:

President Hoffman drew attention to the comment letter sent to the Water Resources Control Board and encouraged follow up.

Mr. Jaggers reported:

- Attended the Water Education Foundation Annual Water Summit with Director Covington
- The last part of the AMR/AMI system is being installed
- Comment letter went to the State Water Resources Control Board
- Zero Emission Vehicles regulation is coming up next year
- Chromium 6 issues are on the horizon
- PFAS is not believed to be an issue for the District
- Much legislation is lining up with requirements to become effective in 2025, putting compression on staff of small and medium-sized agencies
- Collaborating with other agencies to understand what is going on and develop solutions
- South Mesa Water Company has water available in their portfolio which may be available to BCVWD
- It appears there will be a lot of water coming down from the state, as it is expected to be another wet year. There will be a discussion on funding and water supply strategy
- The MDP Line 16 ribbon cutting was featured in the Record Gazette
- El Nino weather may be in effect until spring of 2024
- A reduction in production may be occurring in Well 21
- d. Legal Counsel Report: None,

8. 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
- Policy 5095 District Residences and Facility Emergency Policy

9. Announcements

President Hoffman called attention to the following announcements:

- Beaumont Basin Watermaster Special Meeting: Wednesday, Nov. 1 at 11 a.m.
- Collaborative Agencies Committee: Wednesday, Nov. 1 at 5 p.m.
- Finance & Audit Committee meeting: Thursday, Nov. 2 at 3:00 p.m.
- Personnel Committee Special Meeting: Tuesday, Nov. 6 at 5:30 p.m.
- Regular Board Meeting: Wednesday, Nov. 8 at 6 p.m.
- District offices closed Thursday, Nov. 9 in observance of Veterans Day
- Engineering Workshop: Thursday, Nov. 16 at 6 p.m. (early due to Thanksgiving holiday)
- Personnel Committee Meeting: Tuesday, Nov. 21 at 5:30 p.m.
- District offices closed Thursday, Nov. 23 in observance of Thanksgiving Day
- Ad Hoc Communications Committee meeting: Wednesday, Nov. 1 at 6 p.m.

10. Recessed to Closed Session: 8:40 p.m.

- a. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Pursuant to California Government Code Section 54956.9 (2) (d) Based upon condition of public property
- b. PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54947 Title: General Manager

11. Report on Closed Session

Item 10a: President Hoffman stated that no reportable action was taken on item 10a.

Item 10B: President Hoffman reported that no changes were recommended to the General Manager's contract or fringe benefits. The contract starts another three year term. The GM will receive a Cost of Living Adjustment of 3.7 percent to match the employees' COLA, plus a 1.3 percent merit increase.

ATTEST:

12. Consideration and Possible Action Regarding Proposed Changes to Contract, Salary, and / or Fringe Benefits of General Manager

No action was taken.

13. Adjournment

President Hoffman adjourned the meeting at 9:02 p.m.

Director David Hoffman, President to 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



FAIRWAY CANY MERITAGE

Community Facilities District (CFD)

S

Joint Community Facilities Agreement (JCFA)



The Fairway Canyon Project

787 Single Family Homes Intract Water & Reclaimed Water

- Area 4B 421 SFD Intract Water / Reclaimed Water Complete / Homes Completed 2026
- Area 4C 366 SFD Intract Water / Reclaimed Water submitted for Plan Check Start (q

BCVWD Water Master Plan Infrastructure Facilities

- 5,312 LF Sorenstam Drive Backbone 12" Domestic Potable & 2,135 LF 12" Reclaimed Water (\$1.2M) - Completed - 2023 <u>а</u>
- Reclaimed Water (\$5.3M) Order Pipe 2024 Start Construction 2025 -Completion 2026 3,750 LF Oak Valley Parkway Infrastructure – 24"/18" Domestic Potable Water and 18" 9
- 4,792 LF of Intract to Oak Valley Parkway 12" Reclaimed Water Line (\$2.0M) Construction Start 2025 - Completion 2026 \bigcirc
- LF Domestic Potable & 2520 Zone 18" 674 LF Domestic Potable Construction Start 2025 ntract Connection to Offsite Future Potable Water Tank (Travis Trail) 2370 Zone 16" 822 --Completion 2026 (Oversize Cost to be Determined- Est \$500K) g
- Total Meritage FC BCVWD Master Plan Infrastructure Facilities Estimated -\$9M (e
- Total Meritage FC BCVWD Facilities Fees @ 10,122 Residential du -\$8M





The CFD at Fairway Canyon

- CFD No. 2023-1 Formed by the City of Beaumont
- Replacement for CFD No. 93-1. CFD 93-1 has been cancelled.
- 3. Funding for Improvements Only
- Improvements will be constructed and funded by Meritage Homes.
- Reimbursements Only / No Direct Construction Funding
- Meritage Homes to be reimbursed after completion of improvements. 9
- Bonds will be issued in series for each phase of the project near the end of the applicable phase.
- 8. Bonds will have a term of 30 years.



Joint Community Facilities Agreement

- A JCFA allows the City CFD to fund improvements to be owned by BCVWD.
- Nothing changes regarding the developer's and BCVWD's role in the construction of the water improvements.
- BCVWD is not involved in the CFD bond issuance.
- BCVWD is not referenced on the property tax bill.
- BCVWD has no ongoing administration responsibilities of
- The JCFA will be drafted by CFD Bond Counsel for review by
- Meritage will fund all upfront BCVWD costs of review.



QUESTIONS?

Conclusion

Conclusion

Conclusion

Consideration in Meritage

Sequest Your Consideration in Meritage

Approving BCVWD Participation in Meritage

City of Beaumont CFD Via JCFA.

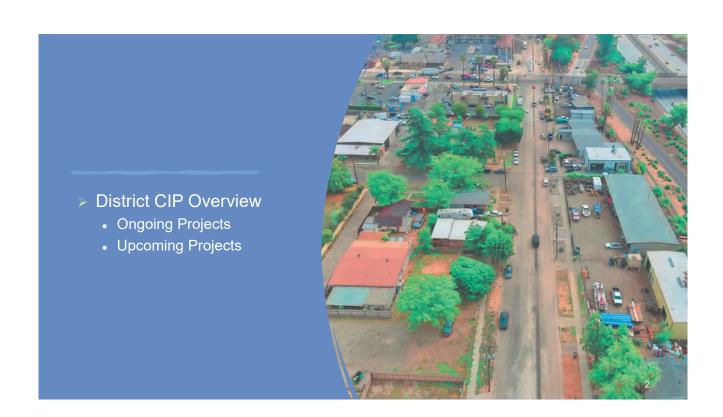
Our thanks to BCVWD Staff and Board for the Opportunity to Present this Request.





District Capital Improvement Plan Update

Presentation to
Board of Directors
April 25, 2024
Ingineering Workshop



Ongoing Projects (Under Construction)









3040 Pressure Zone Cherry Avenue / International Park Road Transmission Pipeline

T-3040-0001 (P-3040-0009)

2,400 LF of 24" Potable Pipeline

- Project Current Out to Bid Bid Opening April 30th
- Anticipate Construction Beginning Early July 2024
- Cost \$1.86M

Project to Receive ARPA Funding in the Amount of Approx. \$1.28M

Ongoing Projects (Design)







"B" Line Upper Edgar Transmission Pipeline (P-3620-0001)

3,000 LF of 12" Potable Pipeline

- Design 100% Complete
- CEQA/NEPA 100% Complete
- Project Bid Documents Being Prepared
- Cost \$1.5M

Project to Receive ARPA Funding in the Amount of Approx. \$1.3M

9



Ongoing Projects

2017 Pipelines – Pipeline #3 Egan Avenue (Alley) – 5th Street to California Avenue (P-2750-0069)

Approx. 730 LF of 8" Potable Pipeline

- Design 100% Complete
- CEQA/NEPA 100% Complete
- Project Paused Due to City Pavement Moratorium (6th Street and California Ave)
- Moratorium on 6th Street Set to Expire July 2024 and 6th Street Scheduled for New Paving in 2025
- Possibly Bid Project with 2023 Pipelines



Noble Tank No. 2 & Cherry Avenue Pipeline (T-3040-0001)

- Design 100% CompleteCEQA/NEPA 100% Complete
- Bid Documents Being Prepared
- Cost \$4.15M Tank

11



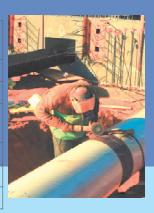
Ongoing Projects

Noble Creek Recharge Facility Phase 2 Grading and Water Transfer Upgrades

- Pond 1 New Tank Pad Grading
- Pond Water Transfer Facility Upgrades
- Work to be conducted 2024-2025, contingent on import and storm water operations.

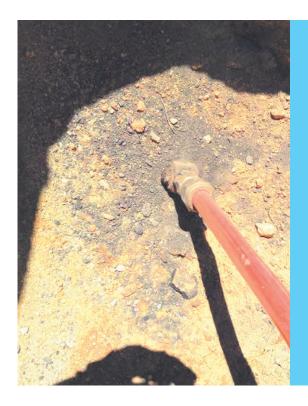
2020-2021 Replacement Pipelines

	Pipeline	CIP Project #	Proposed Diameter	Approx. Length (ft)
1	Lambert Road	P-3040-0024	8"	250
2	Bing Place	P-3040-0023	8"	250
3	View Drive, Sky Lane, Star Lane	P-3040-0025	8"	1,180
4	Utica Way	P-3040-0026	8"	700
5	Avenida Sonrisa	P-3330-0003	8"	1,450
6	Avenida Miravilla	P-3620-0009	8"	400



- Design 90% Complete
- CEQA 100% Complete
- Coordination with DWR Required





Ongoing Projects

2023-2024 Service Lateral Replacements (P-2750-0098)

- Continued City Pavement Rehabilitation
- Estimated to be 80-100
 Existing Service Laterals
- Scope for Survey Board Approved
- Estimated Cost \$574k



2023 Replacement Pipelines

Pipeline	CIP Project #	Diameter	Length
11th Street - Elm Ave to west of Beaumont Ave	P-2750-0056	8"	+/-2,000 LF
American Avenue 6th Street to 8th	P-2750-0095	8"	+/-1,200 LF
Elm Avenue South of 4th Street	P-2750-0091	8"	+/-850 LF

Design – 75% Complete

Environmental Notice of Exemption

Ilm Ave - Coordination with Developer Required

Total Project Cost - \$ 2.61M

15



Ongoing Projects

Tank Coating & Rehabilitation

- Cherry No. 1 Tank (TM-2750-0001)
- Cherry No. 2 Tank (TM-2750-0001)
- Vineland No. 1 Tank (TM-2850-0001)
- Lower Edgar Tank (TM-3040-0001)
- District is currently working on Bid Documents
- Estimated Cost \$140,210 (Consultant)



Ongoing Projects

Potable Pressure Zone 2850 to 3040 (BP-2850-0001)

- Project Awarded to Consultant
- Notice to Proceed Forthcoming

Pressure Zone 2750 to 2850 (BP-2750-0001)

Preliminary Design Underway

Non-Potable 2800 Pressure Zone at WWTP (NBP-2600-0001)

Continued Efforts with City Regarding Recycled Water

17



Ongoing Projects

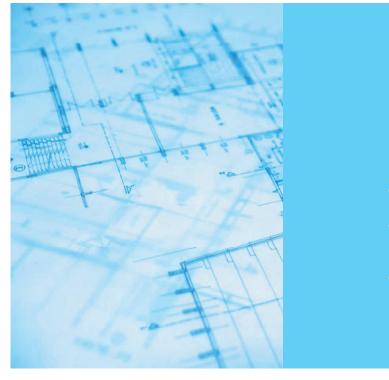
Non-Potable Pressure Regulating Station

Pressure Zone 2600 to 2400 (NR-2600-0001)

- Palmer Avenue between Armour Ave & Morris St.
- Coordination with Fairway Canyon HOA Beginning Shortly

Future Projects (Planning / RFP)





Future Projects

Engineering and Operations Center

- Space Needs for Engineering Department and Operations
- Services must expand to accommodate growth per the Urban Water

 Management Plan
- The current configurations are outdated and in disrepair

24

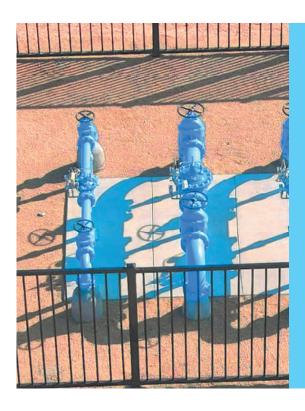
Future Projects

Chromium VI Implementation Project

SWRCB Voted to Adopt an MCL= 10μg/l on April 17, 2024.

51.99 Chron

21



Future Projects

Non-Potable PRV Stations

- Pressure Zone 2800 to 2600 (NR-2800-0001)
 - Deodar & I-10 Crossing
- Pressure Zone 2800 to 2600 (NR-2800-0002)
 - 4th Street and Potrero Blvd.



Future Projects

Orange Avenue – 6th to 8th Street Replacement Pipeline (P-2750-0099)

Construction of Approximately 1,100 LF – New 8" Diameter Pipeline to Replace Existing 6" Steel

Cost - \$746.000

23

Future Projects 2024 Replacement Pipelines

	Pipeline	CIP Pro	ject#	Diameter	Length	Est. Cost
1	Egan Avenue – 5 th Street to 8 th Street	P-2750	-0066	8"	+/- 1,250 LF	\$456,000
2	Wellwood Avenue – 5 th Street to 7 th Street	P-2750	-0067	8"	+/- 615 LF	\$192,000
3	Elm Avenue – 6 th Street to 7 th Street	P-2750	-0068	8"	+/- 450 LF	\$120,700
4	Lincoln Avenue – Noble Street to West End	P-3040	-0021	8"	+/- 1,320 LF	\$397,600
5	Avenida Sonrisa – North to Avenida Miravilla through Alley	P-3330	-0007	8"	+/- 1,000 LF	\$629,900



Beaumont-Cherry Valley Water District Regular Board Meeting April 25, 2024

Item 6

STAFF REPORT

TO: Board of Directors

FROM: Dan Jaggers, General Manager

SUBJECT: Update: State Water Resources Control Board Rulemaking on Chromium

6 Maximum Contaminant Level

Staff Recommendation

None.

Executive Summary

At its meeting of April 17, 2024, the SWRCB voted to set the Chromium 6 Maximum Contaminant Level at 10 parts per billion (ppb) despite the protests of the Association of California Water Agencies, numerous water retailers across the state, and several other coalitions of interest. This action will have effects on BCVWD operations.

The video recording of the meeting of the Board can be viewed here: https://www.youtube.com/watch?v= AO4-CbRTcY

The rule now moves to the Office of Administrative Law for final approval. If approved, it is expected the regulation will take effect by October 2024.

BCVWD will be required to comply within two years of the regulation taking effect (likely October 2026).

Fiscal Impact

Significant and as yet unknown.

Attachments

- 1. AP News article
- 2. Los Angeles Times article

Staff Report prepared by Lynda Kerney, Executive Assistant

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CLIMATE

California sets long-awaited drinking water limit for 'Erin Brockovich' contaminant



FILE - The San Francisco skyline is visible on April 26, 2023. California regulators adopted a drinking water limit on toxic hexavalent chromium. The rule is the first in the nation to specifically target the heavy metal, commonly known as chromium-6, and is expected to reduce the number of cancer and kidney disease cases from long-term ingestion, state officials say. (AP Photo/Jeff Chiu, File)

Read More

BY DORANY PINEDA

Updated 4:36 PM PDT, April 17, 2024

LOS ANGELES (AP) — California regulators voted Wednesday to establish a drinking water limit on hexavalent-chromium, a toxic chemical compound made infamous by the movie "Erin Brockovich."

The rule is the first in the nation to specifically target the heavy metal, known as chromium-6, and is expected to reduce the number of cancer and kidney disease cases from long-term ingestion, state officials say.

The proposal was unanimously passed by the State Water Resources Control Board, though it needs approval from the Office of Administrative Law to take effect.

The standard could inspire other states to adopt their own. More than 200 million Americans are estimated to have the chemical compound in their drinking water, according to an analysis of federal water testing data by the Environmental Working Group, a nonprofit research and advocacy organization.

Until now, California combined its drinking water standard for <u>chromium-6</u> with the less toxic trivalent chromium, an essential nutrient. California's new limit on chromium-6 is 10 parts per billion — about 10 drops of water in a swimming pool.

"I know there's mixed feelings about this decision today... that we should be at a lower standard," board member Sean Maguire said before the vote. "But I do want to take a step back and look at California as compared to the rest of the nation, and I think here we are actually leading the way."

Community members and health advocates worry California's limit doesn't do enough to protect public health from the metal. They want the state to adopt a drinking water limit closer to the public health goal of 0.02 parts per billion, the level scientists have said does not pose significant health risks.

"This really leaves a lot of California communities unprotected from that really potent carcinogen," said Tasha Stoiber, senior scientist with the Environmental Working Group.

The board is required by law to set a limit as close to the public health goal as is economically and technologically feasible.

Some public water providers warned that with the new standard customers will pay more for water and the financial burden will disproportionately fall on disadvantaged communities. And some chemical industry groups have said the limit is not based on the most recent science.

The new limit will cost public water systems \$483,446 to \$172.6 million annually to monitor and treat water exceeding the standard, according to state water board estimates.

Cástulo Estrada, board vice president of the Coachella Valley Water District and utilities manager for Coachella city, said the limit would have "unprecedented" impacts on residents and customers. He said all six of the city of Coachella's wells have chromium-6 above 10 parts per billion and that installing technology to lower levels to the limit would cost an estimated \$90 million. "That would increase monthly bills."

Ana Maria Perez, a Monterey County resident, urged the board to set a lower limit that would protect communities with chronic water contamination. "We have been waiting for a chromium-6 limit that protects our health," she said in Spanish. "It's not fair that many people must get sick."

Water providers will need to start testing for chromium-6, which is naturally occurring and produced in industrial processes, within six months of the effective date, anticipated in October. If water tests above the limit, they will need to submit a compliance plan within 90 days and comply within two to four years, depending on how many customers are served.

Chromium is naturally occurring in soil, plants, animals, rocks and more, and can leach from soil into groundwater. It comes in various forms, including chromium-6, and is used in electroplating, stainless steel production, leather tanning, textile manufacturing and wood preservation, which all can contribute to drinking water contamination, according to the California Office of Environmental Health Hazard Assessment.

While scientists have known for decades that inhaling chromium-6 can cause lung cancer, it was uncertain for a long time whether ingestion could cause cancer, too.

Studies by the National Toxicology Program changed that. Rodents that drank water with high levels of chromium-6 over two years developed intestinal and oral cancer, results showed.

Some researchers have criticized the studies, saying the chemical concentrations the rodents were given were thousands of times higher than what U.S. drinking water supplies would have.

The California environmental health hazard agency is updating its public health goal for hexavalent chromium, which was finalized in 2011 at 0.02 parts per billion. At that level, the 2024-04-25 BCVWD ENGINEERING WORKSHOP - PAGE 44 OF 87

lifetime risk for <u>cancer</u> is one-in-one-million, an amount generally accepted by health experts.

Some health advocates urged the board to wait to establish a limit until an updated public health goal is released. But some environmental justice nonprofits that favor a lower limit said the board should not wait longer.

With California's new limit, the risk of cancer is 500 times greater than the public health goal. One person out of 2,000 exposed for 70 years to drinking water with 10 parts per billion of chromium-6 may experience cancer, according to a state water staff report.

Studies on the health impacts of ingesting chromium-6 through drinking water are limited, said Maria-Nefeli Georgaki, an environmental health specialist who has studied the health effects of ingesting chromium-6. But, she added, a maximum of 10 parts per billion is an important start that should then be "adjusted according to both the public health issues that arise, and the new research data, at specific regular intervals."

Water staff must review standards every five years. But during Wednesday's meeting, Darrin Polhemus, deputy director for the water board's drinking water division, said they are constantly reviewing standards.

In 2014, the state adopted a limit of 10 parts per billion but it was overturned in 2017 for failing to consider whether the rule would be economically feasible.

The standard is the latest chapter in a decades-long fight to regulate the chemical that gained notoriety with the 2000 movie "Erin Brockovich," which won <u>Julia Roberts</u> the Best Actress Oscar. In the 1990s, Brockovich helped investigate groundwater contaminated with chromium-6 that was sickening a Southern California community. Residents eventually won a \$333 million settlement with Pacific Gas & Electric Co. for contaminating their water.

The Associated Press receives support from the Walton Family Foundation for coverage of water and environmental policy. The AP is solely responsible for all content. For all of AP's environmental coverage, visit https://apnews.com/hub/climate-and-environment.

DORANY PINEDA

Pineda writes about water, climate and the environment in Latino communities across the U.S.



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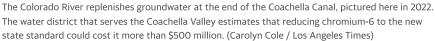


Los Angeles Times

Ian James

California sets nation-leading limit for carcinogenic chromium-6 in drinking water





After years of analysis and debate, California regulators have adopted a nation-leading drinking water standard for hexavalent chromium, a carcinogen found in water supplies across the state.

The dangers of the toxic heavy metal, also known as chromium-6, became widely known in the 1990s after a court case that then-legal clerk Erin Brockovich helped develop against Pacific Gas & Electric for



yahoo/news News Finance Sports Sign in

inspired an Oscar-winning movie starring Julia Roberts.

The California Legislature in 2001 called for the state to develop a drinking water standard for <u>hexavalent chromium</u>. But the path to finalizing a standard involved years of debates over the health hazards and the costs of treating water to remove the carcinogen.

The State Water Resources Control Board voted unanimously Wednesday to set the maximum level for chromium-6 in drinking water at 10 parts per billion, a limit that state officials determined will significantly reduce health risks.

"The standard adopted today improves health protections for communities with impacted drinking water supplies," said E. Joaquin Esquivel, the board's chair.

Chromium-6 is found naturally in groundwater in parts of California, dissolving from certain types of rock into aquifers. The heavy metal is also an industrial pollutant and has been discharged from chemical plants, cooling towers and gas compressor stations.

Long-term exposure to chromium-6, which is odorless and tasteless, in drinking water has been linked to gastrointestinal cancer, reproductive harm and damage to the liver and kidneys.

Clean water advocates had urged the state water board to adopt a more stringent limit, but also said they supported setting the new standard because it was long overdue.

"This is a historic step forward," said Nataly Escobedo Garcia, water policy coordinator for the group Leadership Counsel for Justice and Accountability. "However, the board has failed to detail why a lower number is not achievable, which would only further protect the health of Californians."

The state adopted a <u>limit of 10 parts per billion once before, in 2014</u>. But in 2017, a judge tossed out that standard, ruling the state hadn't adequately studied whether the regulation was economically feasible for suppliers to implement.

That left the state without a specific standard for hexavalent chromium.

California has for years had a drinking water limit of 50 parts per billion in effect for all chromium compounds, including both chromium-6 as well as the significantly less toxic chromium-3.



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State officials studied various treatment methods and prepared cost estimates.

The board <u>proposed the new standard</u> in 2022. It said in a <u>report</u> that at the 10-parts-per-billion limit, a majority of Californians would see increases in their water bills of less than \$20 a month, but that some small water systems would need to raise rates by closer to \$40 a month.

Read more: Federal EPA limits toxic 'forever chemicals' in drinking water

Members of the water board said they are concerned about <u>water</u> <u>affordability</u>, and they plan to work with small water suppliers to <u>provide</u> <u>funds</u> and assistance to help them meet the standard.

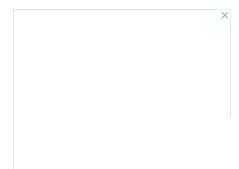
"It is going to impact affordability for many small systems," board member Sean Maguire said. "The economic analysis shows that. And that's what makes this decision so difficult, in part."

The board decided on an implementation timeline that allows small water systems more time to comply with the regulation, which is expected to take effect by Oct. 1.

Under the timeline, large water systems with more than 10,000 service connections will have two years to meet the standard, while smaller water systems will have three or four years to comply, depending on how many customers they have.

Representatives of several water districts told the board that the new standard will require them to make large investments in costly treatment systems.





2024-04-25 BCVWD ENGINEERING WORKSHOP - PAGE 48 OF 87

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Managers of the Coachella Valley Water District said they estimate that installing treatment systems for 34 wells that now have chromium-6 levels above the limit will cost about \$510 million, which would drive up rates dramatically for 270,000 residents in the Coachella Valley.

Joanne Le, the district's director of environmental services, said that "significant state funding will be required" to implement the standard. She urged the state water board to make "a firm commitment to working with water systems to fund this effort."

Representatives of small water providers also called for extra time and funding help, saying many communities will need to spend millions of dollars to come into compliance.

Read more: As water rates climb, many are struggling to pay for an essential service

But several residents who live with contaminated tap water said during Wednesday's meeting that the state should put greater weight on protecting public health.

"I want to ask the board, what is the real cost when you have to say to someone, 'Oh, I'm sorry, your child has cancer.' Cancer caused by water that was polluted. What does that cost?" said Robert Chacanaca, who lives in Monterey County. "I would encourage you to do the right thing and give us clean, safe drinking water, regardless of what the economic cost is, because the human cost is far more greater."

Chacanaca and others from his Central Coast community said their wells are contaminated with harmful levels of chromium-6, arsenic and nitrate. Some said they have neighbors who have been diagnosed with cancer.

"I'm here because the state water board has let us down," Ana María Pérez said in Spanish. "Since 2017, we've been waiting for a chromium-6 level that will protect our health. And after all this time, they've left it the same. It's not fair that many people have to get sick and even die."

According to the state water board, there is an estimated 1-in-2,000 risk of developing cancer for a person who drinks water containing 10 parts per billion of chromium-6. That estimate is for a person who drinks two liters of water daily for 70 years.

Environmental justice advocates pointed out that the limit set by the state is still 500 times higher than the public health goal of 0.02 parts per

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They argued the state should set a stricter limit. They noted that since 2012, California has formally <u>recognized the human right</u> to safe, clean and affordable drinking water.

"Public health and human rights are not something to be balanced in a cost-benefit analysis," said Kala Babu, a legal fellow with the nonprofit Community Water Center.



"A cancer risk for 500 out of every 1 million people doesn't sound very safe," Babu said. "It's low-income communities and communities of color that are carrying the weight of contaminated drinking water."

Read more: 'A ticking time bomb': Why California can't provide safe drinking water to all its residents

Researchers with the Environmental Working Group have <u>called for a target</u> of 0.02 parts per billion to guard against cancer risks and have estimated that more than 35 million people in the state have drinking water with levels of chromium-6 higher than that level.

"The water board has failed the people of California," said Tasha Stoiber, a senior scientist for the group. "Chromium-6 is a known carcinogen — even at exceptionally low levels. It has no place in drinking water."

Esquivel, the board's chair, described the decision as striking a balance.

"There is opportunity and consideration to continue to do better, to be more protective," he said. "But I'm comfortable with where we are currently."

Board member Laurel Firestone said she would like to see the limit be lower, and thinks that should be done as part of a five-year review.

"There's a number of technologies that I think could help really lower the costs, and could help make sure that more people could be protected," she said.

This story originally appeared in Los Angeles Times.



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BEAUMONT-CHERRY VALLEY WATER DISTRICT GENERAL MANAGER'S REPORT

DATE: April 2024

TO: Board of Directors

FROM: Dan Jaggers, General Manager

TABLE A - REPORT HIGHLIGHTS	REPORT PAGE #
Well 1A and 2A Update	2
Water Production	3
Water Report	8

FINANCE AND ADMINISTRATION

Finance is in the final stages of the year-end reconciliations, reviewing all accounts in the General Ledger for fiscal year 2023. Staff is preparing for the onsite visit from the District auditors, to review the reconciliations and assist with the preparation of the Annual Comprehensive Financial Report, which the District received a Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting award on for the previous year.

Administrative staff coordinated the initial filming for the District introduction video, including the interview of four Board members and the General Manager. The final part of the filming is pending scheduling for May.

HUMAN RESOURCES - March 2024

<u>Policies and Procedures:</u> Our team has achieved a remarkable 25% increase in productivity in policy revision turnaround over the past four months, ensuring District policies remain up-to-date and in line with industry standards. Staff continues to optimize collaboration and streamlining processes while upholding quality standards. Furthermore, the positive reception from District personnel underscores their appreciation for the clarity, relevance, and accessibility of the revised policies. Employees' satisfaction with the improved clarity and consistency has enhanced operational smoothness and adherence to company protocols.

Recruitment Success Across Departments. The District has successfully filled three crucial positions within the Department of Finance and Administration and the Department of Operations, pivotal to organizational goals and contributing significantly to the Departments' success. The average time to fill these positions was an impressive 22 days, demonstrating staff's commitment to swift and efficient

recruitment processes, ensuring minimal disruption to departmental operations. The District's partnership with the HR team has proven highly effective in sourcing, screening, and selecting top talent, resulting in high-quality hires aligned with our organizational values and objectives.

<u>Workers Compensation and Safety Focus</u>: For the month of April, there have not been any workers' compensation claims, indicating a strong commitment to safety and well-being among the District's workforce. Internal HR safety audits have yielded promising results, with a commendable score of 83%, reflecting the diligent efforts of our field personnel in utilizing personal protective equipment (PPE), maintaining proper field ergonomics, ensuring correct storage of equipment, and adhering to Safety Data Sheet (SDS) procedures.

<u>Training Compliance</u>: The collaborative efforts of the HR division, ACWA JPIA, and Safety Compliance Company were a success in organizing and facilitating essential training sessions, including the successful completion of the 10-hour CalOSHA training, CPR and First Aid training, and Fire Extinguisher training, underscoring the District's commitment to equipping its workforce with the necessary knowledge and skills to respond effectively to any workplace incidents.

This report highlights the ongoing efforts to optimize personnel management, streamline recruitment processes, and prioritize employee well-being and safety.

TABLE B – HR Activity March 2024	
Total Current Employees (Excluding Board Members)	45
Full-Time Employees	42
Part-Time	1
Temporary	2
Interns	0
Separations / Retirements	0
Retired Employee(s)	0
New Hires	2
Recruitments in progress	1

OPERATIONS

<u>Well 1A and 2A redrill project</u>: The project has commenced with conductor casings being completed at both sites. Sound wall has been installed at well 1A and discharge piping has been installed throughout the site. District staff is working with the City of Beaumont to secure an encroachment permit for additional piping offsite and into the local storm drain system. The drilling rig and associated equipment is scheduled to arrive at Well 1A the week of April 22, 2024, with drilling commencing the week of April 29, 2024. Drilling equipment will be transferred to the Well 2A site and begin work concurrently with the well development and flushing activities at Well 1A following the completed well drilling at 1A.

Well 18 and Well 21 Rehabilitation and Repair Project: All subsurface equipment for both Well 18 and Well 21 have been removed and inspected. Both wells have been video logged prior to brushing and bailing. Both wells have completed brushing and bailing activities and have been scheduled for the second video log to evaluate the rehabilitation efforts. District staff is reviewing the proposed pump curves and will provide the contractor with comments and an approved pump for both wells the week

of April 15, 2024 to proceed with ordering equipment. Additionally, the Well 21 electric motor has been inspected with a full cycle of preventative maintenance completed (i.e. new bearings, dipped and baked windings etc.).

Leaks repaired

March 2024: Seven (7) main line leaks and three (3) service line leaks were addressed. April 2024: (as of 4/17/24): Six (6) main line leaks and two (2) service line leaks were addressed.

<u>Oak Valley Parkway pipeline</u>: After experiencing several leaks along the pipeline, a total of 240 feet were replaced. The line is maintaining service pressure at this time. District staff visited the manufacturer in Utah on March 19-20, 2024, at their expense, to witness the investigation of the leaking bell joints. It was determined that defective field lock gaskets were the cause of the leaking bells. District staff is working with the manufacturer to address the possibility of future issues related to gaskets and anticipates a contract for extended warranty on all material used during the installation on Oak Valley Parkway.

TABLE C – Groundwater Production

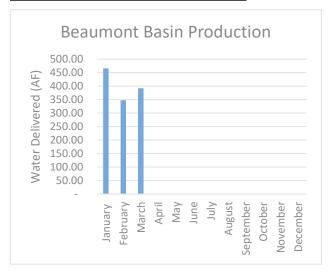


TABLE D – Groundwater Production

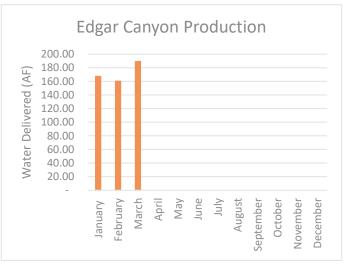
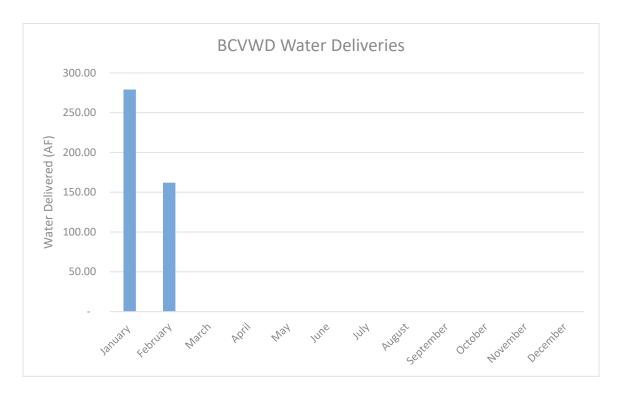


TABLE E - Total Monthly Imported Water Delivery



ENGINEERING

The Engineering Department has prepared the quarterly Capital Improvement Plan update for presentation at this meeting, April 25, 2024.

Mr. David Hendryx of Meritage Homes has approached the Engineering Department to further the development of the requested Community Facilities District, as presented to the Board at the October 26, 2023 Engineering Workshop.

EXECUTIVE OFFICE

GOALS FOR 2024

- 1. Improve customer communication and service
- 2. Adhere to State and Federal drinking water standards, focusing on regulatory water quality sampling
- 3. Upgrade infrastructure
- 4. Complete deployment of the AMR / AMI project
- 5. Increase valve maintenance activities
- 6. Implement a GPS-enabled system for accurate mapping
- 7. Advance Capital Improvement Projects

TABLE F - General Manager's activity status

A - D	ISTRICT HAPPENINGS	
A1	AMR / AMI Project SUPPORTS GOAL 4	Initial collectors and repeaters have been installed at various District owned facilities. The AMR / AMI system has been transitioned to network mode and most of the meters can now be read in real-time from the District's administrative Office. The system is being audited to determine where additional collectors/repeaters may be required to bolster reading capabilities.
A2	Capacity Charges Study (Raftelis)	Revaluation of costs to ensure accuracy is in progress, including update of maps reflecting residential designated areas converted to industrial use. Presentation of Draft study expected in 2024
A3	Engineering and Operations Center SUPPORTS GOALS 1 AND 7	At the request of field crews, options for temporary accommodations including portable restrooms are being investigated. Progress is being made toward a permanent solution. Awaiting determination on permanent location.
A4	District residences	At the March 19 meeting, the Personnel Committee reviewed and discussed Policy 5095. Chair Covington had no recommended policy changes, but suggested a more frequent review of property values.
A5	Well drilling 1A and 2A	Project is underway. See detail earlier in this report.
	SUPPORTS GOALS 3 AND 7	
A6	Cherry Valley Boulevard Temporary Services SUPPORTS GOAL 1	No update. Services have been permanently installed. Staff will reach out to get an update on the LAFCO process.
A7	Policies and Procedures Manual	At the April 10, 2024 meeting, the Board approved four policy revisions as recommended by the Personnel Committee. At the April 16, 2024 meeting, the Personnel Committee approved five proposed policy revisions to be moved to June 2024 Regular Board meeting. Revisions to the Personnel portion of the manual are now 62 percent complete.
A8	Elm Avenue Pipeline update	No update
	SUPPORTS GOALS 1 AND 3	
A9	Customer Service SUPPORTS GOAL 1	Following a recruitment for a Customer Service Representative II garnering 70 applications and a Temporary Water Utility Worker I opening garnering 89 applications, HR staff is in process of onboarding the two new staff members.
B-LO	OCAL AGENCY HAPPENINGS	
B1	City of Beaumont – Cooperative Agreement (encroachment permit and paving) SUPPORTS GOALS 3 AND 7	The City Council reviewed a list of paving projects for the coming year at their April 16 meeting. District staff will continue to work to get ahead of any City paving projects to assure needed work is performed before the repaving of any street. Staff is hopeful for ongoing and improved communication as these projects move forward.

B2	City of Beaumont – Recycled Water Agreement SUPPORTS GOALS 1, 3, AND 7	Elected officials serving on the Water Reuse 3x2 Committee met on April 18, 2024.
В3	City of Beaumont Landscape Ordinance	Updating language in District conditions of approval for developers to reflect provisions of ordinance
B4	Beaumont Basin Watermaster (BBWM)	At its April 17 Special Meeting, the BBWM Committee: Reviewed the Draft 2023 Consolidated Annual and Engineering Report Discussed accounting for emergency water transfers, whether the issue is within the ambit of the judgment, and tabled the item Scheduled additional special meetings / workshops
C - CA	LIFORNIA HAPPENINGS	
C1	SWRCB Chromium 6 MCL update SUPPORTS GOAL 2	At its meeting on April 17, 2024, the State Water Resources Control Board set the Chrom 6 maximum contaminant level at 10 ppb. This will affect BCVWD wells, which may now require treatment to be in compliance by the deadline in approximately two years. The video recording of the meeting can be found here: <a "one="" 10="" 24="" 26.="" 29="" a="" a.m.="" advance."="" agenda="" agreements="" and="" announcement="" april="" available="" be="" by="" california="" can="" click="" component="" control="" delta="" dwr="" event="" exploring="" for="" found="" foundational"="" from="" guide="" heart="" here="" here.="" here:="" hold="" href="https://www.youtube.com/watch?v=" https:="" important="" is="" links="" most="" noon.="" of="" on="" plan="" projects="" proposed="" quality="" register="" related="" sacramento="" state="" swrcb="" td="" teleconference,="" the="" this="" to="" update="" video="" view="" voluntary="" watch?v="https://www.yo</td></tr><tr><td>C2</td><td>Delta Conveyance Project (DCP)</td><td>In a press release on April 2, the Governor touted the need for the Delta Conveyance Project as a " water="" water<="" webinar="" wef="" will="" workshop="" www.youtube.com="" –="">
C3	Zero Emission Trucks – Advanced Clean Fleet rules SUPPORTS GOAL 2	The California Air Resources Board held meetings in March to discuss Advanced Clean Fleets Truck Regulation Upload, Compliance and Reporting System reporting requirements and other reporting tools, such as large fleet uploads and compliant fleet lookups, rules provisions related to charging infrastructure, and a meeting specific to state and local fleets requirements. District staff has completed the initial Truck Inventory through the California Air Resources Board TRUCRS portal, and a path forward has been adopted to provide benchmarks for compliance moving forward. Additionally, Staff has been in communication with Enterprise Fleet to understand how they could provide support moving forward. Assembly Member Diane Dixon introduced AB 2626 in February. This bill would prohibit the state board from taking enforcement action against a local government for

		violating the Advanced Clean Fleets Regulation if the alleged violation occurs before January 1, 2025. It would extend the deadline given to local governments by ten years to transition their "specialized fleet vehicles" to zero emission vehicles.
C4	Recharge capacity and State Project Water	Ongoing collaborative effort with SGPWA with a current increase of State Water Project 2024 allocation of 30 percent.
C5	AB 1668 and SB 606: Making Conservation a California Way of Life	No new information
C6	Sites Reservoir https://sitesproject.org/	The Sites Project Authority met on April 19. (Attachments 4, 5 and 6)
C7	State Water Project (SWP)	On March 22, the Department of Water Resources doubled the 2024 SWP allocation to 30 percent. A press release can be viewed here and, see Attachment 7 The DWR has produced a new State Water Project Risk-Informed Strategic Plan, released in mid-April. The plan, known as Elevate to '28, furthers the implementation of DWR's department-wide strategic plan. Elevate to '28 contains organization-wide perspectives including the mission, vision, and purpose of the SWP while integrating risk management to be better equipped to serve the water needs of California.

ATTACHMENTS

- 1. BCVWD Water Report April 2024
- 2. ACWA News: State Water Board Adopts Rulemaking for Chromium-6 MCL
- 3. Court ruling against bond financing for Delta Conveyance (March 28, 2024)
- 4. Sites Reservoir Updated Cost Estimate staff report (April 19, 2024)
- 5. Sites Reservoir Draft Plan of Finance staff report (April 19, 2024)
- 6. Sites Reservoir Monthly Status Report (April 19, 2024)
- 7. Notice to State Water Project Contractors (February 21, 2024)
- 8. PFAS Drinking Water Standard established
- 9. How full are major California reservoirs? The Sacramento Bee (April 11, 1024)
- 10. Winter storms pack mountains with snow LA Daily News (April 11, 2024)
- 11. Atmospheric Rivers impacting California

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Attachment 2

STATE WATER BOARD ADOPTS RULEMAKING FOR CHROMIUM-6 MCL

BY ACWA STAFF APR 17, 2024

The State Water Resources Control Board today adopted a new Maximum Contaminant Level (MCL) of 10 parts per billion (ppb) for Hexavalent Chromium (Chromium-6) in drinking water.

The regulation applies to all water suppliers, including small public water systems (PWS). Prior to taking effect, the regulation must first be approved by the Office of Administrative Law. Once approved, it is expected that the regulation will take effect by October. Water suppliers will be required to comply with the regulation in accordance with the following specified timelines:

PWS with 10,000 or more connections will be required to comply within two years after the MCL takes effect:

PWS with 1,000-9,999 connections will be required to comply within three years after the MCL takes effect; and

PWS with less than 1,000 connections will be required to comply within four years after the MCL takes effect.

ACWA and its coalition partners have engaged with State Water Board and its staff on this process for several years, including providing public comments at today's hearing.

Staff shared appreciation for the added compliance timeline flexibility and encouraged the State Water Board to continue to look at financial and technical support — as well as consider unique circumstances — for water systems in disadvantaged communities and low-income communities that are working towards compliance but will be challenged to do so in the time provided.

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Attachment 3

SJV WATER: Court ruling against bond financing for controversial Delta tunnel won't impede project, state says

mavensnotebook.com/2024/03/28/sjv-water-court-ruling-against-bond-financing-for-controversial-delta-tunnel-wont-impede-project-state-says/

SJV Water News March 28, 2024 0 187

March 28, 2024



By Jesse Vad, SJV Water

A recent court ruling may have thrown a wrench in the state's funding plans for the controversial and expensive Delta Conveyance Project – a tunnel to move Sacramento River water 45 miles beneath the ecologically sensitive Sacramento-San Joaquin Delta.

In January, the Sacramento Superior Court denied the state Department of Water Resources' (DWR) request to finance the project through bonds.

Tunnel opponents hailed the ruling as a blow to the project.



But state staff say the ruling will not impede funding. DWR has appealed the case and is still planning on using bonds to pay for the project if it comes to fruition.

The Delta Conveyance Project relies on the end users – cities and agricultural districts that buy water from the state – footing the bill. DWR typically funds major projects up front through bonds, which are repaid by the participating state water contractors.

Though it's becoming less clear how many state water contractors are still willing to pay for the tunnel, <u>as reported by SJV Water</u> in February.

The most recent estimate of the project's cost is \$16 billion. Tunnel opponents say that number is closer to \$40 or \$50 billion when inflation and interest are factored in over the 20-year construction period.

The state approved the project's final environmental impact report in December of 2023.

"Bonds would allow the participating state water contractors to pay that debt over time, as opposed to needing to upfront fund that project," said Carrie Buckman, DWR's environmental program manager for the Delta Conveyance Project.

Investors want certainty that the bonds will be repaid, said Buckman. The higher the certainty, the lower the interest rate.

The bond ruling stems from a 2020 "validation case."

"The idea is to get the court to confirm that we have the authority to issue bonds, which will help lead to more certainty and a lower lower interest rate," said Buckman.

The resolution was filed in 2020 and challenged by environmental nonprofit Sierra Club.

That was before the current iteration of the delta project was conceptualized. Staff didn't know what the project would look like, said Buckman. Because of that, the court found the project wasn't specific enough to determine whether DWR had the authority to use bonds, she said.

"We don't see this as a block," said Buckman. "I think this is a process that we need to work through, and we're still in it. But we don't see it as a block and the legal case did not indicate that we don't have the authority."

Staff are going to be more specific through the appeals process now that the project is fully formed, added Buckman.

Tunnel opponents see it differently.

"I think it's a major impediment," said Bob Wright, counsel for the Sierra Club. "They have appealed the court's ruling so I can only conclude that they think it is a serious impediment. And that's why they're going to try to get the Court of Appeal to reverse what the trial court rules."

The state has yet to do a <u>cost-benefit analysis</u> on the project, said Wright.

"It's amazing, frankly, they'll give final approval to a project. And meanwhile, they said a long time ago they would do a cost-benefit study later," said Wright.

The <u>lack of true costs</u> and how much water the project would bring in are two of the biggest challenges for a number of water contractors, many of which are watching closely for new cost estimates.

"This is really a complete outrage that DWR is trying to inflict, not only on the environment, and the already very troubled Delta, but also on ratepayers," said Wright.

The appeals process could take some time. If it's not expedited, it could take more than a year, said Wright.

SJV Water is a nonprofit, independent online news publication covering water in the San Joaquin Valley. Lois Henry is the CEO/Editor of SJV Water. She can be reached at lois.henry@sjvwater.org. The website is www.sjvwater.org.







Meeting: Reservoir Committee & Authority Board

April 19, 2024

Agenda Item 3.2

Subject: Cost Estimate Update

Requested Action:

Review and comment on the process, assumptions and other considerations that are key to the updated 1) the estimated Sites Project Construction Cost to reflect the 30% design and current market conditions and 2) the estimated Sites Project variable and fixed operating costs. Together these estimates represent the 2024 Program Cost Forecast.

Detailed Description/Background:

In June 2021, the Sites Project Authority adopted a Feasibility Cost Estimate based on the Value Planning efforts to create a more affordable, buildable, and permittable project; this estimate was used in development of a State and Federal Feasibility Analysis and was used to update Participants on project costs prior to cash call decisions associated with Amendment 3 of the Project Agreement. Over the past few years the Sites Project Team has continued to collect data, initiated coordination with agencies, and advanced the project level of design. An interim update on forecasted costs was provided to the RC and AB in an updated Plan of Finance in May 2023, which mainly focused on escalating the 2021 cost estimates to 2023 dollars. The RC and AB adopted an "initial overall program baseline schedule" in Oct 2023. This represents the first approved overall schedule inclusive of Phase 3 (Final design) and Phase 4 (Construction) and serves as the basis for analyzing budget, cash flow, workforce numbers, etc. through the end of construction.

An updated estimate in 2024 dollars representing the Sites Project Construction Cost is underway. This will be the cost estimate that Storage Partners will use to make their decisions about signing on to the financial commitment to build and operate the project. The 2024 updated cost estimate will provide members with a higher degree of certainty on project affordability and annual cash flows for Participant financial planning based on current market conditions. Attachment A: 2024 Program Cost Forecast Development Process depicts the proposed process for incorporating the numerous cost components into an updated 2024 Program Cost Forecast (PCF). Staff is seeking input on this process based on the criticality of Project Costs to Home Board decision making.

The 2024 PCF will be available for RC and AB considerations prior to finalization of the Resolution to Offer Capacity and Service. The RC and AB will have several opportunities for input as the 2024 PCF is being developed. The 2024 Program Cost Forecast planned

to be completed and adopted before the end of 2024. The following committees are expected to be involved in developing the 2024 PCF components:

- WIFIA Ad Hoc Committee: Interim and Long-term Plan of Finance
- Conveyance Ad Hoc Committee: Wheeling Rates
- Operations and Engineering Work Group: Fixed and Variable O&M Estimates, Capital Cost Estimates, contingencies and risk assumptions
- (Tentative) Value Planning Work Group: Value Engineering for construction

Adoption of the 2024 PCF will be followed by several activities, mostly in 2025, which provide opportunities for cost reduction, value add, and increased affordability certainty, including:

- Advancing value engineering opportunities, particularly related to the Golden Gate Dam siting.
- Incorporating cost and schedule input from the Reservoir construction contractor (Reservoir CMAR).
- Confirming benefit projections, including diversions and releases to final permits and approvals.
- Updating the Plan of Finance based on market conditions, including interest rates and loan terms.

Fiscal Impact/Funding Source:

This work is budgeted within the current Work Plan and no additional fiscal impacts are anticipated.

Staff Contact:

JP Robinette

Primary Service Provider:

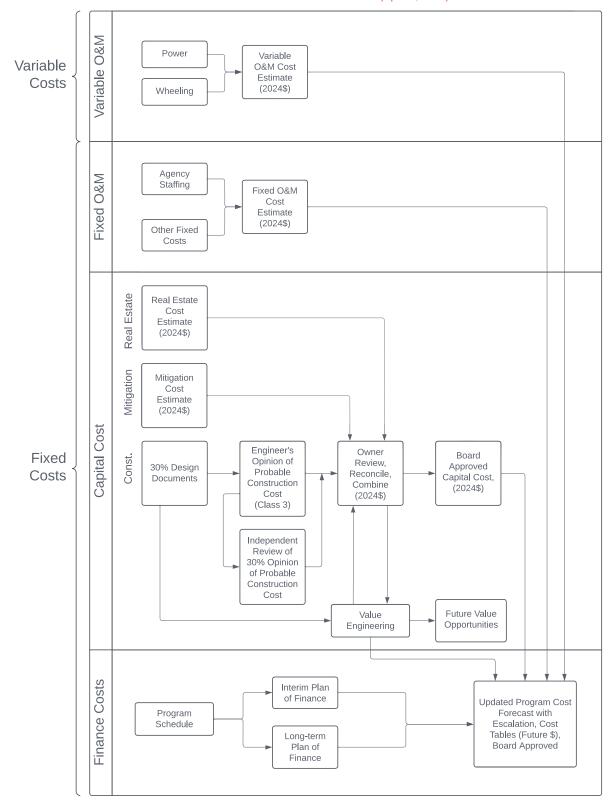
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Attachments:

Attachment A: 2024 Program Cost Forecast Development Process

2024 Program Cost Forecast Development Process

DRAFT - FOR DISCUSSION (Apr 19, 2024)





Meeting: Reservoir Committee & Authority Board

April 19, 2024

Agenda Item 3.3

Subject:

Draft Plan of Finance Update - Funding Construction Payments

Requested Action:

Discuss the development of an Interim Financing Plan, including reviewing assumptions related to how the project construction costs will be funded and the plan for cash needs from all the Storage Partners throughout construction.

Detailed Description/Background:

As presented in the Draft Plan of Finance in May 2023, Amendment 3 funding is expected to support activities through the end of calendar year 2025. Looking beyond 2025, the Sites Authority anticipates executing a borrowing (either through the public market, a bank loan or a direct placement of a debt instrument) to provide ongoing funding for design and construction activities, including land purchases. It is important to be discussing this now to ensure that Participants are incorporating the appropriate cash needs within their CIP's and Capital Budgets.

The Interim Financing Plan is being prepared to describe the different borrowing instruments, the pros and cons of each and provide a recommended path forward to executing a borrowing in sufficient time to meet the Sites Authority's funding needs in 2026 and beyond.

Interim Financing encompasses the entire construction period as it is short-term construction financing that is anticipated to be refunded with long-term debt such as a WIFIA loan or long-term tax-exempt revenue bonds or a combination of both around the conclusion of construction and the beginning of operations.

A critical factor for interim financing is answering the question "will interest on short term debt issued during construction be paid off as accrued during construction or will the interest be accumulated and compounded to be paid off upon refinancing to the long-term debt (also known as capitalized interest)?" This has implications for the amount of the annual payments, which affects project affordability (i.e unit cost of water).

There are three primary reasons for using interim financing through construction:

- 1. To meet cash flow needs as the project moves forward.
- 2. To cash flow the expenditures to be reimbursed by the state and federal governments.

3. To reduce the overall interest cost of the project since, under most market circumstances, short-term interest rates are lower than long-term interest rates.

The two primary choices for interim financing are issuing short-term notes (1-5 years) or bank loans (e.g., revolving lines of credit, direct placements/drawdown loans). Each of these instruments has different levels of administrative complexity, interest rates, and flexibility. The Interim Financing Plan will outline evaluative criteria to rank the alternatives, including:

- a. Administrative ease
- b. Rollover risk
- c. Credit terms
- d. Structuring flexibility (e.g., capitalizing interest which is the option to defer repayment of interest during construction. Whether or not to capitalize interest is a decision that will need to be made as part of the interim financing plan
- e. Upfront cost
- f. Interest rate risk (e.g., locking in a 5-year interest rate vs. Monthly interest rate resets)

Assumptions and approach for developing the Interim Finance Plan were reviewed with the WIFIA Ad Hoc Subcommittee and their feedback will be integrated. The Interim Finance Plan will be part of the forthcoming Plan of Finance update (anticipated to be available concurrent with the Class 3 cost estimate (refer to Agenda Item 3.2). Further, the Ad Hoc Subcommittee concurred with proceeding with a competitive Request for Proposals from investment and commercial banks to solicit banking support for these financings. This will likely get started later this year or early 2025.

Staff would benefit from Participants identifying any other information needs that will be required between now and execution of the B&O Contract.

Prior Action: May 2023: Received update on Draft 2023 Plan of Finance.

Fiscal Impact/Funding Source: The Amendment 3 Work Plan includes a sufficient budget to cover required resources and activities in support of the Plan of Finance and ultimately, the Benefits and Obligations Contract development. Any required adjustments based on feedback during the final rating or the WIFIA Loan development will be considered within the Fiscal Year Budget development process.

Staff Contact: JP Robinette

Primary Service Provider: Montague DeRose / Brown & Caldwell

Attachments: None.

Attachment 6



April 19, 2024, Reservoir Committee & Authority Board
Agenda Item 4.4 Attachment A

Sites Reservoir Project Monthly Status Report (March)

Monthly Status Summary:

The development of the Sites Project continues to make progress in the critical areas, including the following activities:

Engineering:

- Ongoing CAISO and PG&E coordination.
- Continued Division of Safety of Dams coordination.
- Continued preliminary engineering design and analysis: dams, I/O, roads, conveyance, and system hydraulics.
- Initiated planning and coordination of Golden Gate Dam value engineering activities.
- Initiated development of preliminary engineering Opinion of Probable Construction Cost Estimate.

Coordination with Reclamation:

- Meetings with Reclamation and DWR to discuss technical aspects of coordinating operations has resumed. Most of the current effort is related to defining the circumstances under which close coordination is to occur during diversions.
- The State Water Contractors are providing comments on the Operations Coordination Agreement through DWR.
- Technical discussions with Reclamation involving the development of the Partnership Agreement (which is the Federal equivalent to the B&O) continue.
- Ongoing coordination with Reclamation on schedule and timing for signing the ROD.

Environmental Planning and Permitting:

- Ongoing CEQA litigation support, as needed.
- Additional updates to County Approvals Matrix to address input received on land use entitlements and permit requirements.
- Continued to perform seasonal surveys required by the Project's Aquatic Study Plan.
- Continued development of Section 404(b)(1) Alternatives Analysis for Section 404 permitting.
- Continued meetings with CDFW staff on responding to additional information requests for the Project's Operations ITP application. Provided substantial information to CDFW to address their requests.

Preparer:	JB, KS, AF, CH, HL, JS, LWH, JR	Authority Agent:	AF, KS, JR	Approver:	Brown	Page:	1	of	2	l
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Monthly Status Report Continued

- Continued coordination with CDFW on the Revised Construction ITP and Master Streambed Alteration Agreement.
- Continued discussions with several parties protesting the Project's water right application and continued preparation for the administrative hearing.
- Initiation of the Section 408 approval process with the Army Corps of Engineers.
- Continued coordination with design and engineering team on Project Delivery planning.

Operations:

- Continued effort to transition Sites into the CalSim 3 model platform.
- Began efforts on additional modeling in CalSim II for the Operations ITP analysis.

Partner Engagement, Public Outreach & Real Estate:

- Facilitated project presentation for California State Association of Counties President.
- Conducted a Local Community Working Group (LCWG) meeting.
- Planning for Washington DC Legislative trip for May 21st-23rd.
- Continued to develop the 2023 Annual Report.
- Planning for a Virtual Town Hall in 2024 and future 2024 LCWG meetings.
- Planning for landowner meeting in June 2024.
- Continued ongoing coordination with landowners who are part of the Early Acquisition Program.
- Ongoing coordination with landowners to discuss Temporary Right Of Entry for geotechnical, biological, environmental, and cultural field activities and other real estate actions.

Program Management & Administration:

 Ongoing response to comments received on the draft of the Benefits & Obligations Contract with Participants and Joint Powers Agreement and Bylaws amendments.

NOTICE TO STATE WATER PROJECT CONTRACTORS



Attachment 7

Date: March 22, 2024

Number: 24-03

Subject: Increase of State Water Project 2024 Allocation to 30 Percent

From: Original signed by

Ted Craddock

Deputy Director, State Water Project Department of Water Resources

After a very dry start to the water year, above average precipitation in February has improved water supply conditions throughout California, moving them toward historic averages. At the same time, Delta exports have been reduced to meet requirements in place to protect several critical fish species. After considering the updated water supply forecast along with a forecast of export capabilities, the Department of Water Resources (DWR) is increasing the State Water Project (SWP) allocation from 15 to 30 percent of SWP contractors' requested Table A amounts for 2024 for most contractors, as shown in Attachment A – 2024 SWP Allocation Table, Updated, March 22, 2024.

To determine the available SWP water supplies, DWR considers several factors including SWP contractors' 2023 carryover supplies into 2024, projected 2024 demands, existing storage in SWP conservation facilities, estimates of future runoff, SWP operational and regulatory requirements under the Federal Endangered Species Act and California Endangered Species Act, and water rights obligations under the State Water Resources Control Board's authority. This allocation increase takes into account snow survey measurements and data through March 1 as reflected in the runoff forecasts outlined in Bulletin 120. DWR may revise the SWP allocation if hydrologic conditions change.

To schedule SWP water deliveries under this allocation, DWR will utilize the 30-percent water delivery schedules submitted by SWP contractors in October 2023 (as part of initial requests) or as revised with any subsequent updates. If a contractor foresees any

changes to their water delivery schedule, please communicate such changes to DWR in a timely manner.

If you have any questions or need additional information, please contact John Leahigh, Assistant Division Manager, Water Management, SWP Division of Operations and Maintenance, at (916) 902-9876.

Attachment A: 2024 SWP Allocation Table, Updated, March 22, 2024

Attachment A 2024 STATE WATER PROJECT ALLOCATION Updated March 22, 2024

SWP Contractors	Maximum Table A Amount (Acre-Feet)	Initial Table A Request Amount (Acre-Feet)	Approved Table A Allocation (Acre-Feet)	Approved Allocation as a Percentage of Initial Request
	(1)	(2)	(3)	(4) = (3)/(2)
FEATHER RIVER				
County of Butte	27,500	27,500	16,500	60%
Plumas County FC&WCD	2,700	2,700	810	30%
City of Yuba City	9,600	9,600	4,800	50%
Subtotal	39,800	39,800	22,110	
NORTH BAY	00.005	00.005	44.540	500/
Napa County FC&WCD	29,025	29,025	14,513	50%
Solano County WA	47,756	47,756	23,878	50%
Subtotal	76,781	76,781	38,391	
Alamada County ECS WCD, Zono Z	00.640	00.640	04.400	200/
Alameda County FC&WCD, Zone 7	80,619	80,619	24,186	30%
Alameda County WD Santa Clara Valley WD	42,000 100,000	42,000 100,000	12,600 30,000	30% 30%
Subtotal	222,619	222,619	66,786	3070
SAN JOAQUIN VALLEY	222,019	222,019	00,700	
Oak Flat WD	5,700	5,700	1,710	30%
County of Kings	9,305	9,305	2,792	30%
Dudley Ridge WD	41,350	41,350	12,405	30%
Empire West Side ID	3,000	3,000	900	30%
Kern County WA	982,730	982,730	294,819	30%
Tulare Lake Basin WSD	87,471	87,471	26,242	30%
Subtotal	1,129,556	1,129,556	338,868	
CENTRAL COASTAL		, ,	,	
San Luis Obispo County FC&WCD	25,000	25,000	7,500	30%
Santa Barbara County FC&WCD	45,486	45,486	13,646	30%
Subtotal	70,486	70,486	21,146	
SOUTHERN CALIFORNIA				
Antelope Valley-East Kern WA	144,844	144,844	43,454	30%
Santa Clarita Valley WA	95,200	95,200	28,560	30%
Coachella Valley WD	138,350	138,350	41,505	30%
Crestline-Lake Arrowhead WA	5,800	5,800	1,740	30%
Desert WA	55,750	55,750	16,725	30%
Littlerock Creek ID	2,300	2,300	690	30%
Metropolitan WDSC	1,911,500	1,911,500	573,450	30%
Mojave WA	89,800	89,800	26,940	30%
Palmdale WD	21,300	21,300	6,390	30%
San Bernardino Valley MWD	102,600	102,600	30,780	30%
San Gabriel Valley MWD	28,800	28,800	8,640	30%
San Gorgonio Pass WA	17,300	17,300	5,190	30%
Ventura County WPD	20,000	20,000	6,000	30%
Subtotal	2,633,544	2,633,544	790,064	
TOTAL	4,172,786	4,172,786	1,277,365	~30%

Attachment 8

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Biden-Harris Administration Finalizes First-Ever National Drinking Water Standard to Protect 100M People from PFAS Pollution

As part of the Administration's commitment to combating PFAS pollution, EPA announces \$1B investment through President Biden's Investing in America agenda to address PFAS in drinking water

April 10, 2024

Contact Information

EPA Press Office (press@epa.gov)

washington - Today, April 10, the Biden-Harris Administration issued the first-ever national, legally enforceable drinking water standard to protect communities from exposure to harmful per-and polyfluoroalkyl substances (PFAS), also known as 'forever chemicals.' Exposure to PFAS has been linked to deadly cancers, impacts to the liver and heart, and immune and developmental damage to infants and children. This final rule represents the most significant step to protect public health under EPA's PFAS Strategic Roadmap https://epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024. The final rule will reduce PFAS exposure for approximately 100 million people, prevent thousands of deaths, and reduce tens of thousands of serious illnesses. Today's announcement complements President Biden's government-wide action plan https://www.whitehouse.gov/briefing-room/statements-releases/2021/10/18/fact-sheet-biden-harris-administration-launches-plan-to-combat-pfas-

 $pollution/\#: \sim : text = consistent \% 20 with \% 20 president \% 20 biden's \% 20 commitment, from \% 20 discharging \% 20 pfas \% 20 into \% 20 america's > to combat PFAS pollution.$

Through President Biden's Investing in America agenda, EPA is also making unprecedented funding available to help ensure that all people have clean and safe water. In addition to today's final rule, EPA is announcing nearly \$1 billion in newly available funding https://epa.gov/dwcapacity/emerging-contaminants-ec-small-rule.

or-disadvantaged-communities-grant-sdc> through the Bipartisan Infrastructure Law to help states and territories implement PFAS testing and treatment at public water systems and to help owners of private wells address PFAS contamination. This is part of a \$9 billion investment through the Bipartisan Infrastructure Law to help communities with drinking water impacted by PFAS and other emerging contaminants – the largest-ever investment in tackling PFAS pollution. An additional \$12 billion is available through the Bipartisan Infrastructure Law for general drinking water improvements, including addressing emerging contaminants like PFAS.

EPA Administrator Michael Regan will join White House Council on Environmental Quality Chair Brenda Mallory to announce the final standard today at an event in Fayetteville, North Carolina. In 2017, area residents learned that the Cape Fear River, the drinking water source for 1 million people in the region, had been heavily contaminated with PFAS pollution from a nearby manufacturing facility. Today's announcements will help protect communities like Fayetteville from further devastating impacts of PFAS.

"Drinking water contaminated with PFAS has plagued communities across this country for too long," **said EPA Administrator Michael S. Regan**. "That is why President Biden has made tackling PFAS a top priority, investing historic resources to address these harmful chemicals and protect communities nationwide. Our PFAS Strategic Roadmap marshals the full breadth of EPA's authority and resources to protect people from these harmful forever chemicals. Today, I am proud to finalize this critical piece of our Roadmap, and in doing so, save thousands of lives and help ensure our children grow up healthier."

"President Biden believes that everyone deserves access to clean, safe drinking water, and he is delivering on that promise," **said Brenda Mallory, Chair of the White House Council on Environmental Quality**. "The first national drinking water standards for PFAS marks a significant step towards delivering on the Biden-Harris Administration's commitment to advancing environmental justice, protecting communities, and securing clean water for people across the country."

"Under President Biden's leadership, we are taking a whole-of-government approach to tackle PFAS pollution and ensure that all Americans have access to clean, safe drinking water. Today's announcement by EPA complements these efforts and will help keep our communities safe from these toxic 'forever chemicals,'" said Deputy Assistant to the President for the Cancer Moonshot, Dr. Danielle Carnival. "Coupled with the additional \$1 billion investment from President Biden's Investing in America agenda to help communities address PFAS pollution, the reductions in exposure to toxic substances delivered by EPA's standards will further the Biden Cancer Moonshot goal of reducing the cancer death rate by at least half by 2047 and preventing more than four million cancer deaths — and stopping cancer before it starts by protecting communities from known risks associated with exposure to PFAS and other contaminants, including kidney and testicular cancers, and more."

EPA is taking a signature step to protect public health by establishing legally enforceable levels for several PFAS known to occur individually and as mixtures in drinking water. This rule sets limits for five individual PFAS: PFOA, PFOS, PFNA, PFHxS, and HFPO-DA (also known as "GenX Chemicals"). The rule also sets a limit for mixtures of any two or more of four PFAS: PFNA, PFHxS, PFBS, and "GenX chemicals." By reducing

exposure to PFAS, this final rule will prevent thousands of premature deaths, tens of thousands of serious illnesses, including certain cancers and liver and heart impacts in adults, and immune and developmental impacts to infants and children.

This final rule advances President Biden's commitment to ending cancer as we know it as part of the Biden Cancer Moonshot, to ensuring that all Americans have access to clean, safe, drinking water, and to furthering the Biden-Harris Administration's commitment to environmental justice by protecting communities that are most exposed to toxic chemicals.

EPA estimates that between about 6% and 10% of the 66,000 public drinking water systems subject to this rule may have to take action to reduce PFAS to meet these new standards. All public water systems have three years to complete their initial monitoring for these chemicals. They must inform the public of the level of PFAS measured in their drinking water. Where PFAS is found at levels that exceed these standards, systems must implement solutions to reduce PFAS in their drinking water within five years.

The new limits in this rule are achievable using a range of available technologies and approaches including granular activated carbon, reverse osmosis, and ion exchange systems. For example, the Cape Fear Public Utility Authority, serving Wilmington, NC – one of the communities most heavily impacted by PFAS contamination – has effectively deployed a granular activated carbon system to remove PFAS regulated by this rule. Drinking water systems will have flexibility to determine the best solution for their community.

EPA will be working closely with state co-regulators in supporting water systems and local officials to implement this rule. In the coming weeks, EPA will host a series of webinars to provide information to the public, communities, and water utilities about the final PFAS drinking water regulation. To learn more about the webinars, please visit EPA's PFAS drinking water regulation webpage https://epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas#webinars. EPA has also published a toolkit of communications resources https://epa.gov/sdwa/pfas-communications-toolkit to help drinking water systems and community leaders educate the public about PFAS, where they come from, their health risks, how to reduce exposure, and about this rule.

"We are thankful that Administrator Regan and the Biden Administration are taking this action to protect drinking water in North Carolina and across the country," **said North Carolina Governor Roy Cooper**. "We asked for this because we know science-based standards for PFAS and other compounds are desperately needed."

"For decades, the American people have been exposed to the family of incredibly toxic 'forever chemicals' known as PFAS with no protection from their government. Those chemicals now contaminate virtually all Americans from birth. That's because for generations, PFAS chemicals slid off of every federal environmental law like a fried egg off a Teflon pan — until Joe Biden came along," **said Environmental Working Group President and Co-Founder Ken Cook**. "We commend EPA Administrator Michael Regan for his tireless leadership to make this decision a reality, and CEQ Chair Brenda Mallory for making sure PFAS is tackled with the 'whole of government' approach President Biden promised. There is much work yet to be done to end PFAS pollution. The fact that the EPA has adopted the very strong policy announced

today should give everyone confidence that the Biden administration will stay the course and keep the president's promises, until the American people are protected, at long last, from the scourge of PFAS pollution."

"We learned about GenX and other PFAS in our tap water six years ago. I raised my children on this water and watched loved ones suffer from rare or recurrent cancers. No one should ever worry if their tap water will make them sick or give them cancer. I'm grateful the Biden EPA heard our pleas and kept its promise to the American people. We will keep fighting until all exposures to PFAS end and the chemical companies responsible for business-related human rights abuses are held fully accountable," said Emily Donovan, cofounder of Clean Cape Fear.

More details about funding to address PFAS in Drinking Water

Through the Bipartisan Infrastructure Law, EPA is making an unprecedented \$21 billion available to strengthen our nation's drinking water systems, including by addressing PFAS contamination. Of that, \$9 billion is specifically for tackling PFAS and emerging contaminants. The financing programs delivering this funding are part of President Biden's Justice40 Initiative 🖸

<https://www.whitehouse.gov/environmentaljustice/justice40/>, which set the goal that 40% of the overall benefits of certain federal investments flow to disadvantaged communities that have been historically marginalized by underinvestment and overburdened by pollution.

Additionally, EPA has a nationwide Water Technical Assistance program to help small, rural, and disadvantaged communities access federal resources by working directly with water systems to identify challenges like PFAS; develop plans; build technical, managerial, and financial capacity; and apply for water infrastructure funding. Learn more about EPA's Water Technical Assistance programs https://epa.gov/water-infrastructure/water-technical-assistance-programs.

More details about the final PFAS drinking water standards:

- For PFOA and PFOS, EPA is setting a Maximum Contaminant Level Goal, a non-enforceable health-based goal, at zero. This reflects the latest science showing that there is no level of exposure to these contaminants without risk of health impacts, including certain cancers.
- EPA is setting enforceable Maximum Contaminant Levels at 4.0 parts per trillion for PFOA and PFOS, individually. This standard will reduce exposure from these PFAS in our drinking water to the lowest levels that are feasible for effective implementation.
- For PFNA, PFHxS, and "GenX Chemicals," EPA is setting the MCLGs and MCLs at 10 parts per trillion.
- Because PFAS can often be found together in mixtures, and research shows these mixtures may have combined health impacts, EPA is also setting a limit for any mixture of two or more of the following PFAS: PFNA, PFHxS, PFBS, and "GenX Chemicals."

EPA is issuing this rule after reviewing extensive research and science on how PFAS affects public health, while engaging with the water sector and with state regulators to ensure effective implementation. EPA also considered 120,000 comments on the proposed rule from a wide variety of stakeholders.

Background:

PFAS, also known as 'forever chemicals,' are prevalent in the environment. PFAS are a category of chemicals used since the 1940s to repel oil and water and resist heat, which makes them useful in everyday products such as nonstick cookware, stain resistant clothing, and firefighting foam. The science is clear that exposure to certain PFAS over a long period of time can cause cancer and other illnesses. In addition, PFAS exposure during critical life stages such as pregnancy or early childhood can also result in adverse health impacts.

Across the country, PFAS contamination is impacting millions of people's health and wellbeing. People can be exposed to PFAS through drinking water or food contaminated with PFAS, by coming into contact with products that contain PFAS, or through workplace exposures in certain industries.

Since EPA Administrator Michael S. Regan announced the PFAS Strategic Roadmap https://epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024 in October 2021, EPA has taken action – within the Biden-Harris Administration's whole-of-government approach – by advancing science and following the law to safeguard public health, protect the environment, and hold polluters accountable. The actions described in the PFAS Strategic Roadmap each represent important and meaningful steps to protect communities from PFAS contamination. Cumulatively, these actions will build upon one another and lead to more enduring and protective solutions. In December 2023, the EPA released its second annual report on PFAS progress https://epa.gov/system/files/documents/2023-12/epas-pfas-strategic-roadmap-dec-2023508v2.pdf. The report highlights significant accomplishments achieved under the EPA's PFAS Strategic Roadmap.

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LAST UPDATED ON APRIL 10, 2024



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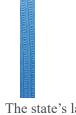
How full are major California reservoirs as state exits another wet winter?

By Brianna Taylor, The Sacramento Bee (TNS)

Attachment 9

Thursday, April 11, 2024 | 2 a.m.

SACRAMENTO, Calif. — The majority of California's reservoirs are above their historic average levels following the end of two wet winters.



The state's largest reservoirs, Shasta Lake and Lake Oroville, were measured at a respective 118% and 122% of their averages for early April, according to data from the California Department of Water Resources.

Folsom Lake in the Sierra Nevada foothills exits early April at 116%.

Only two reservoirs, San Luis in western San Joaquin Valley and Castaic in Southern California, were below average.

San Luis Reservoir was at just 87% and much smaller Castaic Lake in Los Angeles County was at 92%.

A boosted snowpack, 'abnormally dry' conditions

An update from the U.S. Drought Monitor last week shows a few portions of California remain "abnormally dry."

A weekly map that illustrates drought intensities across the country shows the state's "abnormally dry" status has not budged from 4.5% since March 5.

That's an improvement from 7% on Feb. 27.

The state's boosted snowpack and a strategic water plan could help kick the remaining dry spots.

After a dry start to the water year, which began Oct. 1, the fourth and final <u>manual snow survey showed an above-average snowpack</u> for the second season in a row, according to a news release from the California Department of Water Resources.

"California has had two years of relatively positive water conditions, but that is no reason to let our guard down now," said state climatologist Michael Anderson with the California Department of Water Resources.

"With three record-setting multi-year droughts in the last 15 years and warmer temperatures, a well above average snowpack is needed to reach average runoff," he said in the release, warning the state's future water years will "see more extreme dry times interrupted by very wet periods."

The snowpack at Phillips Station, located west of Lake Tahoe, recorded 64 inches of snow snow survey by the state water agency. That's 113% of the average for that location.

California reservoir levels stand at 116% of the average, according to the release.

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The next focus is to capture as much snowmelt runoff as possible, state water officials say. The dry start to the year and soot and ash from burn scars could make that difficult.

California's drought status

California is drought-free, similar to what was monitored in March 2020, according to the U.S. Drought Monitor.

No one has lived in drought conditions since November, a significant decrease from roughly 3,000 people in October and about 9,800 people in September.

Approximately 903,000 people remained in drought areas in August.

Roughly 4.5% of the state — parts of Siskiyou, Modoc, Lassen, Mono, Inyo, San Bernardino and Riverside counties — remained abnormally dry as of April 2, according to the U.S. Drought Monitor.

In February, the list included portions of Plumas, Sierra, Nevada, Placer, El Dorado and Alpine counties.

The state has been without "moderate," "severe," "extreme" and "exceptional" drought conditions since October.

Most Popular



Primed for the playoffs: Golden Knights flash form in comeback win



Attachment 10

NEWS > **ENVIRONMENT** • News

Winter storms pack mountains with snow, bring water to LA



FILE – A man shovels snow off his car in the Cleveland National Forest, on Feb. 7, 2024, in eastern San Diego county, Calif. California's current rainy season got off to a slow start but has rebounded with recent storms that have covered mountains in snow and unleashed downpours, flooding and mudslides. The water content of the vital Sierra Nevada snowpack has topped 80% of normal to date while downtown Los Angeles has already received more than an entire year's average annual rainfall. (AP Photo/Denis Poroy, File)

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By CITY NEWS SERVICE | news@socalnews.com

PUBLISHED: April 11, 2024 at 5:26 p.m. | UPDATED: April 11, 2024 at 5:26 p.m.

Final snow surveys for the 2023-24 winter season showed the Eastern Sierra snowpack measured 103% above normal, meaning a "secure and sustainable" water supply source for the city of Los Angeles, water officials announced Thursday.

Each year, the Los Angeles Department of Water and Power conducts snow surveys from February to April at five snow courses in the Eastern Sierra, where snowmelt feeds into the L.A. Aqueduct, delivering water to the city. While underwhelming at first compared to record-breaking measurements in 2023, the year's snowpack increased significantly in February and March.

"While our reservoirs are full following two wet winters, we are still seeing the impacts of climate whiplash across the state," LADWP General Manager and Chief Engineer Martin Adams said in a statement.

He added, "We know we have to stay focused on our investments in local water supply projects as LADWP continues to evolve and balance the needs of our customers with the challenges associated with extreme weather patterns, more than anything else, we encourage our customers to stay vigilant in their water wise practices, which have helped keep water conservation citywide near-record highs."

After record snowpack and runoff from 2023, LADWP's reservoirs are full, and allowing supplies from the aqueduct to meet 70% of the city's annual water demand — or about 114 billion gallons of water, equivalent to supplying more than 207,000 households annually water officials said. The remaining water supply

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https://www.dailynews.com/2024/04/11/winter-storms-pack-mountains-with-snow-hring-water-to-la/2024-04-25 BCVWD ENGINEERING WORKSHOP - PAGE 81 OF 87

The consistent winter storms Southern California experienced this year also helped boost the lake level of Mono Lake. The officials April 1 elevation reading was 6,383.7 feet, an increase of more than 5 feet since 2022.

Since last fall, LADWP estimates 30 billion gallons of stormwater has been captured, enough to meet 20% of the city's annual water demand.

"While the improved water supply is welcome, recognizing that California's weather is becoming increasingly unpredictable, makes water resources management an ongoing priority," Senior Assistant General Manager Water System Anselmo Collins said in a statement. "LADWP is doing everything possible to prepare for the intensifying swings in hydrological conditions by the expansion of local water supplies and pushing forward numerous water conservation programs and stormwater capture projects."



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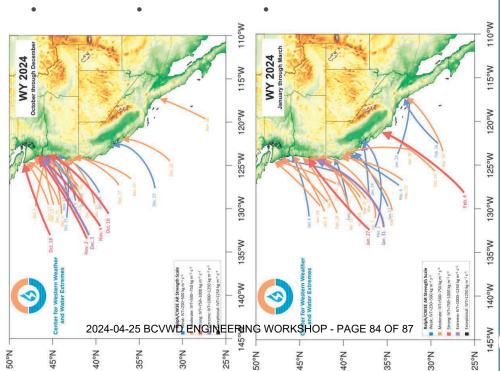
NotSuito's CEO Guido to Al

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110°W October through March WY 2024 115°W over the U.S. West Coast during Water Year 2024 51 atmospheric rivers made landfall 120°W 125°W 130°W 135°W Center for Western Weather Extreme: IVT=1000-1250 kg m⁻¹ s⁻¹ Strong: IVT=750-1000 kg m⁻¹ s⁻¹ ■ Exceptional: IVT>1250 kg m⁻¹ s⁻¹ 140°W 145°W 40°N 35°N 30°N 45°N 20°N Regions Impacted by Each AR **AR** Count ARs 46 16 15 28 43 25 41 9 0 **AR Strength** State/Region Southern CA Northern CA Washington Central CA Exceptional Moderate Extreme Oregon Strong Weak



A Slow Start for California

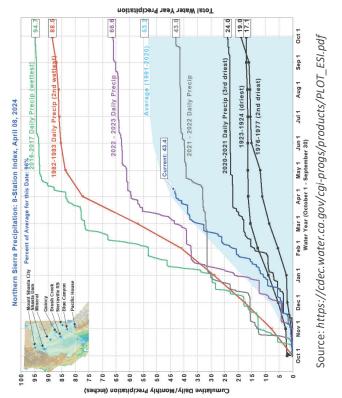


atmospheric river activity in the

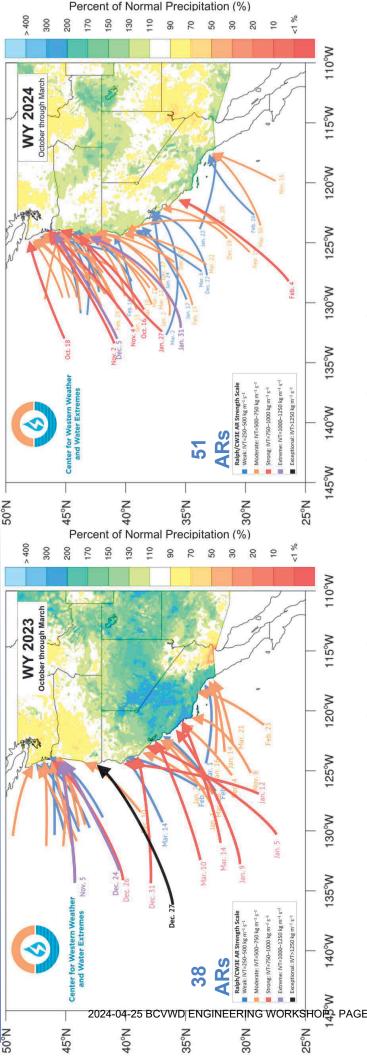
second half of the winter

resulted in the index rising to

In the first three months of the water year (October through December), Northern California experienced 18 atmospheric rivers (12 weak and 6 moderate) During the second three months of the water year (January through March), Northern California experienced 25 atmospheric rivers (14 weak, 9 moderate, and 2 strong) At the end of December, the Northern Sierra 8-Station index was ~6 inches below normal for the date, but the switch to more

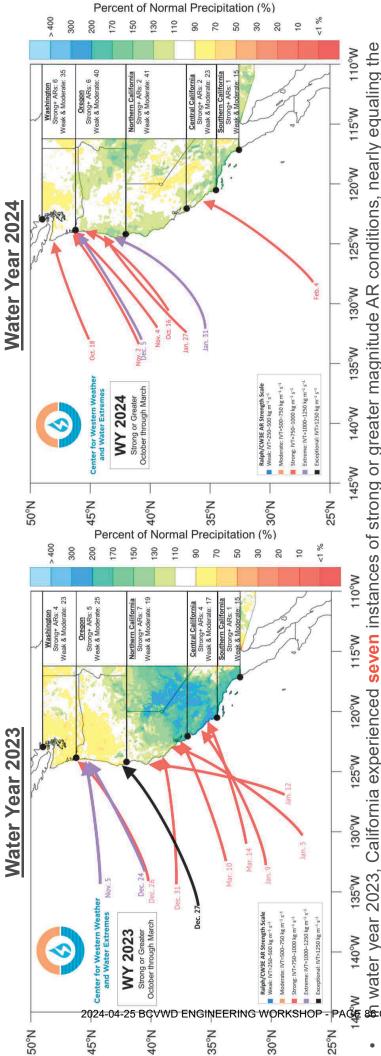


Water Year 2024 Compared to Water Year 2023



- Water Year 2023 experienced a total of 38 landfalling ARs over the U.S. West Coast, 13 fewer than Water Year 2024.
- While WY 2024 experienced more ARs, a much larger majority, especially the stronger storms, only impacted the Pac. Northwest Water Year 2023 was dominated by a more southerly storm track, bringing stronger and more frequent ARs to California compared to the WY 2024
 - This variation in storm track and storm strength during WY 2024 resulted in more widespread normal to near normal conditions across the West instead of the dipole and near record breaking precipitation in California in WY 2023



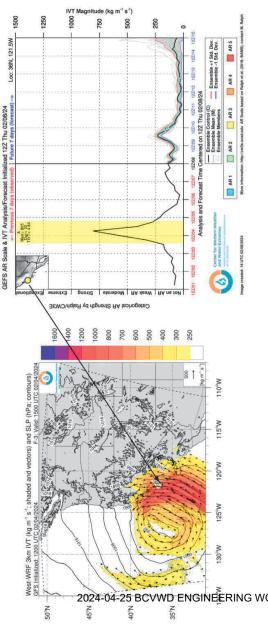


148 w 140 w 135 w 130 w 125 w 120 w 115 w 110 w 145 w 140 w 135 w 130 w 125 w 120 w 115 w 110 w 110 w 110 w 140 w 140 w 135 w 130 w 125 w 120 w 115 w 110 w 180 water year 2023, California experienced **seven** instances of strong or greater magnitude AR conditions, nearly equaling the bear years and resulting in >200% of normal water year precipitation across central California from the Coast to the Sierra and the Intermountain West

In Water Year 2024, California only experienced two instances of strong or greater AR conditions but an abundance of weak and moderate ARs were able to make up for the lack of strong ARs to bring a large portion of the state to near or above normal precipitation



Water Year 2024 Highlights



- Ahe strongest atmospheric river to impact Central and Southern California occurred on 4–6 February and brought efficient southerly IVT, heavy precipitation, and strong winds to much of the Southern California Bight From Santa Barbara to the Los Angeles Basin.
- Downtown Los Angeles received 8.51 inches of rain from 4 to 6 February, qwhich was the second wettest 3-day stretch on record.
- Additionally, snowfall in the Sierra Nevada increased the year-to-date snowpack by 10 to 20%.
- This event was a great example how only a few strong storms over Southern California can make or break a water year.



Street Flooding in Santa Barbara Soure: Ethan Swope, AP Photos: https://weather.com/photoschews/2024-02-04-california-shood-ima



High Flow through the Los Angeles River

Source: The Guardian

