

**Metropolitan Water District of Southern California
State Legislative Matrix
May 5, 2022 – Second Year of Legislative Session**

| Topic | Bill Number Author | Status | Title – Summary | MWD Position | Effects on Metropolitan |
|------------------------------|---|---|---|--|--|
| Metropolitan-sponsored bills | <p style="text-align: center;">SB 230 Portantino (D)</p> <p style="text-align: center;">Sponsors: Metropolitan and the California Municipal Utilities Association (CMUA)</p> | <p style="text-align: center;">Amended 1/20/2022</p> <p style="text-align: center;">Assembly Environmental Safety and Toxic Materials</p> | <p>State Water Resources Control Board: Constituents of Emerging Concern Program</p> <p>Seeks to create a statewide program to identify and evaluate Constituents of Emerging Concern (CECs) in drinking water sources.</p> | <p style="text-align: center;">CO-SPONSOR</p> <p style="text-align: center;">Based on October 2019 Board Action</p> | <p>Metropolitan and CMUA are co-sponsoring legislation in response to growing public concern about CECs in drinking water. The bill would establish a five-year CEC Drinking Water Program at the State Water Resources Control Board.</p> <p>The program would set up a consistent and science-based approach for assessing the public health and drinking water consequences of CECs, with the intent to improve knowledge and future regulatory determinations. The bill excludes PFAS from the program of review and requires the State Water Board to present a final report to the Legislature. The recent amendments make implementation of a CEC Drinking Water Program contingent upon an appropriation by the Legislature.</p> |
| Metropolitan-sponsored bills | <p style="text-align: center;">AB 1845 Calderon (D)</p> <p style="text-align: center;">Sponsor: Metropolitan</p> | <p style="text-align: center;">Amended 4/4/2022</p> <p style="text-align: center;">Assembly Appropriations Committee</p> | <p>Metropolitan Water District of Southern California: alternative project delivery methods</p> <p>Allows the Metropolitan Water District of Southern California to use alternative project delivery methods for the design and construction of a Regional Recycling Water Program</p> | <p style="text-align: center;">SPONSOR</p> | <p>Metropolitan is limited to the traditional Design-Bid-Build method for delivery of public works construction contracts which can be inefficient and inflexible for large, time-sensitive, and complex projects like its Regional Recycled Water Program and emergency drought mitigation projects. The bill would amend the Public Contracting Code to permit Metropolitan to use Design-Build, Progressive Design-</p> |

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| | | | and a limited set of drought-related projects. | | Build, and Construction Manager/General Contractor. These methods have the potential to expedite construction of critical new water infrastructure projects and reduce their overall costs. |
| Delta/State Water Project | SB 832 Dodd (D) Sponsor: Author | Amended 4/6/2022 Senate Appropriations Committee – Suspense File | Water rights: measurement of diversion Clarifies existing law that a person diverting 10 acre-feet or more of water per year under a registration is subject to existing water diversion measurement, recording, and reporting requirements. Also, authorize the State Water Board to modify water diversion measurement requirements to allow open satellite data methods to estimate evapotranspiration if the board makes certain findings regarding use of water for irrigation. | SUPPORT Based upon Board-adopted 2022 Legislative Priorities and Principles | Metropolitan supports metering and reporting of diversions to prevent unlawful diversion of State Water Project supplies in the Delta and other locations that may lead to additional regulatory burdens. Metropolitan is installing meters on its Delta Islands to comply with existing statutory requirements. While OpenET would be a useful tool for water management and could be used as an indicator of unlawful diversions in the Delta, it is a new methodology for California. The bill requires the State Water Board to conduct a five-year study to determine the adequacy of evapotranspiration methods as a substitute for conventional metering methods to comply with State Water Board reporting requirements. |
| Design-Build | SB 991 Newman (D) | Amended 3/22/2022 | Public contracts: progressive design-build: local agencies | SUPPORT | SB 991 could benefit water agencies, including Metropolitan, by giving them the option to use progressive design-build, which allows for greater collaboration |

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| | <p>Sponsors: Water Collaborative Delivery Association (formerly Design Build Council)</p> | <p>Senate Third Reading</p> | <p>Authorize local water and wastewater agencies to use the progressive design-build (PDB) project delivery method for public works projects in excess of \$5 million.</p> | <p>Based on April 2022 Board Action</p> | <p>between the project owner and the contractor through the design and construction phase thereby reducing project costs, risk, and schedules.</p> |
| <p>Governance</p> | <p>AB 2449 B. Rubio (D)</p> <p>Sponsor: Three Valleys Municipal Water District</p> | <p>Introduced 2/17/2022</p> <p>Assembly Third Reading</p> | <p>Open meetings: local agencies: teleconferences</p> <p>Amends the Ralph M. Brown Act to allow a local agency to voluntarily use teleconferencing for public meetings during non-emergencies. Requires a quorum of the members meet in person at a noticed location that is open to the public and within the agency’s jurisdiction. The bill prescribes requirements for this exception related to notice, agendas, means and manner of access, and procedures for disruptions. Requires procedures for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law.</p> | <p>SUPPORT</p> <p>Based on April 2021 Board Action</p> | <p>Metropolitan currently hosts teleconferencing public meetings in accordance with Executive Order, N-29-20. AB 2449 allows the option to hold teleconferenced meetings into the future after the COVID-19 public health emergency is over and the Executive Order is lifted as long as a quorum of the Board’s directors participate in person, give notice and post agendas as prescribed, ensure that directors attending meeting by teleconference participate through both audio and visual technology, and allow the public to address the Board in person or by teleconference. Waives the requirement to post an agenda at each teleconferenced location and assure public access to those locations. If there is a disruption to the call-in or streaming options, then no action can be taken by the board.</p> |

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| | | | Requires a quorum of the legislative body present at the location noticed on the agenda, an audio and video live-feed of the remote member of the legislative body during the meeting. | | |
| Regulatory Reform | <p style="text-align: center;">AB 2313 Bloom (D)</p> <p style="text-align: center;">Sponsor: Author</p> | <p style="text-align: center;">Amended 4/27/2022</p> <p style="text-align: center;">Assembly Appropriations Committee</p> | <p>Water: judges and adjudications</p> <p>Would require the Judicial Council on or before January 1, 2025 to establish a program that provides training and education to judges in specified actions relating to water quality, groundwater, water transfers and water rights. Requires the Judicial Council to identify independent and nonpartisan experts in water issues who will be available to any judge adjudicating a water dispute and authorizes judges to appoint special masters in water cases to investigate technical and legal issues among other duties.</p> | <p style="text-align: center;">SUPPORT</p> <p style="text-align: center;">Based upon Board-adopted 2022 Legislative Priorities and Principles</p> | <p>Metropolitan’s interests in enforcement of water quality law and water rights would be better served by judges, court staff, and special masters who have received training in the legal, scientific and technical issues involving water quality, water rights and water transfers.</p> |
| Water Bond Infrastructure Funding | <p style="text-align: center;">SB 559 Hurtado (D)</p> <p style="text-align: center;">Sponsors:</p> | <p style="text-align: center;">Amended 8/30/2021</p> <p style="text-align: center;">Senate Inactive File</p> | <p>Department of Water Resources: water conveyance systems: Canal Conveyance Capacity Restoration Fund</p> | <p style="text-align: center;">WATCH</p> <p style="text-align: center;">Based upon Board adopted 2021 State Legislative</p> | <p>Portions of the California Aqueduct, the Friant Kern Canal and the Delta Mendota Canal have lost capacity due to subsidence. The Fund would upon appropriation provide funding to DWR to support a 10-year program to restore the</p> |

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| | Friant Water Authority, San Luis & Delta Mendota Water Authority, and State Water Contractors | Two-year bill | Establishes the Canal Conveyance Capacity Restoration Fund that would upon appropriation provide up to \$785 million in funding for the Department of Water Resources (DWR) to help pay for subsidence repairs to the State Water Project and Central Valley Project water conveyance systems and for necessary road and bridge upgrades. | Priorities and Principles | capacity of the canals and ensure a more secure water supply. Funds could be used to cover one-third of the cost to restore the capacity of the canals. A federal companion bill is envisioned that would provide one-third the cost and local partners would contribute the remaining one-third of the cost. The creation of the Fund is contingent upon all the following: an appropriation of funds; an agreement is executed to provide for local cost share; and the provision of adequate cost share as determined by the DWR Director. The August 8 Assembly Amendments are problematic causing the State Water Contractors and Metropolitan to withdraw support for the bill. |
| Water Conservation | <p style="text-align: center;">AB 2142 Gabriel (D)</p> <p style="text-align: center;">Sponsor: Association of California Water Agencies</p> <p style="text-align: center;">California Water Efficiency Partnership</p> | <p style="text-align: center;">Amended 4/6/2022</p> <p style="text-align: center;">Assembly Appropriations Committee</p> | <p>Income taxes: exclusion: turf replacement water conservation program.</p> <p>Would provide an exclusion from gross income for any amount received as a rebate, voucher or other financial incentive issued by a local water agency or supplier for participation in a turf replacement water conservation program during the taxable years of January 1, 2022 through January 1, 2027.</p> | <p style="text-align: center;">SUPPORT</p> <p style="text-align: center;">Based upon Board adopted 2022 Legislative Priorities and Principles</p> | Metropolitan previously supported the Making Conservation a Way of Life legislation and is working hard to promote indoor and outdoor conservation. Conservation rebates are key to success. California law previously exempted turf rebates from taxable income, but those provisions were allowed to sunset in December 2019. This bill would reinstate an important tax exemption for turf replacement rebates from gross income in California, aligning it with certain other permanently exempt efficiency rebates. |

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| | WaterNow Alliance | | | | |
| Water Governance and Funding | AB 1195 C. Garcia (D) Sponsor: Author | Amended 5/24/2021 Senate Natural Resources and Water Committee Two-year bill | Drinking water. Requires the State Water Resources Control Board (State Water Board) to appoint a commissioner to implement the Safe and Affordable Fund for Equity and Resilience Program (SAFER Program) in Southern Los Angeles County. | OPPOSE UNLESS AMENDED Based upon May 2021 Board Action | Seeks to address the needs of public water systems in Southern Los Angeles County struggling to provide safe and affordable retail water. The May 24, 2021 amendments limit the role of the commissioner to focus on implementation of the SAFER Program and create a pilot program with Los Angeles County LAFCO to extend service or consolidate struggling systems. Metropolitan is seeking additional amendments to further clarify the role of the commissioner; strike a provision that grants the commissioner the authority to audit public water systems and bypass the public process created by the Legislature; and strike a section that would grant the State Water Board jurisdiction over decisions to transfer or abandon groundwater rights. |
| Water Quality | AB 1817 Ting (D) Sponsors: | Amended 03/24/2022 | Product safety: textile articles: perfluoroalkyl and polyfluoroalkyl (PFAS). | SUPPORT AND AMEND | Metropolitan supports the removal or reduction of PFAS in manufactured products in order to protect source |

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| | Breast Cancer Prevention Partners, Natural Resources Defense Council, and Clean Water Action | Assembly Third Reading | Prohibits as of January 1, 2024, any person from distributing, selling, or offering for sale in California any textile articles that contain “regulated PFAS” as defined, and requires the manufacturer to use the least toxic alternative to regulated PFAS. | Based upon Board adopted 2022 Legislative Priorities and Principles | water quality. Metropolitan is seeking amendments to clarify that the bill applies to manufacturers and not state and local agencies and to change the term “regulated PFAS” to “detected PFAS” in consumer products and not drinking water. |
| Water Quality | AB 2247 Bloom (D) Sponsors: Environmental Working Group, Clean Water Action, and California Association of Sanitation Agencies | Amended 4/20/2022 Assembly Appropriations Committee | Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products and product components: publicly accessible reporting platform. Requires the Department of Toxic Substances Control to develop a publicly accessible reporting platform to collect information about PFAS and products containing PFAS by January 1, 2024. By March 1, 2024, manufacturers will be required to register the PFAS or product on the reporting platform. | SUPPORT AND AMENDED Based upon Board adopted 2022 Legislative Priorities and Principles | Metropolitan supports the removal or reduction of PFAS in manufactured products to protect source water quality. Metropolitan is seeking an amendment to change “regulated PFAS” to “detected PFAS” and to clarify the bill applies to consumer products and not drinking water. |
| Water quality | AB 2771 Friedman (D) Sponsors: | Amended 4/18/2022 | Cosmetic products: safety Prohibits a person or entity from manufacturing, selling, delivering, holding, or offering for sale in | SUPPORT Based upon Board adopted 2022 Legislative | Metropolitan supports the removal or reduction of PFAS in manufactured products to protect source water quality. |

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| | Environmental Working Group, Breast Cancer Prevention Partners, The California Public Research Group (CALPIRG) | Assembly Third Reading | commerce any cosmetic product that contains PFAS. | Priorities and Principles | |