



**2021 LEGISLATIVE  
PRIORITIES AND  
PRINCIPLES**

**Adopted December 8, 2020**



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## 2021 Legislative Priorities and Principles

The legislative priorities for 2021 and the two Metropolitan-sponsored legislative initiatives for the 2021-2022 state's two-year legislative session are as follows:

### A. Top Legislative Priorities

1. Support administrative/legislative measures to defray the costs of planning, financing, constructing, and rehabilitating all types of water infrastructure projects including, but not limited to, water recycling, storage, treatment, subsidence repairs, and environmental restoration projects.
2. Support actions to initiate, expedite and secure funding for the Regional Recycled Water Program and related projects.
3. Support actions to ensure progress on Delta conveyance and California EcoRestore.
4. Support administrative/legislative actions and funding to facilitate other non-mitigation habitat restoration projects that benefit endangered and threatened species.
5. Support administrative/legislative actions to secure funding to help public water systems defray the costs associated with COVID-19 (e.g., loss of revenue, deferred infrastructure maintenance, personal protective equipment, workplace health and safety improvements, and on-site testing) and for direct financial relief to low-income households facing substantial utility bill arrearages.
6. Support administrative/legislative actions and funding for research on water science, including snowpack and streamflow monitoring, drinking water quality, salinity control, source water protection, and watershed research.
7. Support administrative/legislative actions to secure funding to help public water systems defray the costs of monitoring and/or remediation of per-and polyfluoroalkyl substances, and ensure drinking water and wastewater facilities are not held liable for the cleanup of contamination.
8. Support tax exemptions for water conservation or efficiency incentives for measures including, but not limited to, turf removal, local stormwater capture (e.g., rain barrels, cisterns), and other measures to reduce consumption of water or enhance the absorption and infiltration capacity of the landscape.

### B. Metropolitan-Sponsored State Bills

1. Support legislation, consistent with board direction, to create a statewide program to identify and evaluate constituents of emerging concern in drinking water.
2. Support legislation, consistent with board direction, to grant Metropolitan lead agency status under the Surface Mining and Reclamation Act.



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## 2021 Legislative Principles

The following legislative principles are refined annually in consultation with subject matter experts throughout Metropolitan, applying to both state and federal legislative advocacy. The legislative principles below address seven strategic areas of policy relevant to Metropolitan: drinking water, regional water resource management, imported water supplies, climate change and the environment, infrastructure, system resiliency, and innovation.

- I. Drinking Water – Metropolitan provides high-quality, reliable drinking water in an economically responsible way to the Southern California region that surpasses all federal and state drinking water regulations. Metropolitan supports statewide efforts to implement California’s Human Right to Water law.
  - A. Water Quality and Treatment
    1. Support administrative/legislative actions that utilize best available science, occurrence and health effects data, and appropriate cost-benefit analyses or economic feasibility to protect public health and improve water quality. Apply these principles when setting maximum contaminant levels, health advisories, or notification/response levels, in addition to assessing laboratory capacity, analytical methods, and other regulatory standards or guidance levels.
    2. Support legislation, consistent with Board direction, to create a statewide program to identify and evaluate constituents of emerging concern in drinking water.
    3. Support application of the “polluter pays” principle such that parties responsible for introducing contaminants in drinking water sources are held liable for cleanup, and not drinking water and wastewater facilities that subsequently store, transport, or treat the water.
    4. Support administrative/legislative actions and funding for treatment and mitigation measures to comply with any new regulatory standards, develop risk communication tools, as well as provide adequate time for implementation.
    5. Support administrative/legislative actions and funding to protect source water quality, reduce threats from invasive species, and mitigate harmful algal blooms.
  - B. Water Governance and Funding
    1. Support administrative/legislative actions that improve governance of non-compliant water systems and provide assistance for consolidations that increase their technical, managerial, or financial capacity.
    2. Support administrative/legislative action to ensure that all affected public water systems are consulted on changes of organization, including proposed consolidations or extension of service area.
    3. Support administrative/legislative actions that ensure the limited resources of the Safe and Affordable Drinking Water Fund are allocated to advance projects, operation and maintenance costs, infrastructure improvements, and/or consolidation actions that will achieve long-term sustainability for water systems and the communities that rely on those systems.



4. Support administrative/legislative actions that reform or create water financing mechanisms to provide water systems with voluntary options for financing low-income rate assistance programs.
  5. Support administrative/legislative actions that prioritize providing safe and affordable drinking water to disadvantaged communities.
- II. Regional Water Resource Management – Metropolitan works to secure high-quality water for member agencies in a reliable, cost-effective, and environmentally responsible manner. This involves managing imported water supplies and quality, supporting local resource development, and advancing water use efficiency.
- A. Continue to support and promote integrated water resources development by advocating for clear, concise, and streamlined regulations/policies that are easily understandable by the regulated community and public.
  - B. Support administrative/legislative actions and funding to expedite the development of new local resources, including recycled water (including direct potable reuse), groundwater, stormwater and desalination projects, without compromising the operational, financial, water quality, regulatory and customer interests of Metropolitan and other water and wastewater agencies.
  - C. Support administrative/legislative actions to initiate, expedite and secure funding for the Regional Recycled Water Program and related projects.
  - D. Support administrative/legislative actions and funding for salinity management projects that benefit groundwater remediation projects.
  - E. Support administrative/legislative actions and funding to facilitate the implementation of the Sustainable Groundwater Management Act and assist local agencies in maintaining long-term groundwater supply reliability.
  - F. Conservation
    1. Support tax exemptions for water conservation or efficiency incentives including, but not limited to, turf removal, local stormwater capture (e.g., rain barrels, cisterns), and other measures to reduce consumption of water or enhance the absorption and infiltration capacity of the landscape.
    2. Support administrative/legislative actions and funding to encourage equitable water use efficiency and recycled water use among agricultural, industrial, and urban sectors.
    3. Support administrative/legislative actions and funding to advance Conservation as a California Way of Life in a manner that maintains flexibility and local control. Support efforts to ensure new statutes and regulations are based on science; recognize regional distinctions (i.e., climate, land use, population, and hydrology); and potential impacts to wastewater operations and recycled water projects.
    4. Support administrative/legislative actions that maintain flexibility and local control in the development and implementation of water loss standards and consider wholesale water system constraints.



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#### G. Desalination & Groundwater Remediation

1. Support administrative/legislative actions and funding for seawater and groundwater desalination projects.
2. Support administrative/legislative actions and funding that advance Metropolitan's groundwater storage programs with member agencies.
3. Support administrative/legislative actions and funding for desalination research and technology development projects, and initiatives that encourage stakeholder coordination on these investments, such as with the National Alliance for Water Innovation.

#### H. Recycled Water

1. Support implementation of the National Water Reuse Action Plan and California Water Reuse Action Plan while protecting local flexibility and encouraging local, state and federal coordination, research and innovation.
2. Support administrative/legislative actions to help achieve recycled water goals and the California Water Reuse Action Plan while limiting one-size-fits-all mandates of recycled water uses and/or specific reduction of wastewater discharges without first considering the following factors: a cost-benefit analysis, current use and demand for recycled water, projected wastewater flows and water rights, status of the state's direct potable reuse regulations, location and site constraints for reuse of wastewater discharges, existing plans for recycled water projects and available funding.
3. Support administrative/legislative actions that facilitate the adoption of practical uniform water recycling criteria for direct potable reuse through raw water augmentation by December 31, 2023. These actions include but are not limited to funding: (a) for the planning, development and implementation of local and regional potable reuse projects; and (b) initiatives to fill research gaps and advance the science to promote the further development of potable reuse.
4. Support administrative/legislative action to promote voluntary on-site water treatment systems if they maintain compliance with Title 22 and do not negatively affect municipal water recycling systems.

#### I. Stormwater Capture

1. Support administrative/legislative actions that promote stormwater as a beneficial resource and facilitate the funding and permitting of stormwater capture projects to augment local and regional water supplies without compromising the operational, water quality, financial, regulatory, and customer interests of local and regional water agencies.

#### J. Watershed Management

1. Support administrative/legislative actions and funding to enhance watershed management in Southern California, the Bay-Delta and Colorado River watersheds that provide broad public benefits, including water quality and water supply reliability, reduced wildfire risks, and other environmental improvements. Funding of watershed management programs should be based on the "beneficiaries pay" principle.



2. Support administrative/legislative actions that help advance implementation of watershed management plans, including watershed research and multi-benefit forestry management projects.
  3. Support implementation of the California Water Resiliency Portfolio, as consistent with Metropolitan goals and objectives, to ensure improved watershed-scale coordination, watershed management and planning, and programs and funding that provide water resiliency and improve watershed functions.
- III. Imported Water Supply – Metropolitan provides imported water supplies to its member agencies from two primary sources, the Colorado River via the Colorado Aqueduct and the Sacramento-San Joaquin Delta via the State Water Project.
- A. Bay-Delta Initiatives – Metropolitan is involved in several key regulatory and planning processes in the Sacramento-San Joaquin Delta related to the operation of the State Water Project (SWP). The goal is to advance water supply reliability and ecosystem restoration concurrently by modernizing the state’s water infrastructure with the proposed Delta conveyance Project and improving the habitat and function of the Delta estuary for the benefit of threatened and endangered species. To advance these goals, Metropolitan supports collaborative scientific efforts to better understand how to restore and manage the Bay-Delta.
1. Support administrative/legislative action to advance Delta conveyance and EcoRestore in support of California’s coequal goals of water supply reliability and Delta ecosystem restoration and the Governor’s California Water Resiliency Portfolio.
  2. Support administrative/legislative action and funding to improve scientific understanding of listed Delta fish and wildlife species and water project operations in the Delta, including data collection, real-time monitoring, and modeling. Promote the use of best available science to enhance flexibility for water project operations while maintaining regulatory and statutory protections for species listed under the state and federal Endangered Species Act.
  3. Continue support for implementation of state policies adopted as part of the 2009 Delta Reform Act and water management package, including clarification of the monitoring, reporting, and enforcement provisions related to in-Delta diversions.
  4. Support administrative/legislative actions to consolidate review and oversight of anadromous species protection under the U.S. Department of the Interior.
  5. Support administrative/legislative actions that protect water quality for beneficial uses and that are implemented consistent with water rights priorities.
  6. Support administrative/legislative actions and funding to advance the Delta Emergency Freshwater Pathway and emergency response in the event of catastrophic levee failure that impedes delivery or degrades SWP supplies.
- B. Colorado River Resources – The Colorado River is a critical resource for the entire Southwest – supporting the economies of seven Basin States (Arizona, California, Colorado, Nevada, New Mexico, Wyoming and Utah) and many diverse ecosystems. Degradation of the River’s water quality can cause significant economic, environmental and human health impacts across the West. Metropolitan, together with the other Basin



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States, Native American tribes and Mexico, works to ensure we can continue to supply our communities with a safe and reliable water supply.

1. Support administrative/legislative actions and funding for Colorado River System water conservation projects, including implementation of the Drought Contingency Plan, to offset the effects of extended drought conditions.
  2. Support administrative/legislative actions and funding for the cleanup of contaminated sites along the Colorado River. This includes, but is not limited to, uranium remediation in Moab, Utah; perchlorate remediation in Henderson, Nevada; hexavalent chrome remediation in Topock, California; and a waste disposal site near Hoover Dam.
  3. Promote continued coordination between states for the Colorado River Basin Salinity Control Program, including work to secure funding for the continued operation of USBR's Paradox Valley salinity control project to reduce salt loads to the Colorado River.
  4. Secure funding for the implementation of the Lower Colorado River Multi-Species Conservation Program to promote the recovery of threatened and endangered species along the river in coordination with the other Basin States.
  5. Support administrative/legislative action and funding that advance binational water conservation programs that benefit Colorado River supply augmentation and habitat restoration objectives.
- C. State Water Project – About 30 percent of Southern California's water comes from the SWP. Metropolitan works with state and federal agencies as well as other SWP contractors to address threats to the project and address environmental needs and augment water supplies through collaborative transfers and groundwater banking agreements.
1. Support administrative/legislative actions and funding to mitigate the impacts of subsidence on the SWP and prevent future damage caused by unsustainable groundwater pumping.
  2. Support administrative/legislative action and funding for new or expanded water infrastructure that complements the SWP.
  3. Support funding for joint state and federal facility repairs, rehabilitation and improvements, and ensure funding is equitably distributed between partners while maintaining SWP supply reliability.
  4. Support funding for the public share of costs, including recreation, flood protection, mitigation, and rehabilitation for multi-purpose SWP facilities.



IV. Climate Change and the Environment – Metropolitan is helping California reach its climate goals while adapting to a rapidly changing environmental landscape. Metropolitan supports policies and funding that encourage sustainable practices and environmental compliance, reduce greenhouse gas emissions, and improve energy sustainability.

A. Climate Change Adaptation

1. Support legislative/administrative actions and funding for projects that provide water supply and quality benefits while increasing the ability to manage extreme drought and precipitation events.
2. Support administrative/legislative actions climate change research into the potential water resource and quality effects.
3. Support administrative/legislative actions and funding that protect SWP, Colorado River Aqueduct (CRA), and local water supplies from the impacts of climate change and enhance their long-term reliability.
4. Support administrative/legislative efforts to improve, develop and promote innovative climate adaptation solutions and support science-based strategies and tools that benefit the environment by restoring healthy soils, conserving water, and sequestering carbon.
5. Support administrative/legislative actions that promote reasonable, economically viable, and technologically feasible efforts for reducing the potential impacts of climate change to water and power resources.
6. Support administrative/legislative actions and funding that facilitate the integration of existing and planned community water supply, distribution systems, and regional water facilities.
7. Support administrative/legislative actions and funding that facilitate drought preparedness and drought response projects and programs.

B. Water/Energy Nexus

1. Support administrative/legislative actions and funding for energy efficiency and storage projects, and programs to reduce greenhouse gases and develop renewable resources.
2. Support administrative/legislative actions that remove barriers to and encourages energy sector investments in water conservation and energy management programs.
3. Support administrative/legislative or regulatory activities that preserve Metropolitan's ability to pursue supply options and oppose constraints on supply development such as water resource loading orders based on energy intensity.
4. Support efforts to ensure power costs are appropriate and proportional to the benefits received and that water system operations are not adversely affected by power-related legislation/administrative actions.



5. Support administrative/legislative actions that provide state funding from the Greenhouse Gas Reduction Fund for water/energy nexus projects and maintain Cap-and-Trade allowances for Metropolitan and Department of Water Resources (i.e., State Water Contractors).

#### C. Renewable Energy

1. Support administrative/legislative actions that define hydropower generation as renewable energy irrespective of a facility's nameplate generating capacity and includes the provision of renewable energy credits for hydroelectric generation.
2. Work to ensure that administrative/legislative actions seeking to enhance or expand hydropower at existing dams do not adversely impact those dams, either financially or operationally, or entities with rights to the power from the existing resources that directly or indirectly impact Metropolitan's service area.
3. Support administrative/legislative actions to improve federal hydropower relicensing for existing facilities, including SWP resources.
4. Support administrative/legislative actions and funding for the SWP and the CRA to incorporate renewable energy resources, such as pumped hydroelectric energy, that contribute to the state's climate goals without impacting the projects' primary purpose, provided consideration is given to transmission limitations, cost and portfolio availability, and unrelated impacts are not shifted to SWP or CRA facilities.

#### D. Environmental Stewardship

1. Support administrative/legislative actions for environmental compliance that provide regulatory compliance flexibility, improve clarity and workability of the requirements, and promote consistency and reduce regulatory duplication, while protective of public health and the environment.
2. Support administrative/legislative actions and funding to facilitate other non-mitigation habitat restoration projects that benefit endangered and threatened species.
3. Support administrative/legislative actions and funding for water science and data collection, including snowpack and streamflow monitoring, drinking water quality, salinity control, source water protection and watershed research.
4. Support administrative/legislative actions and funding opportunities to help public water agencies update their portable, stationary, and mobile equipment fleets to help improve system reliability and resiliency in an environmentally responsible manner.

#### V. Infrastructure – Metropolitan has a strategic priority to invest in key capital projects in our region to enable long-term, reliable water deliveries. Key capital projects identified in Metropolitan's Capital Investment Plan focus on improvements to the CRA, treatment plants, and distribution systems.

- A. Support administrative/legislative measures to defray the costs of planning, financing, constructing, repairing, and rehabilitating water infrastructure projects, including but



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not limited to general obligation bonds, tax-exempt municipal bonds, and low-interest loans. Ensure equitable cost-sharing of water infrastructure projects.

- B. Support administrative/legislative efforts to expand funding programs, streamline project approval and reporting processes, and prevent project backlogs in state and federal funding or financing.
- C. Support “beneficiaries pay” approach as financing mechanism for statewide projects and programs and oppose public goods charge, or other charges levied on water agencies for funding broader public benefits.
- D. Support funding for the public share of costs, including mitigation, rehabilitation, and recreation, for multi-purpose water infrastructure.

VI. System Resiliency – Metropolitan diligently maintains and significantly invests to safeguard a region-wide water supply system that is a cornerstone of Southern California’s \$1.6 trillion economy. Resiliency is about making sure the water supply system is strong, can return to service quickly, and is prepared to address future challenges.

A. Emergency Preparedness

- 1. Support administrative/legislative actions that assist the water industry prepare for, respond to, and recover from natural disasters, including earthquakes and wildfires, catastrophic accidents, and sabotage. These actions may include but are not limited to, actions to provide funding for emergency responses and planning and post-emergency restoration of service.
- 2. Support administrative/legislative actions to secure funding to help public water systems defray the costs associated with COVID-19 (e.g., loss of revenue, deferred infrastructure maintenance, personal protective equipment, workplace health and safety improvements, and on-site testing) and for direct financial relief to low-income households facing substantial utility bill arrearages.
- 3. Support administrative/legislative actions that assist the water industry to address the effects of wildfires and power outages, including the impacts of public safety power shutoff events.
- 4. Support additional funding for the Federal Emergency Management Agency programs to assist with emergency repairs and improvements, including but not limited to, dam safety, spillway improvements, and erosion control repairs.

B. Physical and Cyber Security

- 1. Support administrative/legislative actions that would provide funding or reimbursement for enhanced physical security and cybersecurity for water and power infrastructure.
- 2. Support trade associations and coalition efforts to share information and develop standard guidance and best management practices to protect water and power critical infrastructure from cyber vulnerabilities.



3. Support administrative/legislative actions that ensure Metropolitan's ability to reliably operate and maintain its facilities, infrastructure and real estate assets, including rights of way, and to protect against encroachment.
4. Support continued U.S. Environmental Protection Agency oversight of water system security and coordinate with federal and state agencies (such as the Governor's Office of Emergency Services and the Chemical Security Analysis Center) to identify and assess chemical threats and vulnerabilities.

C. Chemical Security

1. Support administrative/legislative actions to improve supply chain reliability, achieve tax-exempt status for water treatment chemicals, and ensure access to water treatment chemicals.
2. Support administrative/legislative actions to ensure the continued use of gaseous chlorine to protect public health.

VII. Innovation – Innovation is about continuing Metropolitan's long tradition of creatively solving difficult challenges.

- A. Support administrative/legislative actions and funding for the research and development of new and emerging technologies such as satellite- and computer-based technologies to monitor source water quality, measure and predict agricultural water use, urban outdoor water use and reservoir evaporation; and expand coordination with technology incubators, research institutions, and other stakeholder groups.
- B. Support administrative/legislative actions and funding to promote open water data platforms and sharing, including improving access to agency data, streamlining the collection and submission of water agency data, and promoting collaboration among federal, state and local stakeholders.
- C. Support administrative/legislative actions and funding to improve educational opportunities in the water sector, including career technical education and workforce development.