

**DESERT WATER AGENCY
APRIL 4, 2017**



**BOARD OF DIRECTORS
REGULAR MEETING AGENDA**

REGULAR MEETING 8:00 A.M. OPERATIONS CENTER - 1200 SOUTH GENE AUTRY TRAIL – PALM SPRINGS – CALIFORNIA

About Desert Water Agency:

Desert Water Agency operates independently of any other local government. Its autonomous elected board members are directly accountable to the people they serve. The Agency is one of the desert's two State Water Contractors and provides water and resource management, including recycling, for a 325-square-mile area of Western Riverside County, encompassing parts of Cathedral City, Desert Hot Springs, outlying Riverside County and Palm Springs.

- 1. PLEDGE OF ALLEGIANCE**
- 2. APPROVAL OF MINUTES –**
 - A. March 7, 2017 CIOFFI
 - B. March 27, 2017 CIOFFI
- 3. GENERAL MANAGER'S REPORT** KRAUSE
- 4. COMMITTEE REPORTS –**
 - A. Executive – March 28, 2017 CIOFFI
 - B. Outreach & Conservation – March 30, 2017 CIOFFI
- 5. PUBLIC INPUT:**

Members of the public may comment on any item not listed on the agenda, but within the jurisdiction of the Agency. In addition, members of the public may speak on any item listed on the agenda as that item comes up for consideration. Speakers are requested to keep their comments to no more than three (3) minutes. As provided in the Brown Act, the Board is prohibited from acting on items not listed on the agenda.
- 6. SECRETARY-TREASURER'S REPORT (FEBRUARY)** BLOOMER
- 7. ITEMS FOR ACTION**
 - A. Water Use Violation(s) – Civil Penalty Hearing(s) METZGER
 - B. Request Authorization for Board Attendance/BBK Water Laws & Regulations Seminar KRAUSE
- 8. ITEMS FOR DISCUSSION**
 - A. Legislative Report REEB
 - B. State Water Contractors' Meeting – March 16, 2017 RIDDELL
 - C. Directors' Report on NWRA DC Conference Attendance BLOOMER/EWING
- 9. OUTREACH & CONSERVATION** METZGER
 - A. Media Information
 - B. Activities
- 10. DIRECTORS COMMENTS AND REQUESTS**
- 11. CLOSED SESSION**
 - A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9 (d) (1)
Name of Case: Agua Caliente Band of Cahuilla Indians vs. Coachella Valley Water District, et al
 - B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9 (d) (1)
Name of Case: Agua Caliente Band of Cahuilla Indians vs. County of Riverside, et al
 - C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9 (d) (1)
Name of Case: Mission Springs Water District vs. Desert Water Agency

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 0.504 acre west of Indian Canyon Drive between Racquet Club Rd. and Via Olivera

APN No. 504-260-026 and portions of APN No. 504-260-025 and 504-260-027

Agency Negotiators: Mark S. Krause, General Manager and Steven L. Johnson, Asst. General Manager

Negotiating Parties: DWA and Ayres Advisors

Under Negotiation: Price and terms

E. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: Conveyance of Property APN No. 687-030-019 to City of Cathedral City and

Conveyance of Easement APN 677-420-021 to City of Cathedral City

Agency Negotiators: Mark S. Krause, General Manager and Steven L. Johnson, Asst. General Manager

Negotiating Parties: DWA and City of Cathedral City

Under Negotiation: Terms

12. RECONVENE INTO OPEN SESSION – REPORT FROM CLOSED SESSION

13. ADJOURN

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting is asked to contact Desert Water Agency's Executive Secretary, at (760) 323-4971, at least 48 working hours prior to the meeting to enable the Agency to make reasonable arrangements. Copies of records provided to Board members which relate to any agenda item to be discussed in open session may be obtained from the Agency at the address indicated on the agenda.

**MINUTES
OF THE REGULAR MEETING
OF THE
DESERT WATER AGENCY
BOARD OF DIRECTORS**

March 7, 2017

DWA Board:	James Cioffi, President)	Attendance
	Joseph K. Stuart, Vice President)	
	Kristin Bloomer, Secretary-Treasurer)	
	Patricia G. Oygur, Director)	
	Craig A. Ewing, Director)	

DWA Staff:	Mark S. Krause, General Manager)
	Steve Johnson, Asst. General Manager)
	Martin S. Krieger, Finance Director)
	Sylvia Baca, Asst. Secretary of the Board)
	Ashley Metzger, Outreach & Conserv. Mgr.)
	Irene Gaudinez, Human Resources Manager)
	Sarah Rapolla, Staff Engineer)

Consultant:	Michael T. Riddell, Best Best & Krieger)
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Public:	David Freedman, P.S. Sustainability Comm.)
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17748. President Cioffi opened the meeting at 8:00 a.m. and asked everyone to join Vice President Stuart in the Pledge of Allegiance. **Pledge of Allegiance**

17749. President Cioffi called for approval of the February 21, 2017 Regular Board meeting minutes. **Approval of 02/21/17
Regular Board Mtg.
Minutes**

Director Oygur moved for approval. After a second by Director Ewing, the minutes were approved as written.

17750. President Cioffi called upon General Manager Krause to provide an update on Agency operations. **General Manager's
Report**

Mr. Krause stated photos of the Sites Project office located in Maxwell, CA were included showing the flooding in the area. **Sites Project Office
Flooded**

Mr. Krause provided an update on Whitewater Basin deliveries: On February 15, deliveries to the basin were stopped for scheduled CRA maintenance. Water deliveries are scheduled to resume on March 13 and are scheduled to last the entire year. MWD would like to deliver between 300,000 and 400,000 acre-feet to the basin. **Water Delivery Update**

Regarding the Whitewater Hydro, Mr. Krause noted during January, it operated for approximately 10 days, generating 220,050 kwh of electricity. This output earned a total of \$19,408.03 from SCE.

GM's Report
(Cont.)
Whitewater Hydro

Continuing his report, Mr. Krause stated on March 1, the Agency submitted a commitment agreement to DWR for Turn-Back Pool A water. The Agency agreed to purchase 375 acre-feet of water at a price of \$34.44/AF. If, however, the Table A allocation exceeds 75%, the Agency is not committed to purchase the Pool A water.

Turn-Back Pool A
Purchase Agrmt.

Mr. Krause stated as previously mentioned, the March 21 Regular Board meeting will be cancelled due to a lack of quorum. Staff will send out the required notices.

March 21 Board
Meeting Cancelled

Mr. Krause stated that the rain on February 27 caused major flooding damage to the Whitewater Mutual Irrigation Headworks system. Mud and debris flowed into the trough that the pumps deliver water to, resulting in flow restrictions to the customers downstream. Agency crews worked over two days to clear the mud and debris from the trough and surrounding roadway.

Whitewater Mutual
Irrigation Damage

Concluding his report, Mr. Krause noted several meetings and activities he participated in during the past several weeks.

General Manager's
Meetings & Activities

17751. President Cioffi noted the minutes for the February 24, 2017 Executive Committee were provided in the Board's packet.

Committee Reports
Executive 02/24/17

In response to Director Oygar, Mr. Krause stated the Agency will be participating in a drought pricing study agreement. The study is being conducted by the University of North Carolina at Chapel Hill for its School of Government's Environmental Finance Center. The study/analysis will be administered through a cost sharing agreement between 10 water agencies at a price of \$5,000 each.

Drought Pricing Study
Agreement

17752. President Cioffi opened the meeting for public input.

Public Input

There being no one from the public wishing to address the Board, President Cioffi closed the public comment period.

17753. President Cioffi called upon Outreach & Conservation Manager Metzger to present the civil penalty hearing for water use violations.

Items for Action:

Water Use Violations –
Civil Penalty Hearing

Mrs. Metzger noted there have been more than 460 violations issued and that recipients have 7 days to request a hearing in writing. Staff has received two hearing requests for today. Neither appellant is present for today's hearing.

Mrs. Metzger announced the first appellant is Robert Swanson and noted the violation: 1) Irrigating during restricted hours. The fine is \$50 and the reason for appeal is the customer was unaware of restrictions, had recently moved, power outage and does not know where timer is. She noted that smart controller information was provided to Mr. Swanson but as of today, she is not aware of him applying for one.

Action Items:
(Cont.)
Civil Penalty Hearings

Robert Swanson

Director Ewing made a motion to uphold the appeal; violation occurred and waive the penalty. After a second by Director Oygar, the motion carried unanimously.

Uphold
Appeal/Violation
Occurred/Waive
Penalty

Mrs. Metzger announced the second appellant is James Basile and noted the violation: 1) Irrigating during restricted hours. The fine is \$50 and the reason for appeal is power outage, backup battery failed and innocent error, penalty is unfair. She also noted that information on the Agency's smart controller program was provided to him.

President Cioffi made a motion to uphold the appeal; violation occurred and waive the penalty. After a second by Director Ewing, the motion carried unanimously.

Uphold
Appeal/Violation
Occurred/Waive
Penalty

Director Oygar inquired about possible changes to the Agency's conservation policy.

President Cioffi asked Outreach & Conservation Manager Metzger to place the item for discussion at the next Conservation & Public Affairs Committee meeting.

17754. President Cioffi asked General Manager Krause to present staff's request for approval of the 2nd amendment to Sentinel Energy Center Agreement.

Request Approval of
the 2nd Amendment to
Sentinel Energy Center
Agrmt.

Mr. Krause deferred to Mrs. Metzger to present the staff report.

Mrs. Metzger stated the Agency has had a positive relationship with Sentinel Energy Center, formerly CPV Sentinel since 2008. The conservation funding agreement previously had a maximum contribution level of \$3 million. That amount is nearly exhausted (\$2,957,569). The remaining \$42,431 will be invoiced to Sentinel once it is fully expended. Currently there is \$8,791 that has not been spent and are expecting to invoice by the end of FY 2016-17.

Continuing her report, Mrs. Metzger said that staff met with Sentinel last March to determine if additional funding could be contributed to continue supporting Agency conservation programs. Sentinel operates on a calendar year budget and determined they were willing to contribute \$100,000 in the 2017 year. They expressed that they would likely continue

annual contributions to the Agency for the life of the project. Funds will continue to be used for the smart irrigation controller program and can be used to support the freesprinklernozzles.com program. In the future, other trackable conservation programs can be considered for these funds, but the Agency may need to provide a memo for Sentinel's approval.

Action Items:

(Cont.)

Request Approval of the 2nd Amendment to Sentinel Energy Center Agrmt.

Staff recommends that the Board authorize the General Manager to execute a second amendment to its existing Conservation Agreement with CPV Sentinel (Sentinel Energy) to accept their \$100,000 contribution to the conservation programs. Staff will allocate about 80% of the funding to support controllers and 20% of the funding to support the new freesprinklernozzles.com program.

President Cioffi moved for approval of staff's recommendation. After a second by Vice President Stuart, the motion carried unanimously.

17755. President Cioffi asked General Manager Krause to present staff's request for authorization to enter into a Memorandum of Agreement (MOA) for management of the San Gorgonio Sub-basin.

Request Authorization to Enter into MOA for Mgmt. of San Gorgonio Sub-basin

Mr. Krause stated that the Agency will be meeting to confer and collaborate with San Gorgonio Pass Water Agency, City of Banning, Cabazon Water District, and Banning Heights Mutual Water Company (Partners) to develop and adopt a groundwater sustainability plan (GSP) for the San Gorgonio Sub-basin. Staff is requesting authorization to enter into a MOA with the partners for the purpose to facilitate the coordination and cooperation with other Groundwater Sustainability Agencies (GSA's) being formed by the Partners. The Partners mutually desire and intend to cooperate and coordinate in the subsequent preparing and implementing one or more GSP's. Coordination and information sharing among the Partners will assist in meeting the requirements of the SGMA for the formation of GSP for the San Gorgonio Sub-basin. Entering into the MOA will allow the Agency to move forward on developing and submitting a GSP with the Partners. Staff recommends that the Board authorize the General Manager to enter into a MOA with the Partners for the purpose of developing a GSP that governs the management of the San Gorgonio Sub-basin.

Director Oygar moved for approval of staff's recommendation. Director Ewing seconded the motion, which carried unanimously.

17756. President Cioffi asked Agency Counsel Riddell to present staff's request for adoption of Resolution No. 1153 changing the regular election date from November odd numbered years to statewide election date in November even numbered years.

Request Adoption of Resolution No. 1153 Changing Regular Election Date from November Odd Numbered Years to Statewide November Even Numbered Years

Mr. Riddell noted this item was discussed at the last Board meeting. He explained that Senate Bill 415 becomes effective on January 1, 2018. Attached to the report is the Agency's voter turnout for the last four elections and comparable turnout numbers for the County and Desert Healthcare District for the last four elections held on even numbered years. The Riverside County Registrar's office was not able to provide voter turnout for the Agency due to there not being an election held in even years; therefore, voter turnout was provided for the County.

Action Items:
(Cont.)
Request Adoption of
Reso. 1153 Changing
Regular Election Date
Years

In response to Director Oygar, Mr. Riddell stated if the Agency does not change to even election years and a voter challenges, the Agency would need to demonstrate why no change is warranted.

Director Ewing stated it is hard to justify whether to change or not without the Agency's voter turnout from the County.

President Cioffi expressed his concern with the possibility of a lawsuit and being challenged by voters if the election year is not changed.

Vice President Stuart concurred with President Cioffi.

There was discussion on changing now, or waiting to change after January 1, 2018.

Director Ewing stated by changing to even numbered year elections, the current Board will have their terms extended by one year.

President Cioffi moved for adoption of Resolution No. 1153. After a second by Director Oygar, the motion carried unanimously.

Resolution No. 1153
Adopted

**RESOLUTION NO. 1153
RESOLUTION OF THE BOARD OF DIRECTORS
OF DESERT WATER AGENCY CHANGING THE
REGULAR ELECTION DATE FOR ELECTION OF ITS
BOARD OF DIRECTORS FROM NOVEMBER OF
ODD-NUMBERED YEARS TO THE STATEWIDE
GENERAL ELECTION DATE IN NOVEMBER OF
EVEN-NUMBERED YEARS**

17757. President Cioffi asked Assistant General Manager Johnson to present staff's request for adoption of Resolution No. 1154 Back-Up Facility Charges.

Request Adoption of
Resolution No. 1154
Back-Up Facility
Charges

Mr. Johnson provided a PowerPoint presentation depicting an overview of the changes to the method for calculating the Back-Up Facility Charges. He stated the new calculations for the equivalent capacity unit (EDU) are based on American Water Works Association (AWWA) meter factors. The previous calculations were based on service diameter.

Continuing his presentation, Mr. Johnson stated that the new calculations utilize the Total Capacity Units served per pressure zone. He noted that the Agency received a letter of support from the Desert Valley Builder's Association for the new calculations. He recognized Sarah Rapolla, Staff Engineer for all her hard work on this item. Staff requests adoption of Resolution No. 1154.

Action Items:
(Cont.)
Request Adoption of
Resolution No. 1154
Back-Up Facility
Charges

Director Oygur made a motion to adopt Resolution No. 1154. After a second by Director Ewing, the motion carried unanimously.

**RESOLUTION NO. 1154
RESOLUTION OF THE BOARD OF DIRECTORS
OF DESERT WATER AGENCY ESTABLISHING
BACKUP FACILITY, SUPPLEMENTAL IMPORTED
WATER CAPACITY AND SERVICE
CONNECTION CHARGES**

**Resolution No. 1154
Adopted**

17758. President Cioffi asked Assistant General Manager Johnson to present staff's request for approval to advertise for bids – 2016/2017 Replacement Pipelines.

Request
Approval/Advertise for
Bids 2016/2017
Replacement Pipelines
(W. Paseo El Mirador,
E. Paseo El Mirador,
Pasatiempo Rd., Linda
Vista Rd, Broadmoor
Dr, Stevens Rd, W.
Camino Norte, Via
Monte Vista, E. Camino
Norte, N. Vine Ave.
and Sunny Dues Rd)

Mr. Johnson stated that the 2016/2017 Capital Improvement Budget includes Work Order No. 16-160 for the replacement pipelines. The budget is \$3,372,600, which includes engineering, construction, inspection and overhead costs. The Engineer's cost estimate is \$2,727,500 with an estimated inspection cost of \$410,000, and estimated Agency labor cost of \$190,000. All of the pipelines have exhibited several leak occurrences over the past couple of years, are unlined steel mains and have an average age of 67 years.

Continuing his report, Mr. Johnson noted that staff has also determined that the age (78 years) and frequent leaks on Sunny Dunes Road, which have drastically increased as a result of recent City of Palm Springs paving rehabilitation work within the area, necessitates adding said main to the replacement project (approximately 1,000 linear feet of 16" ductile iron pipe and 100 linear feet of 8" ductile iron pipe). The Engineer's construction cost estimate for Sunny Dunes Road is \$385,600 with an estimated inspection cost of \$57,500 and estimated Agency labor cost of \$27,000. Staff will evaluate the bids to determine a budget augmentation amount that will cover the costs to facilitate this work. With authorization granted today, the bid opening will tentatively be held on April 11 with contract award scheduled for the April 18 Board meeting. Work is expected to commence in June 2017, with completion expected in early November 2017. Staff requests authorization to advertise for bids for construction of the 2016/2017 replacement pipelines.

Director Ewing moved for approval of staff's request to advertise for bids for the construction of the 2016/2017 replacement pipelines. After a second by Director Oygar, the motion carried unanimously.

Action Items:
(Cont.)
Request Approval
Advertise Bids 2016-17
Replacement Pipelines

17759. President Cioffi asked Finance Director Krieger to present staff's request for adoption of Resolution No. 1155 Statutory Pass-Through Payments.

Request Adoption of
Reso. 1155 Statutory
Pass-Through Payments

Mr. Krieger stated as in past years, the County of Riverside notified the Agency of a proposed refunding bond issue of the Successor Agency to the Redevelopment Agency for the County. Assembly Bill 1484 allows successor agencies to refund the bonds of their former redevelopment agencies to provide debt service savings. The County is planning to issue bonds in Fiscal Year 2016-17 in order to take advantage of lower bond costs to reduce their annual debt service payments.

Continuing his report, Mr. Krieger noted in order for the County to proceed with the refunding, it needs a subordination agreement from DWA. Additionally, the refunding bonds will not be issued unless the new debt service is lower than the debt service on the existing bonds. Furthermore, if DWA does not respond (with a resolution), the subordination will be automatically deemed approved. Legal Counsel has prepared Resolution No. 1155 for the Board's consideration. Staff recommends adoption of Resolution No. 1155.

Director Ewing made a motion to approve staff's recommendation to adopt Resolution No. 1155. After a second by Vice President Stuart, the motion carried unanimously.

RESOLUTION NO. 1155

**Resolution No. 1155
Adopted**

RESOLUTION OF THE BOARD OF DIRECTORS OF DESERT WATER AGENCY APPROVING THE SUBORDINATION OF STATUTORY PASS-THROUGH PAYMENTS TO DEBT SERVICE PAYMENTS ON REFUNDING BONDS TO BE ISSUED BY THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY FOR THE COUNTY OF RIVERSIDE FOR THE MID-COUNTY REDEVELOPMENT PROJECT AREA

17760. President Cioffi asked Agency Counsel Riddell to provide a report on the February 16, 2017 meeting of the Board of Directors of the State Water Contractors, Inc.

Discussion Items:
State Water Contractors
Meeting – 02/16/17

Mr. Riddell provided a report on the following items: 1) Life Cycle Model for Winter Run Salmon, 2) Study of Out Migrating Salmon Smolts, 3) San Joaquin River Flow Augmentation, 4) Water Operations Update, 5) Legislative Report, 6) SWC Bylaw Revisions, and 7) New SWC

General Manager.

Discussion Items:
(Cont.)

17761. President Cioffi noted his and Vice President Stuart's attendance at the ACWA D.C. conference and meetings with legislators. He stated that they met with staff from Senator Feinstein's office, U.S. Senate Committee on Indian Affairs, and House Water and Power Subcommittee.

Directors' Report on
ACWA DC Conference

Vice President Stuart stated they also met with staff from the Senate Energy and Natural Resources Committee, Water Power and Oceans Subcommittee, Congressman Ruiz, David Bernhardt, and Jim Cason (Department of the Interior).

17762. President Cioffi noted that Board packets included Outreach & Conservation reports for February 2017.

**Outreach &
Conservation –
February 2017**

Mrs. Metzger announced the following upcoming events: 1) OnePS meeting on March 9, 2) PS High School Chalk Festival on March 11, 3) PSNIC March 25, 4) Desert Garden Tour on March 26 at DWA, 12:00 p.m. – 4:00 p.m.; and 4) CV Water Counts event on March 28 at UCR Palm Desert.

Upcoming Events

17763. Vice President Stuart announced that he would be out of the country, unable to attend the April 4 Board meeting.

**Directors
Comments/Requests**

17764. At 9:55 a.m., President Cioffi convened into Closed Session for the purpose of Conference with Legal Counsel, (A) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Agua Caliente Band of Cahuilla Indians vs. Coachella Valley Water District, et al; (B) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), ACBCI vs. County of Riverside, et al; (C) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Desert Water Agency vs. U.S. Department of Interior; (D) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Mission Springs Water District vs. Desert Water Agency; (E) Real Property Negotiators, pursuant to Government Code Section 54956.8, Property-APN 502-560-038, Agency Negotiators: Mark S. Krause, General Manager and Steven L. Johnson, Assistant General Manager, Negotiating Parties: Chris Thomsen, New Mesquite HOA, Under Negotiation: Price and terms of possible acquisition; (F) Real Property Negotiators, pursuant to Government Code Section 54956.8, Property-APN 504-260-026 and portions of APN No. 504-260-025 and 504-260-027, Agency Negotiators: Mark S. Krause, General Manager and Steven L. Johnson, Assistant General Manager, Negotiating Parties: Ayres Advisors, Under Negotiation: Price and terms; and (G) Real Property Negotiators, pursuant to Government Code Section 54956.8, Conveyance of Property-APN 687-030-019 to City of Cathedral City and Conveyance of Easement-APN 677-420-021 to City of Cathedral City.

Closed Session:
A. Existing Litigation –
ACBCI vs. CVWD, et
al.
B. Existing Litigation –
ACBCI vs. Riverside
County
C. Existing Litigation –
DWA vs. U.S. Dept. of
Interior
D. Existing Litigation –
MSWD vs. DWA
E. Real Property
Negotiators
F. Real Property
Negotiators
G. Real Property
Negotiators

17765. At 11:42 a.m., President Cioffi reconvened the meeting into open session and announced there was no reportable action.

Closed Session:
(Cont.)
Reconvene –No
Reportable Action

17766. In the absence of any further business, President Cioffi adjourned the meeting at 11:43 a.m.

Adjournment

James Cioffi, President

ATTEST:

Kristin Bloomer, Secretary-Treasurer

**MINUTES
OF THE SPECIAL MEETING
OF THE
DESERT WATER AGENCY
BOARD OF DIRECTORS**

2-B

March 27, 2017

DWA Board: James Cioffi, President) **Attendance**
Joseph K. Stuart, Vice President)
Kristin Bloomer, Secretary-Treasurer)
Patricia G. Oygar, Director)

Absent: Craig A. Ewing, Director)

DWA Staff: Mark S. Krause, General Manager)
Steve Johnson, Asst. General Manager)
Martin S. Krieger, Finance Director)
Ashley Metzger, Outreach & Conserv. Mgr.)

Consultant: Michael T. Riddell, Best, Best & Krieger)

17767. President Cioffi opened the meeting at 9:00 a.m. and asked everyone to join him in the Pledge of Allegiance. **Pledge of Allegiance**

17768. President Cioffi opened the meeting for public input. **Public Input**

There being no one from the public wishing to address the Board, President Cioffi closed the public comment period.

17769. At 9:03 a.m., President Cioffi convened into Closed Session for the purpose of Conference with Legal Counsel, (A) Existing Litigation pursuant to Government Code Section 54956.9 (d) (1), Agua Caliente Band of Cahuilla Indians vs. Coachella Valley Water District, et al; (B) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Agua Caliente Band of Cahuilla Indians vs. County of Riverside, et al, (C) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Desert Water Agency vs. U.S. Department of Interior; (D) Existing Litigation, pursuant to Government Code Section 54956.9 (d) (1), Mission Springs Water District vs. Desert Water Agency.

Closed Session:
A. Existing Litigation – ACBCI vs. CVWD, et al.
B. Existing Litigation – ACBCI vs. Riverside County
C. Existing Litigation – DWA vs. U.S. Dept. of Interior
D. Existing Litigation – MSWD vs. DWA

17770. At 11:03 a.m., President Cioffi reconvened the meeting into open session and announced there was no reportable action for Items 3-B through 3-D. **Reconvene – No Reportable Action**

Regarding Item 3-A, Conference with Legal Counsel, Director Oygar made a motion to authorize to proceed with appeal to the **Reportable Action**

U.S. Supreme Court. After a second by President Cioffi, the motion carried unanimously (Director Ewing absent).

Reportable Acton
(Cont.)

17771. In the absence of any further business, President Cioffi adjourned the meeting at 11:04 a.m.

Adjournment

James Cioffi, President

ATTEST:

Kristin Bloomer, Secretary-Treasurer

GENERAL MANAGER'S REPORT APRIL 4, 2017

On March 9, 2017 at approximately 12:15 p.m. staff responded to a hit fire hydrant on the north east corner of Cathedral Canyon Dr. and Terrace Rd. This was a hit and run. Staff was able to replace the bolts and gasket and put the fire hydrant back in service. A police report was made. The water loss was from a 6 inch fully open fire hydrant bury which ran for approximately 30 minutes.



On March 16, 2017 at approximately 10:30 p.m., stand-by responded to hit backflows at 2300 S. Palm Canyon Drive. The vehicle hit two 2-inch backflows. The police stated that the driver left the vehicle and fled on foot. Authorization was given by the HOA to make the needed repairs. A police report was made and the water loss was metered.



Water Delivery Update

Whitewater Basin Water Deliveries:

On Friday March 31, 2017, delivery flows to the basin total 650 cfs (approximately 180 cfs of this is diverted to the Whitewater Hydro Plant). This flow is expected to continue through the end of the year.

For the month of March, the plant operated about 10.5 days and generated approximately 223,000 kwh of energy. We anticipate earning around \$19,650 from SCE for this energy.

Operation Center Solar Equipment Failure:

On Thursday March 23, while performing a daily inspection of the Solar I inverters and switch gear, Operation Department field technicians smelled a faint trace of smoke in the inverter building. Also, the building did not have power. They immediately isolated the Solar I facility, switching the Operation Center building to SCE power. Upon inspection of the Solar I switch gear they discovered that an 800 amp and 300 amp breaker melted. After a thorough investigation of the equipment, department staff concluded that the breaker connection clamps to the buss bar dislodged, producing extreme heat which resulted in the melting of the breakers. The Operations Department staff is working with a local company to find replacement breakers.



Multiple Failures on 18" Snow Creek Pipeline on 3/25/17:

On Saturday, 3/25/17, a leak was reported on the south side of Highway 111, near the Mountain Gate housing development. The leak was found on an aboveground section of the Snow Creek Pipeline, an 18" pipe in that was installed in the late 1940's. The pipe was temporarily repaired with no disruption to water deliveries from Snow Creek/Falls Creek.



Later that day, a DWA employee driving on Highway 111 observed a second leak on the pipe, near the first leak. This leak was on a partially buried section of the same 18" pipe. The rupture in the pipe was along the length of the pipe, and was too large to be repaired with a clamp.

Deliveries of water from Snow Creek/ Falls Creek were halted until the sections of pipe could be replaced. The pipe from the first leak and the second leak was replaced on 3/28/17. Water deliveries resumed from Snow Creek/ Falls Creek on 3/29/17.

Photo 1: First leak on 3/25/17



Photo 2: Second leak on 3/25/17

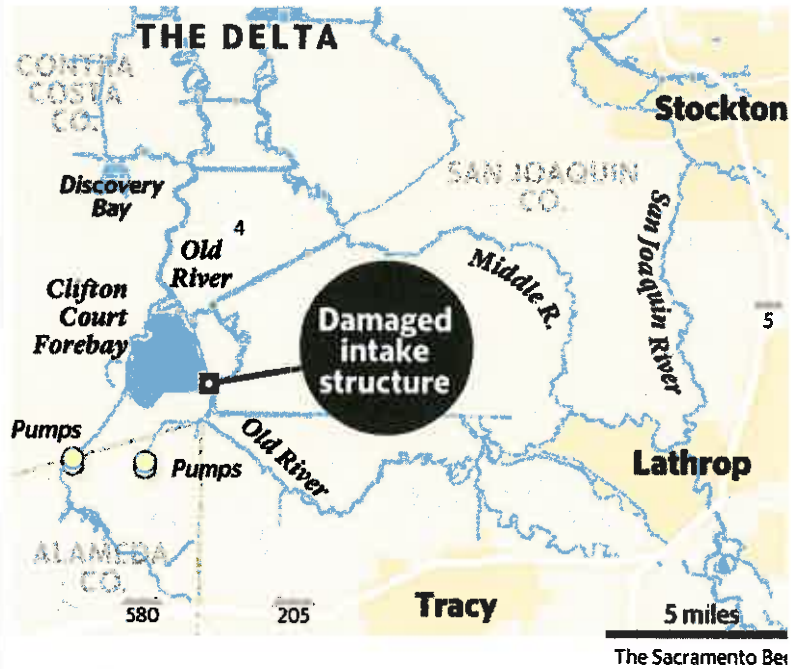


Photo 3: Second leak on 3/25/17

The 1940's section of the Snow Creek pipeline was evaluated in 2011; at that time the highest priority section, approximately 1900 feet of pipe in the center median of Highway 111 was replaced with 18" Ductile Iron Pipe. This 2200 foot section of pipe on the south side of Highway 111 was budgeted for replacement in 2014. The 18" Ductile Iron Pipe has been purchased and a plan for replacement has been completed. It is anticipated that DWA Construction Department personnel will begin installation of the 2200 foot section of 18" Ductile Iron Pipe this summer.

Damage to reservoir

Clifton Court Forebay is the intake reservoir for the State Water Project's pumping station in the Delta. Officials say a crack formed in the reservoir's intake facility and the pumps will have to be shut down temporarily.





California water officials, still struggling with fixes at [Oroville Dam](#), will have to temporarily shut down the pumping station that delivers water to much of Southern California and Silicon Valley after discovering damage at another key state reservoir.

The state Department of Water Resources confirmed Tuesday that operators discovered damage to the intake structure at the Clifton Court Forebay, a nearly 2-mile-wide reservoir that stores water for the State Water Project pumping plant in the Sacramento-San Joaquin Delta near Tracy. Repairs will begin Wednesday. It's not clear how long they will last.

Shipments from San Luis should be enough to meet customer demands while repairs are underway.

Colorado River Aqueduct control gate fabrication. This gate will be used to increase the diversion capacity at the Whitewater turnout by increasing the head pressure in the aqueduct, forcing more water out of the outlet with fewer pumps drawing water out of the Colorado River.



Blood Drive & Marrow Screening

On Tuesday, April 18, Life Stream will be at DWA conducting a blood drive and marrow screening.

Blood Drive & Marrow Screening

DESERT WATER



1200 Gene Autry Trail, Palm Springs
Tuesday, April 18, 2017
9 a.m. to 1 p.m.
in the bloodmobile.

FOR EVERY LIFESAVING DONATION PARTICIPANTS RECEIVE:

- A \$5 In-N-Out gift card (while supplies last).
- A reusable water bottle, courtesy of Desert Water Agency.
- Free cholesterol screening.
- Points that make the difference for teams through LifeStream's online league found at LStream.org.

Please be sure to drink plenty of fluids and bring photo identification with you. Donors under the age of 18 must bring a signed LifeStream parental consent form.

Potential volunteer bone marrow donors must be between the ages of 18 and 44, be willing to donate to any patient in need, and meet health guidelines. If you are 18 to 50 years of age, you may join online with a \$100 tax-deductible contribution.

Walk-ins are welcome, but appointments are strongly encouraged and receive priority. Set your appointment **TODAY** by calling 1.800.879.4464 or visiting www.LStream.org.



BLEAD BY EXAMPLE
PRESTON, AUSTIN & REAGAN HELMS

760.777.8244

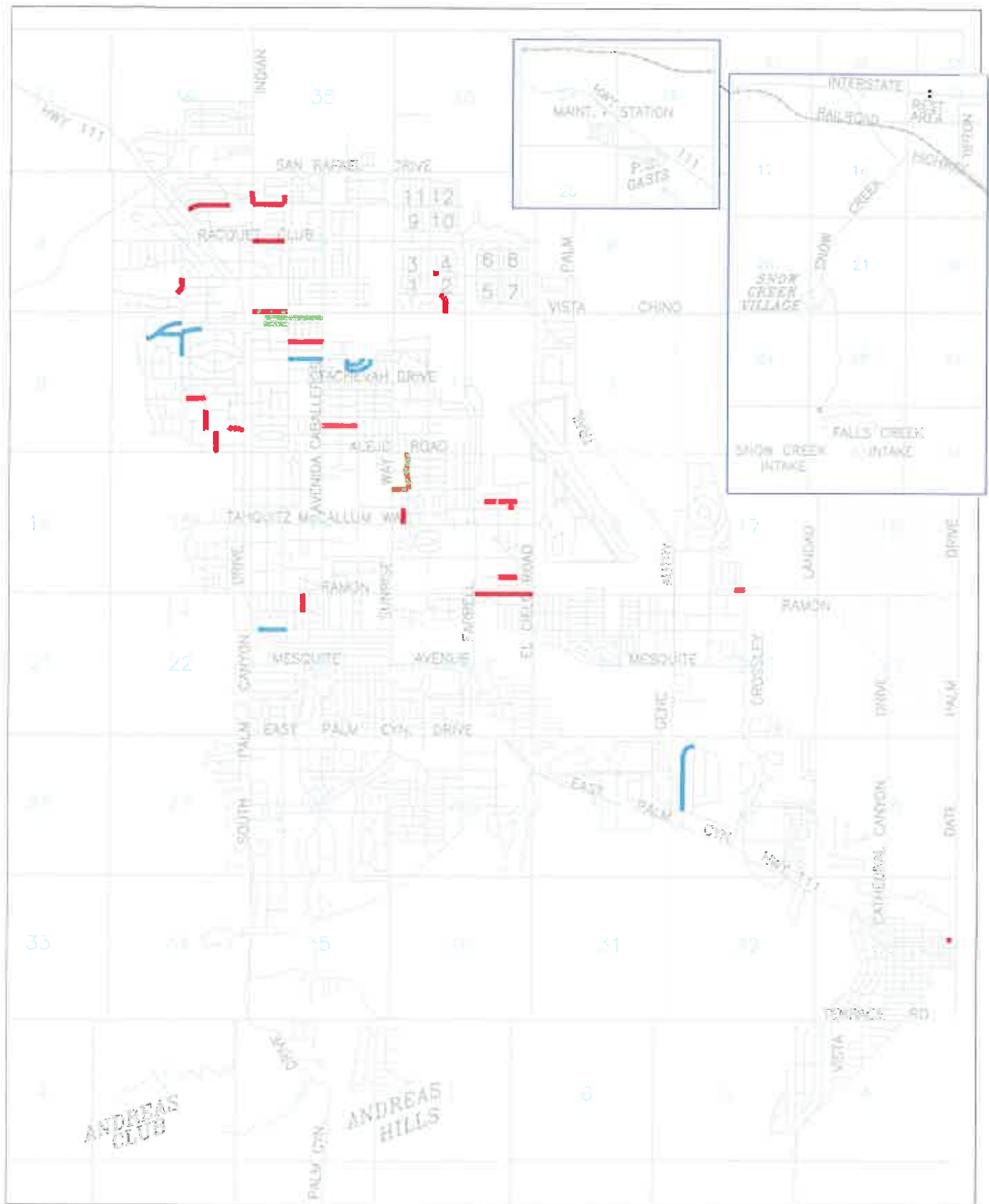
LifeStream
LIVE HOPE. GIVE LIFE. LIVE BLOOD.
WWW.LSTREAM.ORG

SYSTEM LEAK DATA		
(PERIOD BEGINNING MARCH 6, 2017 THRU MARCH 26, 2017)		
STREET NAME	QUARTER SECTION	NUMBER OF LEAKS
INDIAN CANYON DR	4402NW	9
CHUCKWALLA RD	4411NW	7
VIA ALTAMIRA	4411SE	6
LINDA VISTA RD	4411NE	4
COTTONWOOD RD	4411NW	4
STEVENS RD	4410NW	3
VIA MONTE VISTA	4410NE	3
CHIA RD	4411NW	3
VISTA CHINO	4411NW	3
PARK VIEW DR	4401SW	3
RACQUET CLUB RD	4402NW	3
CAHUILLA RD	4410SE	3
PASATIEMPO RD	4411NE	2
PASEO EL MIRADOR	4411NW	2
LIVMOR AVE	4413NE	2
AMADO RD	4413NW	2
MISSION PL	4410SE	2
VIA VAQUERO RD	4413SE	2
W CAMINO NORTE	4410NW	1
E CAMINO NORTE	4410NE	1
SUNNY DUNES RD	4423NW	1
BROADMOOR DR	4529NW	1
SARAH ST	4517SW	1
VISTA ORO	4423NW	1
HERMOSA PL	4410SE	1
AIRLANE DR	4413NE	1
MERITO PL	4410SE	1
SEPULVEDA RD	4403NE1	1
SATURMINO DR	4413NW	1
W ACACIA RD	4401SW	1
STARR RD	4402NW	1
ALLEN AVE	4533NE	1
FRANCIS DR	4402NW	1
RAMON RD	4424NE	1
LURING DR	4413NW	1

TOTAL LEAKS IN SYSTEM:	80
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* Streets highlighted in blue are being replaced as part of the 2016/2017 Replacement Pipeline Project

* Streets highlighted in green are included as part of the proposed list of streets for the 2017/2018 Replacement Pipeline Project



SYSTEM LEAKS

(Period beginning March 6, 2017 thru
March 26, 2017)

DESERT WATER AGENCY
PALM SPRINGS, CALIFORNIA

LEGEND

- LEAK(S) RECORDED
- LEAK(S) RECORDED;
INCLUDED IN 2016/17
REPLACEMENT PIPELINES
- LEAK(S) RECORDED;
INCLUDED IN PROPOSAL
FOR 2017/18
REPLACEMENT PIPELINES

DWG. BY
SR



DATE
3/17

SCALE
NTS

EXHIBIT
"A"

General Manager's Meetings and Activities

Meetings:

03/06/2017	DWA Staff Meeting	DWA
03/08/2017	SWP East Branch Class 8 Meeting	SBVMWD
03/08/2017	Sites Reservoir Conf. Call	DWA
03/09/2017	CRA Gate Fabrication for WW Turnout – Site Visit Weymouth Plnt.	La Verne
03/10/2017	CVWD/DWA Water Rights Case Review	DWA
03/10/2017	NWRA Meeting Plans	DWA
03/14/2017	NWRA Meeting Planning Conf. Call with Poly	DWA
03/15/2017	SWC Delta Committee Meetings	Sacramento
03/16/2017	SWC Monthly Board Meeting	Sacramento
03/16/2017	SFCWA Monthly Board Meeting	Sacramento
03/16/2017	Sites Reservoir Monthly Meeting	Sacramento
03/20/2017	DWA Eng/Ops Meeting/Snow Creek Security Meeting	DWA
03/20/2017	CRA Gate for WW Turnout Field Installation Visit	Whitewater
03/20/2017	CVWD/DWA/MWD Monthly Coordination Call	DWA
03/22/2017	Conf. Call – Bob Reeb	DWA
03/22/2017	Cont. Call – BB&K/F. H.	DWA
03/23/2017	Conf. Call Garcia's Staff	DWA
03/23/2017	DWA Budget Meeting	DWA
03/24/2017	Defensive Driving	DWA
03/27/2017	DWA Special Board Meeting	DWA
03/27/2017	CVWD/DWA/MSWD Quarterly GM's Meeting – Settlement Agrmnt.	CVWD
03/28/2017	Executive Committee Meeting	DWA
03/28/2017	Conf. Call – Bob Reeb	DWA
03/28/2017	CV Water Accounts Seminar	UCR - PD
03/29/2017	Indio Sub Basin GSA Meeting	CVWD
03/30/2017	DWA Safety Meeting	DWA
03/30/2017	Conf. Call – Chad Mayes	DWA
03/30/2017	Out Reach and Conservation Committee Meeting	DWA

Activities:

- 1) Sites Reservoir Agreement
- 2) E-Billing – Completed and now tracking
- 3) Outreach Talking Points – KMIR
- 4) Snow Creek Hydro SCE contract extension - ongoing
- 5) Whitewater Hydro – Developing new administration procedures
- 6) State and Federal Contractors Water Authority and Delta Specific Project Committee (Standing)
- 7) Clifton Court SWP Damage
- 8) MSWD Lawsuit – Ongoing
- 9) ACBCI Section 14 Facilities & Easements
- 10) New Mesquite Property Fencing
- 11) Chain of Title
- 12) Lake Oroville Spillway Damage
- 13) Replacement Pipelines 2016-2017
- 14) Lake Oroville NMFS Requirements

General Manager's Meetings and Activities

Activities (cont):

- 15) DWA/CVWD/MWD Operations Coordination/Article 21/Pool A
- 16) DWA/CVWD/MWD Agreements Update
- 17) Recycled Water Effluent Reservoir Coating Failures
- 18) SGMA Alternative Plans and Bridge Documents/Tribal Comments
- 19) SWP 2017 Water Supply
- 20) SGMA San Geronio Pass Sub-Basin MOU
- 21) ACBCI Law Suits
- 22) Lake Perris Dam Remediation
- 23) Drought Pricing Study
- 24) Section 14 Pipeline Easements
- 25) DOI Regulation
- 26) DWA Asphalt Paving Repairs
- 27) DWA Fiscal Year 2017-2018 Budget
- 28) A.B. 1562

Minutes
Executive Committee Meeting
March 28, 2017

Directors Present: Jim Cioffi, Joe Stuart

Staff Present: Mark Krause, Steve Johnson, Martin Krieger

1. Discussion Items

A. Review Agenda for April 4, 2017 Regular Board Meeting

The proposed agenda for the April 4, 2017 regular board meeting was reviewed. Action Item 7-B was added and completed items from Closed Session Meeting were removed.

B. Expense Reports

The February expense reports were reviewed.

2. Other

3. Adjourn

Minutes
Conservation & Public Affairs Committee Meeting

March 30, 2017

Directors Present: Jim Cioffi, Craig Ewing

Staff Present: Mark Krause, Ashley Metzger

1. Discussion Items

A. Program update

Staff presented a program update to the Committee.

B. Toilet funding

The Committee agreed to reallocate funds earmarked for commercial applicants to residential applicants due to demand. Funds would be available on a first come, first served basis.

C. Controller issues

The Committee discussed several customer requests in the new flexible program. Committee members gave staff direction with how to resolve these issues.

D. Watering restrictions and WSCP stage

The Committee discussed several options going forward with Ordinance 65 and which stage of the Water Shortage Contingency Plan would be in effect after the state declared the drought emergency over.

E. Updated letter to violators

The Committee reviewed the letter for first time Ordinance 65 violators developed by staff. The letter included a shift in enforcement to allow violators to opt out of a violation by participating in a DWA irrigation rebate.

F. Employee profiles

There was discussion about featuring information about willing staff members on the Agency's social media and outreach efforts. The Committee was supportive of doing profiles as long as employees had given written permission and the General Manager had reviewed the content.

G. Messaging strategy

The Committee gave staff guidance on litigation messaging and sharing information with the public on rate adjustments.

H. Budget Items

The Committee had no specific budget recommendations.

2. Other

A. Turf buy back The Committee discussed an inquiry from a large-scale turf buy back participant and also reviewed several options for the program going forward.

B. Water waste enforcement Staff asked the committee for guidance on a water waste issue related to swamp cooler output. The Committee directed staff to issue a citation pursuant to Ordinance 65.

C. Service application Staff got Committee feedback on creating an online application for service form.

3. Adjourn

DESERT WATER AGENCY
STATEMENT OF CASH RECEIPTS AND EXPENDITURES

OPERATING ACCOUNT

FEBRUARY 2017

INVESTED
RESERVE FUNDS
\$14,995,104.64

BALANCE	FEBRUARY 1, 2017	(\$470,600.43)	
WATER SALES		\$1,359,492.97	
RECLAMATION SALES		45,867.47	
WASTEWATER RECEIPTS		64,307.40	
POWER SALES		961.64	
METERS, SERVICES, ETC.		88,329.50	
REIMBURSEMENT – GENERAL FUND		121,919.23	
REIMBURSEMENT – WASTEWATER FUND		12,147.34	
ACCOUNTS RECEIVABLE – OTHER		91,434.41	
CUSTOMER DEPOSITS – SURETY		6,412.00	
CUSTOMER DEPOSITS – CONST.		157,256.00	
LEASE REVENUE		3,368.43	
INTEREST RECEIVED ON INV. FDS.		0.00	
FRONT FOOTAGE FEES		0.00	
BOND SERVICE & RESERVE FUND INT		0.00	
MISCELLANEOUS		7,460.66	
TOTAL RECEIPTS		\$1,958,957.05	
PAYMENTS			
PAYROLL CHECKS		\$343,399.50	
PAYROLL TAXES		159,693.64	
ELECTRONIC TRANSFERS		141,615.90	
CHECKS UNDER \$10,000.00		289,866.95	
CHECKS OVER \$10,000.00 – SCH. #1		854,733.83	
CANCELLED CHECKS AND FEES		4,088.73	
TOTAL PAYMENTS		\$1,793,398.55	
NET INCOME		\$165,558.50	
BOND SERVICE ACCOUNT			
MONTHLY WATER SALES		\$0.00	
EXCESS RETURNED BY B/A		\$0.00	
BOND SERVICE FUND			\$0.00
INVESTED RESERVE FUNDS			
FUNDS MATURED		\$452,000.00	
FUNDS INVESTED – SCH. #3		800,000.00	
NET TRANSFER		(\$348,000.00)	\$348,000.00
BALANCE	FEBRUARY 28, 2017	(\$653,041.93)	\$15,343,104.64

OPERATING ACCOUNT

SCHEDULE #1-CHECKS OVER \$10,000

CHECK #	NAME	DESCRIPTION	AMOUNT
113841	KRIEGER & STEWART INC	ENGINEERING	\$21,581.46
113871	SOUTHERN CALIFORNIA EDISON CO	POWER	\$129,462.93
113899	DESERT WATER AGENCY - WASTEWATER	WASTEWATER REVENUE BILLING FOR JANUARY 2017	\$81,004.91
113905	ACWA/JOINT POWERS INS AUTHOR	HEALTH, DENTAL & VISION INSURANCE PREMIUMS - MARCH 2017	\$168,725.46
113912	AQUATIC INSPECTIONS	RESERVOIR INSPECTION & REPAIRS	\$21,000.00
113917	BEST BEST & KRIEGER LLP	LEGAL FEES	\$42,429.11
113927	DLT SOLUTIONS LLC	ENGINEERING AUTOCAD MAINTENANCE	\$10,314.62
113932	DOWN TO EARTH LANDSCAPING	LANDSCAPE MAINTENANCE	\$32,785.86
113934	ERS	CONTRACT PAYMENT - POTABLE WATER MAINTENANCE	\$102,233.78
113951	J COLON COATINGS INC	CONTRACT PAYMENT - RESERVOIR MAINTENANCE	\$159,282.70
113958	MCKEEVER WATERWELL & PUMP INC	MAINTENANCE - WELL # 29	\$38,428.00
113990	Z&L PAVING, INC	PAVING	\$27,185.00
113992	CITY OF PALM SPRINGS	TURF BUY BACK PROGRAM	\$10,000.00
114021	NEW MESQUITE HOA	TURF BUY BACK PROGRAM	\$10,300.00

** TOTAL

\$854,733.83

**DESERT WATER AGENCY
OPERATING FUND - LISTING OF INVESTMENTS
FEBRUARY 28, 2017**

PURCH DATE	NAME	DESCRIPTION	MATURITY DATE	COST	PAR VALUE	MARKET VALUE	YIELD TO MATURITY	CALLABLE STATUS
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Local Agency Investment Fund

06-30-83	State of California	LAIF	Open	\$ 11,588,404.64	\$ 11,588,404.64	\$ 11,588,404.64	0.790%	
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Certificates of Deposit

09-28-15	Union Bank	Capital Bank CD	09-28-17	\$ 250,000.00	\$ 250,000.00	\$ 250,727.50	1.050%	Bullet
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Total Certificates of Deposit	\$ 250,000.00	\$ 250,000.00	\$ 250,727.50
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Commercial Paper

04-30-12	Union Bank	General Electric	04-27-17	\$ 1,004,700.00	\$ 1,000,000.00	\$ 1,002,850.00	2.300%	Bullet
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Total Commercal Paper	\$ 1,004,700.00	\$ 1,000,000.00	\$ 1,002,850.00
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Government Agency

09-20-16	Union Bank	FNMA (Callable 3-20-17)	09-20-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 987,150.00	1.300%	Quarterly
10-28-16	Union Bank	FHLMC STEP (Callable 4-28-17)	10-28-21	\$ 1,000,000.00	\$ 1,000,000.00	\$ 995,020.00	1.000%	Quarterly
02-28-17	Union Bank	FHLMC (Callable 8-25-17)	02-25-19	\$ 500,000.00	\$ 500,000.00	\$ 499,895.00	1.400%	Quarterly

Total Government Agency	\$ 2,500,000.00	\$ 2,500,000.00	\$ 2,482,065.00
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Weighted Mean YTM 0.959%

TOTAL INVESTED @ 02/28/17	\$ 15,343,104.64	\$ 15,338,404.64	\$ 15,324,047.14
BALANCE @ 06/30/16	\$ 12,488,311.86		
INCREASE (DECREASE)	\$2,854,792.78		

DESERT WATER AGENCY
STATEMENT OF CASH RECEIPTS AND EXPENDITURES

GENERAL ACCOUNT

FEBRUARY 2017

INVESTED
RESERVE FUNDS
\$114,497,984.35

BALANCE FEBRUARY 1, 2017 (\$2,188,307.30)

* TAXES - RIVERSIDE COUNTY	186,364.43
* INTEREST EARNED - INV. FUNDS	30,419.66
GROUNDWATER REPLEN. ASSESSMENT	184,926.47
REIMBURSEMENT - OPERATING FUND	0.00
REIMBURSEMENT - CVWD MGMT	1,604.07
STATE WATER PROJECT REFUNDS	20,237.00
REIMB - CVWD - WHITEWATER HYDRO	4,550.21
POWER SALES - WHITEWATER	19,408.03
MISCELLANEOUS	4,919.69

TOTAL RECEIPTS \$452,429.56

PAYMENTS

CHECKS UNDER \$10,000.00	9,434.39
CHECKS OVER \$10,000.00 - SCH. #1	1,925,168.98
CANCELLED CHECKS AND FEES	0.00

TOTAL PAYMENTS \$1,934,603.37

NET INCOME (\$1,482,173.81)

INVESTED RESERVE FUNDS

FUNDS MATURED	6,059,000.00
FUNDS INVESTED – SCH. #2	3,000,000.00

NET TRANSFER \$3,059,000.00 (\$3,059,000.00)

BALANCE FEBRUARY 28, 2017 (\$611,481.11) \$111,438,984.35

* INCLUSIVE TO DATE

	TAXES	INTEREST
RECEIPTS IN FISCAL YEAR	\$13,910,920.69	\$612,511.57
RECEIPTS IN CALENDAR YEAR	\$7,781,027.38	\$165,088.47

DESERT WATER AGENCY

GENERAL ACCOUNT

SCHEDULE #1-CHECKS OVER \$10,000

CHECK #	NAME	DESCRIPTION	AMOUNT
8861	STATE OF CA. DEPT. OF WATER RESOURCES	STATE WATER PROJECT ENTITLEMENT - NOVEMBER 2016	\$1,112,596.00
8862	COACHELLA VALLEY WATER DISTRICT	PROP 84 ROUND 4 GRANT APPLICATION	\$16,726.00
8867	DESERT WATER AGENCY-OPERATING	OPERATING FUND REIMBURSEMENT FOR JANUARY 2017	\$120,108.73
8868	US GEOLOGICAL SURVEY	JOINT FUNDING AGREEMENT QUARTERLY BILLING - (11/1/16 - 1/31/17)	\$20,706.25
8871	STATE OF CALIFORNIA	STATE WATER PROJECT - FEBRUARY 2017	\$655,032.00

** TOTAL

\$1,925,168.98

**DESERT WATER AGENCY
GENERAL FUND - LISTING OF INVESTMENTS
FEBRUARY 28, 2017**

PURCHASE DATE	NAME	DESCRIPTION	MATURITY DATE	COST	PAR VALUE	MARKET VALUE	YIELD TO MATURITY	CALLABLE STATUS
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Local Agency Investment Fund

06-30-83	State of California	LAIF	Open	\$ 43,680,514.35	\$ 43,680,514.35	\$ 43,680,514.35	0.790%	
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Certificates of Deposit

01-25-13	Union Bank	General Electric Capital Bank CD	01-25-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 250,727.50	1.100%	Bullet
09-28-15	Union Bank	Capital Bank CD	09-28-17	\$ 250,000.00	\$ 250,000.00	\$ 1,001,570.00	1.050%	Bullet
10-07-15	Ladenburg Thalmann	Goldman Sachs CD	04-07-18	\$ 245,000.00	\$ 245,000.00	\$ 245,764.40	1.350%	Bullet
10-29-15	Ladenburg Thalmann	Ally Bank CD	10-30-17	\$ 245,000.00	\$ 245,000.00	\$ 245,759.50	1.150%	Bullet
11-04-15	Ladenburg Thalmann	Capital One NA CD	11-06-17	\$ 245,000.00	\$ 245,000.00	\$ 245,769.30	1.100%	Bullet
11-04-15	Ladenburg Thalmann	Discover CD	11-06-17	\$ 245,000.00	\$ 245,000.00	\$ 245,700.70	1.150%	Bullet

Total Certificates of Deposit	\$ 2,230,000.00	\$ 2,230,000.00	\$ 2,235,291.40	
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Commercial Paper

12-16-13	Stifel	General Electric	05-15-18	\$ 587,600.00	\$ 500,000.00	\$ 524,920.00	6.300%	Bullet
04-27-15	Ladenburg Thalmann	Apple Inc.	05-03-18	\$ 997,920.00	\$ 1,000,000.00	\$ 996,940.00	1.000%	Bullet
02-01-16	Union Bank	US Bank Note (Callable 12-29-17)	01-29-18	\$ 1,000,950.00	\$ 1,000,000.00	\$ 1,000,460.00	1.450%	1 Time

Total Commercial Paper	\$ 2,586,470.00	\$ 2,500,000.00	\$ 2,522,320.00	
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Government Agency

09-19-12	Stifel (D.A.D)	FNMA	09-19-17	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,990.00	0.950%	1 Time
12-28-12	Stifel (D.A.D)	FHLB (Callable Continuous)	12-28-17	\$ 1,000,000.00	\$ 1,000,000.00	\$ 999,800.00	0.840%	Continuous
03-27-13	Ladenburg Thalmann	FNMA (Callable 3-27-17)	03-27-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 999,730.00	1.050%	Qtrly
06-13-13	Ladenburg Thalmann	FHLB (Callable 3-13-17)	06-13-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 999,380.00	1.100%	Qtrly
06-23-15	Ladenburg Thalmann	FHLMC	06-23-17	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,520.00	0.900%	1 Time
10-02-15	Stifel	FHLB (Callable 10-2-17)	10-02-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 998,330.00	1.450%	Continuous
10-29-15	Stifel	FHLB (Callable Continuous)	10-29-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 997,740.00	1.120%	Continuous
11-23-15	Ladenburg Thalmann	FHLMC (Callable 5-23-17)	05-23-18	\$ 996,000.00	\$ 1,000,000.00	\$ 996,050.00	1.000%	Qtrly
11-25-15	Stifel	FNMA (Callable 5-25-17)	11-25-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 997,730.00	1.500%	Qtrly
02-26-16	Ladenburg Thalmann	FNMA (Callable 5-26-17)	02-26-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 998,030.00	1.250%	Qtrly
03-23-16	Ladenburg Thalmann	FNMA (Callable 3-23-17)	03-23-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 994,390.00	1.500%	Qtrly
03-30-16	Stifel	FNMA STEP (Callable 3-30-17)	03-30-21	\$ 1,000,000.00	\$ 1,000,000.00	\$ 992,980.00	1.350%	Qtrly
03-30-16	Stifel	FHLMC STEP (Callable 3-30-17)	03-30-21	\$ 1,000,000.00	\$ 1,000,000.00	\$ 989,370.00	1.250%	Qtrly
04-26-16	Ladenburg Thalmann	FHLB (Callable Continuous)	10-26-20	\$ 999,500.00	\$ 1,080,000.00	\$ 986,180.00	1.550%	Continuous
05-23-16	Stifel	FHLMC STEP (Callable 5-23-17)	05-23-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 998,240.00	0.800%	Qtrly
05-23-16	Stifel	FNMA (Callable 5-23-17)	08-23-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 991,450.00	1.250%	Qtrly
05-25-16	Stifel	FNMA STEP (Callable 5-25-17)	05-25-21	\$ 1,000,000.00	\$ 1,000,000.00	\$ 996,210.00	1.000%	Qtrly
05-26-16	Union Bank	FNMA (Callable 5-26-17)	11-26-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 992,610.00	1.300%	1 Time
05-31-16	Ladenburg Thalmann	FHLMC (Callable 5-29-17)	08-29-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 996,310.00	1.020%	Qtrly
06-01-16	Stifel	FFCB (Callable Continuous)	03-01-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 993,800.00	1.250%	Continuous
06-13-16	Ladenburg Thalmann	FNMA (Callable 3-13-17)	06-13-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 995,750.00	1.400%	Qtrly
06-16-16	Stifel	FFCB (Callable Continuous)	03-16-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 984,690.00	1.400%	Continuous
06-21-16	Stifel	FHLMC STEP (Callable 3-21-17)	06-21-21	\$ 1,000,000.00	\$ 1,000,000.00	\$ 982,990.00	1.400%	Qtrly
06-28-16	Stifel	FHLMC STEP (Callable 3-28-17)	06-28-19	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,496,370.00	0.750%	Qtrly

**DESERT WATER AGENCY
GENERAL FUND - LISTING OF INVESTMENTS
FEBRUARY 28, 2017**

PURCHASE DATE	NAME	DESCRIPTION	MATURITY DATE	COST	PAR VALUE	MARKET VALUE	YIELD TO MATURITY	CALLABLE STATUS
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Government Agency

06-28-16	Ladenburg Thalmann	FNMA (Callable 3-28-17)	06-28-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 990,270.00	1.200%	Qtrly
06-30-16	Stifel	FHLMC STEP (Callable 3-30-17)	12-30-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 993,550.00	1.000%	Qtrly
07-07-16	Ladenburg Thalmann	FFCB (Callable Continuous)	01-07-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 989,220.00	1.000%	Continuous
07-11-16	Ladenburg Thalmann	FHLB (Callable Continuous)	10-11-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 988,120.00	1.125%	Continuous
07-11-16	Ladenburg Thalmann	FHLB (Callable Continuous)	07-11-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 991,040.00	1.125%	Continuous
07-13-16	Union Bank	FFCB (Callable Continuous)	01-13-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 983,150.00	1.240%	Continuous
07-26-16	Ladenburg Thalmann	FNMA (Callable 4-26-17)	07-26-19	\$ 999,500.00	\$ 1,000,000.00	\$ 993,220.00	1.125%	Qtrly
07-27-16	Stifel	FNMA STEP (Callable 4-27-17)	07-27-21	\$ 1,000,000.00	\$ 1,000,000.00	\$ 974,880.00	1.250%	Qtrly
08-10-16	Ladenburg Thalmann	FHLMC (Callable 5-10-17)	08-10-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 985,330.00	1.450%	Qtrly
08-24-16	Ladenburg Thalmann	FHLMC STEP (Callable 5-24-17)	08-24-21	\$ 1,000,000.00	\$ 1,000,000.00	\$ 995,420.00	1.125%	Qtrly
08-24-16	RBC Capital Markets	FHLMC STEP (Callable 5-24-17)	08-24-18	\$ 1,000,000.00	\$ 1,000,000.00	\$ 998,610.00	0.875%	Qtrly
08-30-16	Stifel	FHLMC STEP (Callable 5-30-17)	08-30-21	\$ 1,000,000.00	\$ 1,000,000.00	\$ 993,500.00	1.000%	Qtrly
08-30-16	Ladenburg Thalmann	FNMA (Callable 5-27-17)	11-27-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 985,470.00	1.250%	Qtrly
09-06-16	Ladenburg Thalmann	FFCB (Callable Continuous)	03-06-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 993,510.00	1.150%	Continuous
09-20-16	Union Bank	FNMA (Callable 3-20-17)	09-20-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 987,150.00	1.300%	Qtrly
09-27-19	Ladenburg Thalmann	FHLMC STEP (Callable 3-27-17)	09-27-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 994,830.00	1.000%	Qtrly
09-29-16	Ladenburg Thalmann	FHLMC STEP (Callable 3-29-17)	09-29-21	\$ 950,000.00	\$ 950,000.00	\$ 935,930.50	1.250%	Qtrly
09-30-16	Ladenburg Thalmann	FNMA (Callable 3-30-17)	09-30-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 991,460.00	1.250%	Qtrly
10-06-16	Ladenburg Thalmann	FHLMC (Callable 4-6-17)	07-06-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 987,800.00	1.375%	Qtrly
10-11-16	Ladenburg Thalmann	FHLMC (Callable 4-11-17)	10-11-18	\$ 999,750.00	\$ 1,000,000.00	\$ 994,260.00	1.000%	Qtrly
10-17-16	Stifel	FNMA (Callable 10-17-17)	04-17-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 984,790.00	1.250%	1 Time
10-28-16	Stifel	FHLMC STEP (Callable 4-28-17)	10-28-21	\$ 1,500,000.00	\$ 1,500,000.00	\$ 1,486,875.00	1.250%	Qtrly
10-28-16	Union Bank	FHLMC STEP (Callable 4-28-17)	10-28-21	\$ 1,000,000.00	\$ 1,000,000.00	\$ 995,020.00	1.000%	Qtrly
11-03-16	Ladenburg Thalmann	FFCB (Callable Continuous)	05-03-21	\$ 999,250.00	\$ 1,000,000.00	\$ 979,870.00	1.490%	Continuous
11-15-16	Stifel	FHLMC STEP (Callable 5-15-17)	11-15-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 991,580.00	1.000%	Qtrly
12-14-16	Ladenburg Thalmann	FHLMC (Callable 3-14-17)	12-14-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 993,510.00	1.750%	Qtrly
12-29-16	Ladenburg Thalmann	FHLB (Callable 6-29-17)	09-29-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,440.00	2.000%	Qtrly
12-29-16	Ladenburg Thalmann	FNMA (Callable 6-29-17)	06-29-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 999,640.00	1.750%	Qtrly
12-30-16	Ladenburg Thalmann	FHLMC (Callable 3-30-17)	12-30-19	\$ 998,000.00	\$ 1,000,000.00	\$ 998,160.00	1.500%	Qtrly
01-27-17	Stifel	FHLB STEP (Callable 4-27-17)	07-27-21	\$ 1,000,000.00	\$ 1,000,000.00	\$ 998,840.00	1.000%	Qtrly
01-27-17	RBC Capital Markets	FHLMC (Callable 7-27-17)	01-27-21	\$ 1,000,000.00	\$ 1,000,000.00	\$ 996,000.00	2.000%	Qtrly
01-27-17	Stifel	FHLMC (Callable 7-27-17)	07-27-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,060.00	1.850%	Qtrly
01-27-17	Ladenburg Thalmann	FNMA (Callable 7-27-17)	01-27-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 997,450.00	1.650%	Qtrly
01-30-17	Union Bank	FHLB (Callable 1-30-18)	04-30-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 999,960.00	1.750%	Qtrly
01-30-17	Stifel	FHLMC (Callable 4-28-17)	10-28-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 997,450.00	2.000%	Qtrly
02-07-17	Ladenburg Thalmann	FNMA (Callable 8-17-17)	02-07-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 999,660.00	1.750%	Qtrly
02-24-17	Ladenburg Thalmann	FNMA (Callable 8-24-17)	11-24-20	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,040.00	2.000%	Qtrly
02-28-17	Union Bank	FHLMC (Callable 8-25-17)	02-25-19	\$ 1,000,000.00	\$ 1,000,000.00	\$ 999,790.00	1.400%	Qtrly

Total Government Agency \$ 62,942,000.00 \$ 62,950,000.00 \$ 62,545,495.50

Weighted Mean YTM 1.108%

TOTAL INVESTED @ 01/31/17 \$ 111,438,984.35 \$ 111,360,514.35 \$ 110,983,621.25

BALANCE @ 06/30/16 \$ 107,168,350.37

INCREASE OR (DECREASE) \$ 4,270,633.98

DESERT WATER AGENCY
STATEMENT OF CASH RECEIPTS AND EXPENDITURES

WASTEWATER ACCOUNT

FEBRUARY 2017

INVESTED
RESERVE FUNDS
\$1,130,627.59

BALANCE	FEBRUARY 1, 2017	\$5,334.47	
ACCOUNTS RECEIVABLE - OTHER		\$0.00	
CUSTOMER DEPOSITS - CONSTRUCTION		0.00	
INTEREST EARNED - INVESTED FUNDS		22.80	
WASTEWATER REVENUE		81,004.91	
SEWER CAPACITY CHARGES		39,831.44	
MISCELLANEOUS		<u>0.00</u>	
TOTAL RECEIPTS		\$120,859.15	
PAYMENTS			
CHECKS UNDER \$10,000.00		\$17,858.69	
CHECKS OVER \$10,000.00 - SCH. #1		60,459.43	
CANCELLED CHECKS AND FEES		<u>0.00</u>	
TOTAL PAYMENTS		<u>\$78,318.12</u>	
NET INCOME		\$42,541.03	
INVESTED RESERVE FUNDS			
FUNDS MATURED		\$0.00	
FUNDS INVESTED - SCH. #2		<u>16,000.00</u>	
NET TRANSFER		(\$16,000.00)	\$16,000.00
BALANCE	FEBRUARY 28, 2017	\$31,875.50	\$1,146,627.59

DESERT WATER AGENCY

WASTEWATER ACCOUNT

SCHEDULE # 1-CHECKS OVER \$10,000

CHECK #	NAME	DESCRIPTION	AMOUNT
2477	DESERT WATER AGENCY	OPERATING FUND REIMBURSEMENT FOR JANUARY 2017	\$12,147.34
2479	COACHELLA VALLEY WATER DISTRICT	WASTEWATER REVENUE BILLING FOR JANUARY 2017	\$48,312.09
** TOTAL			\$60,459.43

**DESERT WATER AGENCY
WASTEWATER FUND - LISTING OF INVESTMENTS
FEBRUARY 28, 2017**

PURCH DATE	NAME	DESCRIPTION	MATURITY DATE	COST	PAR VALUE	MARKET VALUE	YIELD TO MATURITY
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Local Agency Investment Fund

06-30-83	State of California	LAIF	Open	\$ 1,146,627.59	\$ 1,146,627.59	\$ 1,146,627.59	0.790%
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TOTAL INVESTED @ 02/28/17	\$ 1,146,627.59	\$ 1,146,627.59	\$ 1,146,627.59
BALANCE @ 06/30/16	\$ 1,027,031.01		
INCREASE OR (DECREASE)	\$ 119,596.58		

DESERT WATER AGENCY - OPERATING FUND
COMPARATIVE EARNINGS STATEMENT

MONTH 12-17 FEBRUARY	THIS MONTH			FISCAL YEAR TO DATE			VARIANCE	
	THIS YEAR	LAST YEAR	BUDGET	THIS YEAR	LAST YEAR	BUDGET	YTD	PCT
OPERATING REVENUES								
WATER SALES	1,294,554.80	1,264,611.62	1,270,900.00	15,627,455.27	14,627,292.39	13,933,950.00	1,693,505.27	12
RECLAMATION SALES	22,140.42	43,751.24	40,200.00	946,471.53	923,419.99	891,500.00	54,971.53	6
POWER SALES	961.64	00	1,750.00	15,212.73	6,102.52	14,000.00	1,212.73	9
OTHER OPER REVENUE	104,040.02	36,123.22	108,000.00	804,083.81	946,651.74	856,500.00	52,416.19	6-
TOTAL OPER REVENUES	1,421,696.88	1,344,486.08	1,420,850.00	17,393,223.34	16,503,466.64	15,695,950.00	1,697,273.34	11
OPERATING EXPENSES								
SOURCE OF SUPPLY EXP	25,572.41	18,223.51	27,083.00	1,869,400.47	1,676,519.50	1,929,839.00	60,438.53	3-
PUMPING EXPENSE	168,441.12	260,485.07	159,475.00	1,788,306.17	2,107,765.17	2,374,800.00	586,493.83	25-
REGULATORY WATER TREAT	45,197.78	36,997.73	42,100.00	329,288.09	318,701.12	336,800.00	7,511.91	2-
TRANS & DIST EXPENSE	465,106.68	258,523.71	287,092.00	1,870,198.41	1,942,618.12	2,296,736.00	426,537.59	19-
CUSTOMER ACT EXPENSE	78,430.07	81,959.67	74,025.00	625,318.15	586,809.83	594,000.00	31,318.15	5
ADMIN & GEN EXPENSE	658,822.93	935,591.48	658,225.00	6,048,711.51	6,151,030.31	6,275,200.00	226,488.49	4-
REGULATORY EXPENSE	12,399.90	3,122.01	16,992.00	149,085.35	92,939.41	135,936.00	13,149.35	10
SNOW CREEK HYDRO EXP	2,646.11	2,375.04	3,400.00	28,762.60	27,586.65	27,200.00	1,562.60	6
RECLAMATION PLNT EXP	98,580.45	101,648.43	271,800.00	574,254.67	552,551.45	1,372,825.00	798,570.33	58-
SUB-TOTAL	1,555,197.45	1,692,682.63	1,540,192.00	13,283,325.42	13,456,521.56	15,343,336.00	2,060,010.58	13-
OTHER OPER EXPENSES								
DEPRECIATION	460,738.63	442,457.06	459,225.00	3,717,481.98	3,634,633.79	3,673,800.00	43,681.98	1
SERVICES RENDERED	4,279.86	12,312.77	13,850.00	91,056.98	145,682.55	110,800.00	19,743.02	18-
DIR & INDIR CST FOR WD	161,679.04	207,911.44	72,750.00	1,379,460.18	1,358,743.99	582,000.00	797,460.18	137
TOTAL OPER EXPENSES	1,858,536.90	1,939,541.02	1,940,517.00	15,712,404.20	15,878,093.91	18,545,936.00	2,833,531.80	15-
NET INCOME FROM OPERATIONS	436,840.02	595,054.94	519,667.00	1,680,819.14	625,372.73	2,849,986.00	4,530,805.14	159-
NON-OPERATING INCOME (NET)								
RENTS	3,368.43	3,368.43	3,375.00	58,815.34	58,614.47	58,850.00	34.66	0
INTEREST REVENUES	10,561.02	8,096.88	8,300.00	78,249.28	60,148.13	66,400.00	11,849.28	18
INTEREST EXP. OTHER	00	00	25,325.00	00	00	202,600.00	202,600.00	100-
OTHER REVENUES	480.00	120.00	00	1,540.00	132,617.52	5,250.00	3,710.00	71-
GAINS ON RETIREMENT	9,500.00	00	75.00	9,554.15	00	525.00	9,029.15	0
DISCOUNTS	45.59	00	275.00	935.72	375.00	2,200.00	1,264.28	57-
PR. YEAR EXPENSES	300.00	00	00	300.00	522.10	00	300.00	0
LOSS ON RETIREMENTS	2,078.48	28,044.92	3,750.00	17,751.13	47,861.35	26,250.00	8,498.87	32-
TOTAL NON-OPER INCOME	21,576.56	16,459.61	17,050.00	131,043.36	204,415.87	95,625.00	226,668.36	237-
TOTAL NET INCOME	415,263.46	611,514.55	536,717.00	1,811,862.50	829,788.60	2,945,611.00	4,757,473.50	162-

**STAFF REPORT
TO
DESERT WATER AGENCY
BOARD OF DIRECTORS**

APRIL 4, 2017

RE: WATER USE VIOLATION – CIVIL PENALTY HEARINGS

Starting in March, 2016, staff began issuing water use violations under the new ordinance; to date, more than 475 violations have been issued. Recipients of the violations have 7 days to request a hearing in writing. Two violations will be reviewed at today's board meeting.

The following is a summary of the procedure for the hearings.

Staff has provided the Board with the correspondence for each of the violations including photographic evidence. Photographs will also be reviewed during the hearing to provide the board and customer a common point of reference for discussion.

Staff will introduce each violation with a summary of the event. After the introduction the customer will be invited by the Board to speak concerning the violation. If the recipient of the violation is not present or does not wish to speak, staff will read the violation summary and submit the written petition into the record for board action.

Each petition will be discussed and voted on separately.

As a point of reference, staff has notified Agency customers concerning water conservation regulations in several different ways:

Initial Notifications Upon Restrictions Going into Effect

1. Published the ordinance in The Public Record
2. Published the ordinance in the Agency Website
3. Social media outlets
4. KMIR, KESQ, KPCC, the Joey English Show
5. Desert Sun Valley Voice
6. Palm Desert Patch
7. Email to Palm Springs and Cathedral City Chambers
8. Emails to HOA in our contact list
9. Emails to high volume users

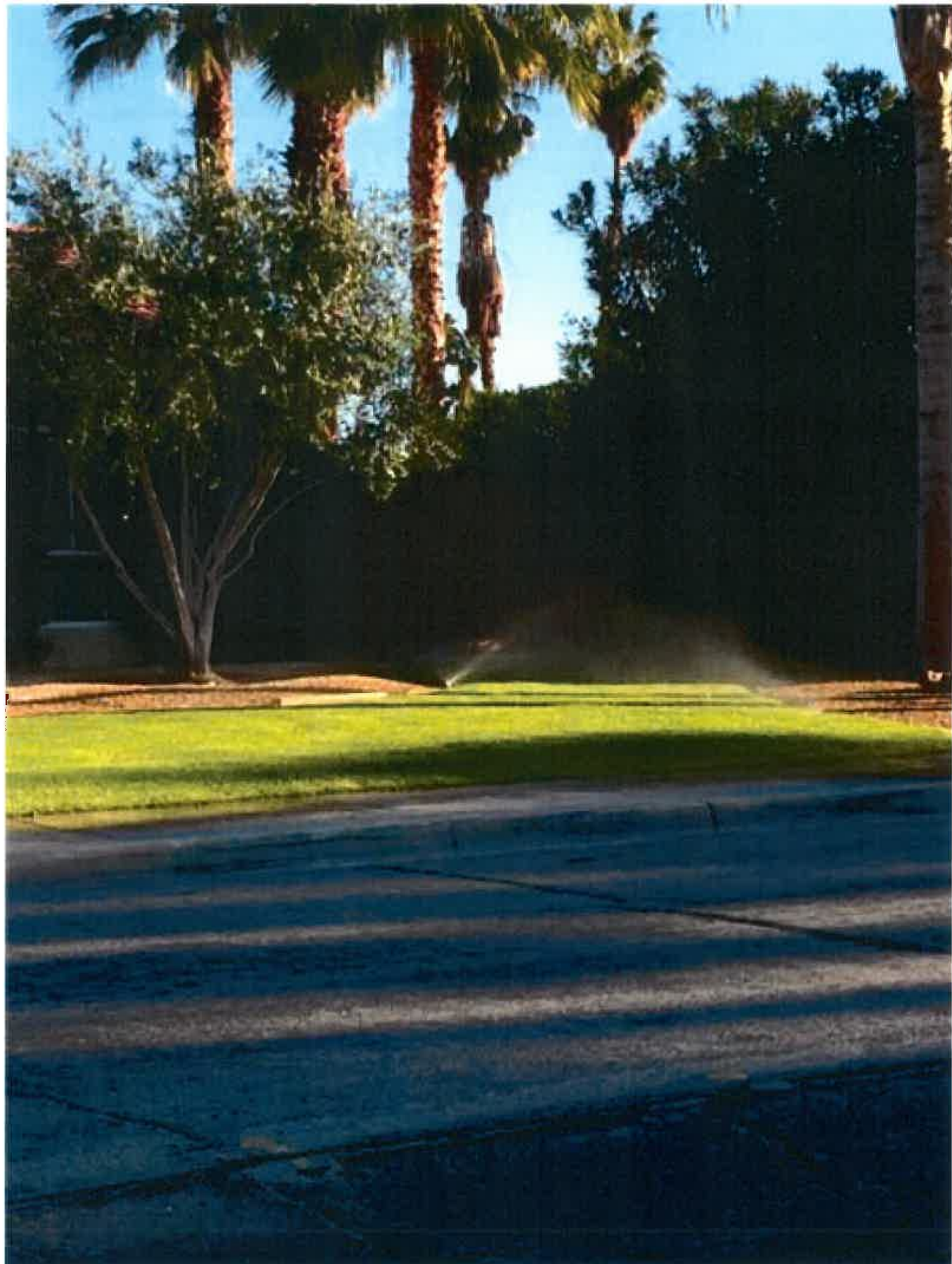
Comprehensive Notifications – Since June 2015

1. Direct mail to all customers
2. Bill inserts
3. Bill on envelope messaging
4. Billboards
5. Online advertising (KESQ)
6. Television advertising (Time Warner)
7. Social media
8. Several public presentations on TV
9. Print and radio Interviews
10. DWA and CVWD websites
11. Rates brochure given to all new customers

1. Anthony Spotora, 3002 E Sonora Rd, Palm Springs

- a. On Thursday, March 2 at 7:19 a.m. a Desert Water Agency representative observed water use violations at said address and reported them.
 - i. Irrigating during restricted hours
- b. Fine amount \$50
 - i. Single-family home
 - ii. First violation
- c. Reason for petition
 - i. Recently installed smart controller
 - ii. Not familiar with device yet
 - iii. Hired new gardener
 - iv. Already corrected
 - v. Have been saving since correction
- d. Other information
 - i. DWA did not rebate controller
 - ii. Consumption down in January and February





Ashley Metzger

From: Anthony J. Spotora <ASpotora@spotoralaw.com>
Sent: Tuesday, March 14, 2017 2:44 PM
To: Ashley Metzger
Subject: RE: 3002 E Sonora Rd | [REDACTED]

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks kindly for the reply – I am just now seeing the contents of the notice my parents received.

Can I offer my prior email as the supporting information otherwise desired by the appeal board and simply submit same via this communication with you now, or are additional steps necessary?

If the former, yes, you can accept this communication as a request for a reevaluation hearing.

I will not be in Palm Springs April 4.

Interestingly broad discretion alleged as granted to the agency and its staff in the letter's closing; language I presume included in all similar notices.

The potential liability and consequent damages....hard to imagine.

Thank you,
Anthony



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From: Ashley Metzger [mailto:AMetzger@dwa.org]
Sent: Tuesday, March 14, 2017 2:25 PM

To: Anthony J. Spotora <ASpotora@ [REDACTED]>
[REDACTED]

Hello,

It is not in my power to waive the violation. Please respond to this email requesting a hearing if you would like our Board of Directors to evaluate an appeal in this matter.

The appeal would be heard on April 4 at 1200 Gene Autry Trail at our 8:00 AM Board Meeting. While you'd be welcome to attend and give information, you are certainly not required to do so (most people that appeal do not).

Thank you,

Ashley Metzger
Outreach & Conservation Manager
760-323-4971 x 184
www.dwa.org

DESERT WATER



From: Anthony J. Spotora [<mailto:ASpotora@spotoralaw.com>]

Sent: Tuesday, March 14, 2017 1:59 PM

To: Ashley Metzger

Subject: 3002 E Sonora Rd | [REDACTED]

Good afternoon, Ashley –

I am the homeowner of 3002 E Sonora Rd.

Recently, you forwarded a written communication to my parents' home in Oldsmar, FL.
Due to the distance, they did not even receive your letter until the end of the allotted 7-day period specified therein.

The 3002 E Sonora Rd house is not my primary residence.

As such, even if you mailed the aforementioned letter to that address, the USPS would have automatically forwarded it to another address.

My Mother provided me with word of the notice you sent to their address last weekend, and so I wanted to now respond.

I recently installed a "smart" irrigation system at the Sonora house.

Candidly speaking however, I have been learning to use it.

I also simultaneously hired a new gardener.

In light of the above, it appears that my gardener and I have finally gotten the system and software loaded and functioning on both of our mobile phones.

As such, we corrected the timing of watering prior to even receiving your notice.

You can trust I haven't any interest in watering anything while the sun is out.

Anyway, I would appreciate you waiving the violation which was both unintended and otherwise unbeknownst to me.

As it would go, the new smart system has already saved more than 1,000 gallons of water in just the last month.

Best regards,
Anthony



**Corporate Law
Business Law
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**Entertainment Law
Intellectual Property
Estate Planning**

**Real Estate
Family Law
Litigation**

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March 3, 2017

Anthony & Barbara Spotora
1466 Woodstream Dr
Oldsmar, FL 34677

RE: FINE ON ACCOUNT# ; 3002 E Sonora Rd

Dear Valued Customer:

Due to a water use violation observed and documented by a Desert Water Agency representative on Thursday, March 2, 2017 at 7:19 am, you are being served with a complaint to impose a civil (monetary) penalty.

You have 7 days to request, in writing, a hearing on this violation. If you do request a hearing, you will need to come to the Agency and present information that refutes the alleged violation. If you do not request a hearing within 7 days of this complaint, the civil penalty of \$50.00 will be added onto your water bill.

You were cited for:

- ***Outdoor irrigation shall be restricted to Mondays, Wednesdays, & Fridays, before 7:00 a.m. and after 7:00 p.m.***

This is a violation of Desert Water Agency's Ordinance No. 65. For a first violation within any 12-month period, the civil penalty shall be \$100 for a multi-family residential, commercial or institutional establishment or \$50 for a single-family residential customer.

For a second violation within any 12-month period, the civil penalty shall be \$200 for a multi-family residential, commercial or institutional establishment or \$100 for a single-family residential customer.

For a third and each subsequent violation within any 12-month period, the civil penalty shall be \$500 for a multi-family residential, commercial or institutional establishment or \$250 for a single-family residential customer.

Failure to pay the civil penalty on your water bill may result in termination of water service. In addition, the Agency staff shall be authorized to discontinue water service for any violation of the Ordinance.

If you have any additional questions, please contact us.

Thank you,

Ashley Metzger
Outreach & Conservation Manager
Desert Water Agency
On behalf of General Manager Mark Krause

2. Oscar Olsson, 1809 E Racquet Club Rd, Palm Springs

- a. On Saturday, March 11 at 7:03 a.m. a Desert Water Agency representative observed water use violations at said address and reported them.
 - i. Irrigating during restricted hours
 - ii. Broken irrigation
- b. Fine amount \$50
 - i. Single-family home
 - ii. First violation
- c. Reason for petition
 - i. May have been broken by a bicycle rider
 - ii. Sprinkler was on to find issue
 - iii. Sprinklers repaired
- d. Other information
 - i. Customer does not have smart controller via DWA rebate



Ashley Metzger

From: ole olsson <4oleolsson@gmail.com>
Sent: Tuesday, March 21, 2017 10:48 AM
To: Ashley Metzger
Subject: fine on account [REDACTED]

Follow Up Flag: Follow up
Flag Status: Flagged

Ashley:

Per our conversation the sprinklers in question are outside the property walls but are within actual property lines. I have several sprinkler heads that are not in use but are on my property. I find several people cutting the corner of the property as a shortcut and walking their dogs and some people are actually on bicycles.

The sprinkler in the photograph I found to have been broken by a bicycle rider. If the agent had stopped he would have found that I had turned the sprinkler on to check others of which I found another sprinkler also broken on Sunrise Avenue. Both of these sprinklers have now been repaired.

I request the citation be reversed as soon as possible.

Thank you.
Mr. Olsson

March 13, 2017

Oscar Olsson
1809 E Racquet Club Rd
Palm Springs, CA 92262

RE: FINE ON ACCOUNT# ; 1809 E Racquet Club Rd

Dear Valued Customer:

Due to a water use violation observed and documented by a Desert Water Agency representative on Saturday, March 11, 2017 at 7:03 am, you are being served with a complaint to impose a civil (monetary) penalty.

You have 7 days to request, in writing, a hearing on this violation. If you do request a hearing, you will need to come to the Agency and present information that refutes the alleged violation. If you do not request a hearing within 7 days of this complaint, the civil penalty of **\$50.00** will be added onto your water bill.

You were cited for:

It appears that you were cited for broken irrigation.

Outdoor residential irrigation shall be restricted to Mondays, Wednesdays, & Fridays, before 7:00 a.m. and after 7:00 p.m.

This is a violation of Desert Water Agency's Ordinance No. 65. For a first violation within any 12-month period, the civil penalty shall be \$100 for a multi-family residential, commercial or institutional establishment or \$50 for a single-family residential customer.

For a second violation within any 12-month period, the civil penalty shall be \$200 for a multi-family residential, commercial or institutional establishment or \$100 for a single-family residential customer. For a third and each subsequent violation within any 12-month period, the civil penalty shall be \$500 for a multi-family residential, commercial or institutional establishment or \$250 for a single-family residential customer.

Failure to pay the civil penalty on your water bill may result in termination of water service. In addition, the Agency staff shall be authorized to discontinue water service for any violation of the Ordinance.

If you have any additional questions, please contact us.

Thank you,

Ashley Metzger
Outreach & Conservation Manager
Desert Water Agency
On behalf of General Manager Mark Krause

EVENT | APR 25, 2017

Water Laws and Regulations

HalfMoon Education Seminars

Join Best Best & Krieger LLP partners Steve Anderson and Andre Monette at HalfMoon Education's Water Laws and Regulations Seminar in San Diego.

Seminars

"Development of California Water Law: Quantity and Usage"

- Development of the common law of water rights
- Statutory and regulatory limits on the exercise of water rights
- Federal, state and local regulators

"Complying with Water Quality Laws and Regulations"

- State and federal water quality regulations
- Stormwater regulations
- Sewerage regulations
- Industrial and agricultural programs
- Public water supply
- Water wells

"Understanding California Water Rights Laws"

- Ownership of surface and groundwater
- Regulation of surface and groundwater rights
- Application and permitting process
- Sustainable Groundwater Management Act

When

Tuesday, April 25

8 a.m. - 4:15 p.m.

Where

Courtyard Mission Valley Hotel Circle

595 Hotel Cir. S.

San Diego, CA 92108

For more information or to register, [click here](#).

People



Steve M. Anderson

PARTNER

(951) 826-8279



Andre Monette

PARTNER

(619) 525-1374

Connected Practices

Environmental Law & Natural Resources

Municipal Law

Special Districts

Water

Water Quality

Water Rights

Environmental Litigation

Connected Industries

AB 321

(Mathis R) Groundwater sustainability plans.

Current Text: Introduced: 2/7/2017 [Text](#)

Introduced: 2/7/2017

Status: 3/20/2017-In committee: Set, first hearing. Hearing canceled at the request of author.

Is Urgency: N

Is Fiscal: Y

Location: 2/21/2017-A. W.,P. & W.

Summary: Existing law, the Sustainable Groundwater Management Act, requires that all groundwater basins that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. The act authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin, as prescribed. The act requires that, prior to initiating the development of a groundwater sustainability plan, the groundwater sustainability agency make available to the public and the Department of Water Resources a written statement describing the manner in which interested parties may participate in the development and implementation of the groundwater sustainability plan, and requires the groundwater sustainability agency to encourage the active involvement of diverse social, cultural, and economic elements of the population within the groundwater basin prior to and during the development and implementation of the plan. This bill would additionally require the groundwater sustainability agency to solicit the participation of farmers, ranchers, and other qualified professionals within the groundwater basin prior to and during the development and implementation of the plan.

Laws: An act to amend Section 10727.8 of the Water Code, relating to water.

Notes 1: The subject matter of this legislation is already addressed in the Sustainable Groundwater Management Act. Section 10723.2 of the Act a groundwater sustainability agency to consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans. These interests include, but are not limited to holders of overlying groundwater rights, including agricultural users. Section 10723.4. requires a GSA to establish and maintain a list of persons interested in receiving notices regarding plan preparation, meeting announcements, and availability of draft plans, maps, and other relevant documents.

Aside from creating a redundant requirement in the Act, the addition of a requirement to solicit the participation of farmers, ranchers, and other qualified professionals within the groundwater basin creates uncertainty as to the relative burden on a groundwater sustainability agency to 'solicit participation' from other interests.

Current Position: Not Yet Considered

Recommended Position: Not Favor

AB 429

(Grayson D) State water policy: water rights: use and transferability.

Current Text: Introduced: 2/13/2017 [Text](#)

Introduced: 2/13/2017

Status: 2/14/2017-From printer. May be heard in committee March 16.

Is Urgency: N

Is Fiscal: N

Location: 2/13/2017-A. PRINT

Summary: Existing law declares that the growing water needs of the state require the use of water in an efficient manner and that the efficient use of water requires certainty in the definition of property rights to the use of water and transferability of those rights. This bill would make nonsubstantive changes to those declarations.

Laws: An act to amend Section 109 of the Water Code, relating to water.

Notes 1: This legislation would make nonsubstantive changes to existing law relating to water rights. The Agency should monitor this legislation given the subject matter.

Current Position: Not Yet Considered

Recommended Position: Watch

AB 474

(Garcia, Eduardo D) Hazardous waste: spent brine solutions.

Current Text: Introduced: 2/13/2017 [Text](#)

Introduced: 2/13/2017

Status: 3/21/2017-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (March 21). Re-referred to Com. on APPR.

Is Urgency: N

Is Fiscal: Y

Location: 3/21/2017-A. APPR.

Summary: Existing law exempts from certain requirements of the Hazardous Waste Control Law wastes from the extraction, beneficiation, or processing of ores and minerals that are not subject to regulation under the federal Resource Conservation and Recovery Act of 1976, including spent brine solutions used to produce geothermal energy that meet specified requirements. This bill would exempt spent brine solutions that are byproducts of the treatment of groundwater to meet California drinking water standards from those same requirements if certain conditions are met, including that the spent brine solutions are transferred for dewatering via a closed piping system to lined surface impoundments regulated by the California regional water quality control boards.

Laws: An act to add Section 25143.6 to the Health and Safety Code, relating to hazardous waste.

Notes 1: California adopted a new Maximum Contaminant Level (MCL) of 10 parts per billion (ppb) for hexavalent chromium (chromium-6) in 2015. Chromium-6 is a mineral that occurs naturally in groundwater due to the erosion of natural deposits. Public water systems must develop compliance plans to meet the MCL no later than January 1, 2020. In July 2016, the Coachella Valley water District (CVWD) Board of Directors approved entering into an agreement for the construction of ion exchange and blending water treatment facilities at 29 drinking water wells throughout the service area. The treatment process requires construction of a Central Resin Regeneration Facility and pipelines to support those treatment facilities, which is the subject of this legislation.

Desert Water Agency cooperatively manages the Coachella Valley groundwater basin with the CVWD and shares a vital interest in protecting groundwater quality. This bill will assist CVWD in the removal of chromium-6 from certain areas of the basin in a cost-effective approach that is protective of groundwater basin.

Agency staff authorized the communication of a 'support' position to Assembly Member Eduardo Garcia, the author of this legislation, at the request of Coachella Valley Water District. The Desert Water board of directors is being asked to ratify that position.

Current Position: Support

Recommended Position: Support

AB 487

(Mathis R) Sustainable Groundwater Management Act.

Current Text: Introduced: 2/13/2017 [Text](#)

Introduced: 2/13/2017

Status: 2/14/2017-From printer. May be heard in committee March 16.

Is Urgency: N

Is Fiscal: N

Location: 2/13/2017-A. PRINT

Summary: Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. This bill would state the intent of the Legislature to enact statutory changes relating to the Sustainable Groundwater Management Act.

Laws: An act relating to groundwater.

Notes 1: This legislation would state the intent of the Legislature to amend provisions of the Sustainable Groundwater Management Act. The legislation is not presently eligible for reference to a legislative policy committee for review. The Agency should monitor this legislation given the subject matter.

Current Position: Not Yet Considered

Recommended Position: Watch

AB 594

(Irwin D) Water supply planning: California Environmental Quality Act: photovoltaic or wind energy generation facility.

Current Text: Introduced: 2/14/2017 [Text](#)

Introduced: 2/14/2017

Status: 2/27/2017-Referred to Coms. on W., P., & W. and L. GOV.

Is Urgency: N

Is Fiscal: Y

Location: 2/27/2017-A. W., P. & W.

Calendar: 4/4/2017 9 a.m. - State Capitol, Room 437 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, Chair

Summary: Existing law requires a city or county that determines that a project, as defined, is subject to the California Environmental Quality Act to identify any public water system that may supply water for the project and to request those public water systems to prepare a specified water supply assessment. If no public water system is identified, the city or county is required to prepare the water supply assessment. Existing law defines "project" for purposes of these provisions as, among other things, a project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project. For a public water system that has fewer than 5,000 service connections, existing law defines "project" as development that would account for a specified increase in the number of service connections. Existing law, until January 1, 2018, exempts from the definition of "project" a proposed photovoltaic or wind energy generation facility that would demand no more than 75 acre-feet of water annually. This bill would indefinitely exempt from the definition of "project" a proposed photovoltaic or wind energy generation facility that would demand no more than 50 acre-feet of water annually. The bill would thereby extend the duties on local agencies with respect to determining whether a project is subject to the water supply assessment requirements, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.

Laws: An act to amend and repeal Section 10912 of the Water Code, relating to water.

Notes 1: Under current law, large water users, those that use the equivalent of a 500 unit housing project, are required to perform a water supply assessment (WSA) as part of their planning process. Under statute, a renewable energy facility is deemed an "industrial plant", which is included within the definition of "project" under Section 10912 of the Water Code, and subject to a WSA requirement because most utility scale renewable projects occupy more than 40 acres of land.

In 2011, legislation was passed and signed into law to exclude certain renewable projects using less than 75 acre feet (AF) of water from the WSA requirement. According to the author of this legislation, renewable projects use very little water and renewable energy saves significant amounts of water that would otherwise be used in conventional thermal generating stations. Of course, the significance of the latter argument depends on whether a conventional thermal generating station is proposed for location on or near the site, or instead of, a proposed renewable energy project. The 2011 legislation contained a January 2017 sunset, which was extended to 2018 by AB 2561 (Irwin). Since the enactment of the exclusion, there have been no problems identified with the exclusion.

This bill would indefinitely exclude photovoltaic and wind generation facilities that use no more than 50 AF of water annually from the requirement to perform a WSA.

Current Position: Not Yet Considered

Recommended Position: Watch

AB 672

(Jones-Sawyer D) Utility services.

Current Text: Introduced: 2/15/2017 [Text](#)

Introduced: 2/15/2017

Status: 3/14/2017-In committee: Set, first hearing. Hearing canceled at the request of author.

Is Urgency: N

Is Fiscal: N

Location: 3/2/2017-A. JUD.

Summary: Existing law authorizes an electrical, gas, or water corporation, or any electrical, gas, or water system operated by a public agency, to bring a civil action for damages against any person who commits, authorizes, solicits, aids, abets, or attempts, among other things, the diversion of utility services by any means whatsoever. Existing law authorizes the utility to recover as damages 3 times the amount of actual damages, plus the cost of the suit and reasonable attorney's fees, in any civil action brought pursuant to these provisions. This bill, instead, would authorize the prevailing party to recover actual damages, plus the costs of the suit and reasonable attorney's fees.

Laws: An act to amend Section 1882.2 of the Civil Code, relating to utility services.

Notes 1: Current law authorizes a public water system to bring a civil action for damages against any person who commits, authorizes, solicits, aids, abets, or attempts, among other things, the diversion of utility services by any means whatsoever. Current law also authorizes the utility to recover as damages three times the amount of actual damages, plus the cost of the suit and reasonable attorney's fees.

This bill would amend Civil Code section 1882.2 to allow the prevailing party in a civil suit for the diversion of utility services to recover actual damages, plus the costs of the suit and reasonable attorney's fees. This bill would repeal the treble damages award available to a public water system as well as authorize a defendant that prevails in litigation to be awarded actual damages. The latter

provision is unclear as it is unknown as to the manner in which a defendant could suffer actual damages.

The concept behind the creation of treble damages is that they will encourage victims, in this instance, a public water system, to sue for violations that are harmful to the system and other customers in general, as well as deter persons from stealing water and deter a violator from committing future violations.

Current Position: Not Yet Considered

Recommended Position: Not Favor

AB 791

(Frazier D) Sacramento-San Joaquin Delta: State Water Project and federal Central Valley Project: new conveyance facility.

Current Text: Amended: 3/21/2017 [Text](#)

Introduced: 2/15/2017

Last Amend: 3/21/2017

Status: 3/21/2017-From committee chair, with author's amendments: Amend, and re-refer to Com. on W.,P., & W. Read second time and amended.

Is Urgency: N

Is Fiscal: Y

Location: 3/20/2017-A. W.,P. & W.

Calendar: 4/4/2017 9 a.m. - State Capitol, Room 437 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, Chair

Summary: Existing law, the Sacramento-San Joaquin Delta Reform Act of 2009, prohibits construction of a new Delta conveyance facility from being initiated until the persons or entities that contract to receive water from the State Water Project and the federal Central Valley Project or a joint powers authority representing those entities have made arrangements or entered into contracts to pay for certain costs required for the construction, operation, and maintenance of the facility and full mitigation of property tax or assessments levied for land used in the construction, location, mitigation, or operation of the facility. This bill would require, before a water contractor enters into a contract to pay for these costs, that the lead agency provide the breakdown of costs for each water contractor entering into a contract and what benefits each contractor will receive based on the proportion it has financed of the proposed conveyance project.

Laws: An act to amend Section 85089 of the Water Code, relating to the Sacramento-San Joaquin Delta.

Notes 1: This legislation would add a nebulous requirement onto entities that decide to participate in the financing and construction of California WaterFix, State Water Project facilities associated with a proposed new method of conveyance in the Sacramento-San Joaquin Delta. Stakeholders and legislators negotiated the provisions of SBX7-1 in 2009 to set forth the manner in which Delta conveyance facilities would be considered by state agencies, including the Delta Stewardship Council that was created at that time. This legislation follows nearly a decade later and seeks to add yet another requirement relating to the conveyance project.

This legislation would require, before a water contractor enters into a contract to pay for costs related to WaterFix, that the Department of Water Resources (DWR) provide the breakdown of costs for each water contractor entering into a contract and the benefits each contractor will receive based on the proportion it has financed of the proposed conveyance project. The legislation presumes facts that are not in evidence, so to speak. The costs that may be apportioned to a contractor will be subject to change based on conditions experienced during the construction process. Further, benefits received may not be calculable. For example, it is difficult to quantify the benefit of water supply reliability when supplies are subject to annual fluctuation based on weather, water-year types, operational availability and the effect of biological opinions issued pursuant to the Federal or California Endangered Species acts. This uncertainty could expose DWR or a contractor to litigation either prior to or subsequent to entering into a contract.

Agency staff authorized the communication of an 'oppose' position to the author and Assembly Water, Parks & Wildlife Committee last week, at the request of State Water Contractors. The Desert Water board of directors is being asked to ratify that position.

Current Position: Oppose

Recommended Position: Oppose

AB 792

(Frazier D) Sacramento-San Joaquin Delta: State Water Project and federal Central Valley Project: change in the point of diversion.

Current Text: Amended: 3/21/2017 [Text](#)

Introduced: 2/15/2017

Last Amend: 3/21/2017

Status: 3/21/2017-From committee chair, with author's amendments: Amend, and re-refer to Com. on W.,P., & W. Read second time and amended.

Is Urgency: N

Is Fiscal: Y

Location: 3/20/2017-A. W.,P. & W.

Calendar: 4/4/2017 9 a.m. - State Capitol, Room 437 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, Chair

Summary: Existing law, the Sacramento-San Joaquin Delta Reform Act of 2009, establishes the Delta Stewardship Council and requires the council to develop, adopt, and commence implementation of a comprehensive management plan for the Delta, known as the Delta Plan. The act requires a state or local public agency that proposes to undertake a covered action to prepare and submit to the council a written certification of consistency with the Delta Plan before undertaking that action. This bill would prohibit the department from commencing construction until the board issues an order approving a change in or a new point of diversion of the projects, as specified, and the council issues a certification of consistency with the Delta Plan. The bill would prohibit the council from granting a certification of consistency with the Delta Plan until the board has completed its update of a specified water quality control plan in order to ensure protection of fish and wildlife and in-Delta beneficial uses of the San Francisco Bay/Sacramento-San Joaquin Delta Estuary's waters. This bill contains other existing laws.

Laws: An act to amend Section 85088 of the Water Code, relating to the Sacramento-San Joaquin Delta.

Notes 1: This is the second in a series of three bills by Assembly Member Frazier, who represents portions of Contra Costa, Sacramento and Solano counties that lie within the statutory Delta.

The Sacramento-San Joaquin Delta Reform Act of 2009 prohibits the Department of Water Resources from commencing construction of any diversion, conveyance, or other facility necessary to divert and convey water pursuant to the change in the point of diversion until the State Water Resources Control Board issues an order approving a change in the point of diversion of the State Water Project and the federal Central Valley Project from the southern Delta to a certain point on the Sacramento River. The 2009 law requires a state or local public agency that proposes to undertake a covered action to prepare and submit to the council a written certification of consistency with the Delta Plan before undertaking that action.

The provision of this legislation that is most troubling is a prohibition against the Delta Stewardship granting a certification of consistency with the Delta Plan until the board has completed its update of the 2006 Water Quality Control Plan for the Bay-Delta Estuary that was initiated with a notice of preparation in 2009. The latter effort is a four-phase undertaking for which the board has recently completed Phase 1. Waiting for the completion of the water quality control plan update would unnecessarily delay progress on construction of WaterFix, the operation of which will likely be subject to the water quality control plan once it is adopted and implemented.

Agency staff authorized the communication of an 'oppose' position to the author and Assembly Water, Parks & Wildlife Committee last week, at the request of State Water Contractors. The Desert Water board of directors is being asked to ratify that position.

Current Position: Oppose

Recommended Position: Oppose

AB 793

(Frazier D) Sacramento-San Joaquin Delta: financing.

Current Text: Amended: 3/27/2017 [Text](#)

Introduced: 2/15/2017

Last Amend: 3/27/2017

Status: 3/27/2017-From committee chair, with author's amendments: Amend, and re-refer to Com. on W.,P., & W. Read second time and amended.

Is Urgency: N

Is Fiscal: N

Location: 3/2/2017-A. W.,P. & W.

Calendar: 4/4/2017 9 a.m. - State Capitol, Room 437 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, Chair

Summary: Existing law establishes various state water policies, including the policy that source watersheds are recognized and defined as integral components of California's water infrastructure. This bill would declare it to be state policy that the existing state of the Sacramento-San Joaquin Delta is recognized and defined as an integral component of California's water infrastructure. The bill would state that the maintenance and repair of the Delta are eligible for the same forms of financing as other water collection and treatment infrastructure and would specify the maintenance and repair activities that are eligible are limited to certain cleanup and abatement-related restoration and conservation activities.

Laws: An act to add Section 108.7 to the Water Code, relating to water.

Notes 1: This legislation would declare it to be state policy that the natural state of the Sacramento-San Joaquin Delta is recognized and defined as an integral component of California's water infrastructure.

Eligible maintenance and repair activities that would be funded pursuant to state policy would be limited to the following cleanup and abatement related restoration and conservation activities: (1) Cleanup and abatement of toxic or hazardous waste spilled into or exposed in any way to the Delta's recognized waters or hydrology; (2) Cleanup and abatement of marine debris, solid waste, and abandoned vessels of any kind; (3) Habitat restoration or conservation in addition to, but not exclusive of, any other habitat conservation plan; (4) Water quality improvement projects that protect or enhance the quality of water in the Delta for human and environmental purposes, reduce salinity, prevent seawater intrusion into the Delta, or improve freshwater flows into the Delta; and (5) Projects with a demonstrated likelihood of improving conditions of the water and ecosystems in the Delta for the benefit of humans and the environment.

This bill is modeled after legislation last year relating to watershed lands, rivers and streams. AB 2480 (Bloom, Chapter 695, Statutes of 2016) declares it to be state policy that source watersheds are recognized and defined as integral components of California's water infrastructure. The law states the particular importance to maintaining the reliability, quantity, timing, and quality of California's environmental, drinking, and agricultural water supply as climate change advances of source watersheds that supply the majority of the state's drinking and irrigated agricultural water. The law states that the maintenance and repair of source watersheds is eligible for the same forms of financing as other water collection and treatment infrastructure and would specify that the maintenance and repair activities that are eligible are limited to specified forest ecosystem restoration and conservation activities.

The concern raised by this legislation is the reference to recognition of the "natural state" of the Delta. SBX7-1 of 2009 amended Section 29702 of the Public Resources Code to specify that the Legislature finds and declares that the basic goals of the state for the Delta are the following: (a) Achieve the two coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place; (b) Protect, maintain, and, where possible, enhance and restore the overall quality of the Delta environment, including, but not limited to, agriculture, wildlife habitat, and recreational activities; (c) Ensure orderly, balanced conservation and development of Delta land resources; and (d) Improve flood protection by structural and nonstructural means to ensure an increased level of public health and safety.

AB 793 would declare that the "natural state of the Sacramento-San Joaquin Delta is recognized..." This policy declaration is not consistent with the provisions of SBX7-1 and therefore is not in the interest of Desert Water Agency.

Agency staff authorized the communication of an 'oppose' position to the author and Assembly Water, Parks & Wildlife Committee last week, at the request of State Water Contractors. The Desert Water board of directors is being asked to ratify that position.

Current Position: Oppose

Recommended Position: Oppose

AB 798

(Garcia, Eduardo D) Salton Sea restoration.

Current Text: Amended: 3/23/2017 [Text](#)

Introduced: 2/15/2017

Last Amend: 3/23/2017

Status: 3/27/2017-Re-referred to Com. on W.,P., & W.

Is Urgency: N

Is Fiscal: Y

Location: 3/23/2017-A. W.,P. & W.

Summary: The Salton Sea Restoration Act requires the Secretary of the Natural Resources Agency, in consultation and coordination with the Salton Sea Authority, to lead Salton Sea restoration efforts. The act, to the extent that funding is appropriated to the Department of Fish and Wildlife for Salton Sea restoration activities, authorizes the Department of Water Resources, in coordination and under agreement with the Department of Fish and Wildlife, to undertake certain restoration efforts. The act authorizes the Salton Sea Authority to lead a feasibility study, in coordination and under contract with the Secretary of the Natural Resources Agency, as prescribed. This bill would require the Natural Resources Agency, on or before June 30, 2018, to undertake certain planning activities and to make an effort to secure adequate funding to accomplish a specified goal for the restoration of the Salton Sea.

Laws: An act to amend Section 2940 of, and to add Section 2942.5 to, the Fish and Game Code,

relating to the Salton Sea.

Notes 1: This legislation would add two statements of findings and declarations to existing law relating to the Salton Sea:

(1) In furtherance of the state's statutory and legal obligations for the Salton Sea for the duration of the Quantification Settlement Agreement, the Governor established the Salton Sea Task Force in May 2015. The Salton Sea Task Force issued findings in November 2015, which called for the immediate development of a Salton Sea Management Program that would provide for sustainable habitat and air quality management and mitigation at the Salton Sea to protect regional air quality and natural resources at the Salton Sea, and the management of the Colorado River water supply for California in response to the reduced inflows resulting from the implementation of the Quantification Settlement Agreement. The Salton Sea Task Force identified a specific goal of establishing 25,000 acres of wildlife habitat, air quality projects, and other projects as necessary to avoid and minimize human health and ecosystem impacts at the Salton Sea in the medium-term through 2025.

(2) In addition to identifying the medium-term goal of establishing 25,000 acres of wildlife habitat, air quality projects, and other projects, and in furtherance of the state's statutory and legal obligations, the Salton Sea Task Force will complete a plan to address the long-term restoration and management needs of the Salton Sea.

This legislation also would, on or before June 30, 2018, require the Natural Resources Agency to do all the following: (1) Establish a timeline for the completion of the medium-term goal of establishing 25,000 acres of wildlife habitat, air quality projects, and other projects necessary to avoid and minimize human health and ecosystem impacts at the Salton Sea; (2) Identify and make an effort to secure adequate funding to accomplish the medium-term goal of establishing 25,000 acres of wildlife habitat, air quality projects, and other projects necessary to avoid and minimize human health and ecosystem impacts at the Salton Sea, including funding for the operation and maintenance of these projects; and (3) Complete a plan for the long-term restoration and management of the Salton Sea, including identifying adequate funding to carry out the activities in the plan.

Current Position: Not Yet Considered

Recommended Position: Favor

AB 851

(Caballero D) Local agency design-build projects.

Current Text: Amended: 3/22/2017 [Text](#)

Introduced: 2/16/2017

Last Amend: 3/22/2017

Status: 3/23/2017-Re-referred to Com. on L. GOV.

Is Urgency: N

Is Fiscal: Y

Location: 3/2/2017-A. L. GOV.

Summary: Existing law authorizes a local agency, until January 1, 2025, to use the design-build procurement process when contracting for specified public works. Existing law defines the term "local agency" for those provisions to mean specified entities, including a city or county, or a special district that operates specified types of facilities. Existing law authorizes a city or county or a special district that falls within the definition of a local agency to use the design-build procurement process for specified types of public works projects. Existing law requires specified information submitted by a design-build entity, as defined, in the design-build procurement process to be certified under penalty of perjury. This bill would modify the definition of "local agency" for those purposes to include special districts that provide or operate specified types of services or facilities. This bill would expand the list of public works projects for which a local agency may utilize the design-build procurement process. By expanding the design-build authorization of these types of local agencies to additional development projects and additional types of entities, the bill would expand the scope of crime of perjury and would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 21162 and 22161 of the Public Contract Code, relating to public contracts.

Notes 1: This legislation would expand design-build authority under existing law, which now limits special district participation to those districts that provide or operate wastewater facilities, solid waste management facilities, water recycling facilities, or fire protection facilities. This bill also would authorize participation for a special district that provides flood protection, habitat restoration or enhancement, groundwater recharge or storage, surface water storage or operates water treatment facilities.

In regard to the existing design-build authority, the Legislature has found that the design-build method of project delivery, using a best value procurement methodology, previously had been authorized for various agencies that have reported benefits from such projects including reduced

project costs, expedited project completion, and design features that are not achievable through the traditional design-bid-build method.

One of the threshold questions regarding this legislation is whether the types of project purposes it proposes to add involve design features that are not achievable through the traditional design-bid-build method. Aside from surface water storage and water treatment projects, it is unlikely that the other projects include such design features.

AB 2551 by Assembly Member Gallagher (Chapter 760, Statutes of 2016) allows a local agency to use the construction manager at-risk, design-build, or design-build-operate method of delivery on a surface storage project identified in the CALFED Bay-Delta Program Record of Decision, dated August 28, 2000, that receives funding pursuant to Proposition 1. AB 2551 requires these contracts to be awarded on a best value basis or to the lowest responsible bidder, and establishes a procurement process for these contracts.

The Agency should consider whether design-build authority would be beneficial for groundwater recharge or storage or surface water storage projects not identified by CALFED. If passage of this legislation would be helpful, then a 'favor' position would be in order. If not, then a 'watch' position would be appropriate.

Current Position: Not Yet Considered

Recommended Position: Pending Board Input

AB 869

(Rubio D) Sustainable water use and demand reduction: recycled water.

Current Text: Amended: 3/23/2017 [Text](#)

Introduced: 2/16/2017

Last Amend: 3/23/2017

Status: 3/27/2017-Re-referred to Com. on W.,P., & W.

Is Urgency: N

Is Fiscal: Y

Location: 3/23/2017-A. W.,P. & W.

Summary: (1)Existing law imposes various water use reduction requirements that apply to urban retail water suppliers, including a requirement that the state achieve a 20% reduction in urban per capita water use by December 31, 2020.This bill would require recycled water delivered within the service area of an urban retail water supplier or its urban wholesale water supplier for either nonpotable or potable use or that replenishes a groundwater basin and supplements the groundwater supply available to an urban retail water supplier be excluded from the calculation of any water use or water efficiency target established after 2020.(2)Existing law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as The California Water Plan. Existing law requires the department, in consultation with the State Water Resources Control Board and with public input, no later than January 1, 2011, and updated as part of The California Water Plan, to propose new statewide targets, or review and update existing targets, for regional water resource management practices, including recycled water.This bill contains other existing laws.

Laws: An act to amend Section 10608.12 of, and to add Section 10608.18 to, the Water Code, relating to water.

Notes 1: Existing law imposes various water use reduction requirements that apply to urban retail water suppliers, including a requirement that the state achieve a 20% reduction in urban per capita water use by December 31, 2020 (20x2020).

This legislation is sponsored by a number of local water agencies located in northern San Diego County. It would require recycled water delivered within the service area of an urban retail water supplier or its urban wholesale water supplier for either nonpotable or potable use or that replenishes a groundwater basin and supplements the groundwater supply available to an urban retail water supplier be excluded from the calculation of any water use or water efficiency target established after 2020. The 2009 existing law excludes recycled water that is delivered within the service area of an urban retail water supplier from the definition of "Gross water use", which means the total volume of water, whether treated or untreated, entering the distribution system of an urban retail water supplier. The advancement of technology and current and planned changes to the manner in which the state regulates recycled water argue for updating the definition in the 2009 law. This takes on even greater importance given recommendations included in a draft document titled "Making Conservation a Way of Life" that was released in November 2016. While the final document has not been released by Governor Brown, the recommendations could result in legislation to significantly change provisions of the 2009 law (20x2020) and the Urban Water Management Planning Act.

This legislation also would redefine "recycled water" to also include recycled water supplied for nonpotable uses. The bill would define "potable reuse" for these purposes. These changes pertain to

provisions of the Urban Water Management Planning Act and are intended to protect state and local investments in water recycling infrastructure from mandatory reductions in use during times of drought emergency or water shortage.

Current Position: Not Yet Considered

Recommended Position: Support

AB 898

(Frazier D) Property taxation: revenue allocation: fire protection services.

Current Text: Introduced: 2/16/2017 [Text](#)

Introduced: 2/16/2017

Status: 2/17/2017-From printer. May be heard in committee March 19.

Is Urgency: N

Is Fiscal: N

Location: 2/16/2017-A. PRINT

Summary: Existing property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures. Existing law generally requires that each jurisdiction be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined. Existing law provides for the computation, on the basis of these allocations, of apportionment factors that are applied to actual property tax revenues in each county in order to determine actual amounts of property tax revenue received by each recipient jurisdiction. The California Constitution requires that a statute that changes for any fiscal year the pro rata shares of ad valorem property tax revenues that are allocated among local agencies in a county be approved by a 2/3 vote of each house of the Legislature. This bill would state the intent of the Legislature to enact legislation that would reallocate property tax revenue to fire protection services.

Laws: An act relating to taxation.

Notes 1: This legislation would state the intent of the Legislature to alter existing law relating to the allocation of local property tax revenue. The legislation cannot be referred to a legislative policy committee for consideration unless it is amended to include substantive provisions. The Agency should monitor this legislation given the subject matter.

Current Position: Not Yet Considered

Recommended Position: Watch

AB 968

(Rubio D) Urban water management planning.

Current Text: Introduced: 2/16/2017 [Text](#)

Introduced: 2/16/2017

Status: 3/27/2017-Referred to Com. on W.,P., & W.

Is Urgency: N

Is Fiscal: N

Location: 3/27/2017-A. W.,P. & W.

Summary: Existing law, the Urban Water Management Planning Act, requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan and to update its plan once every 5 years on or before December 31 in years ending in 5 and zero, except as specified. This bill would make nonsubstantive changes in these provisions.

Laws: An act to amend Section 10610 of the Water Code, relating to water.

Notes 1: This bill would make technical, nonsubstantive changes to provisions of state law relating to the Urban Water Management Planning Act. The Agency should monitor this legislation given the subject matter.

Current Position: Not Yet Considered

Recommended Position: Watch

AB 1000

(Friedman D) Water conservation: certification.

Current Text: Introduced: 2/16/2017 [Text](#)

Introduced: 2/16/2017

Status: 3/2/2017-Referred to Com. on W.,P., & W.

Is Urgency: N

Is Fiscal: Y

Location: 3/2/2017-A. W.,P. & W.

Summary: Existing law requires the State Energy Resources Conservation and Development

Commission to establish design and construction standards and energy and water conservation design standards that increase efficiency in the use of energy and water for new residential and new nonresidential buildings to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy. Existing law requires the commission to establish minimum levels of operating efficiency to promote the use of energy and water efficient appliances. This bill would require the commission to certify innovative water conservation and water loss detection and control technologies that meet certain criteria.

Laws: An act to add Section 25402.14 to the Public Resources Code, relating to water conservation.

Notes 1: This bill would require the State Energy Resources Conservation and Development Commission to certify innovative water conservation and water loss detection and control technologies. Current law only requires the commission to establish design and construction standards and energy and water conservation design standards.

Many appliances offered for sale in California are regulated under the state's Appliance Efficiency Regulations (California Code of Regulations, Title 20). The Program requires that the manufacturers of certain appliances meet state and federal standards for energy and water efficiency. Manufacturers must also certify the performance of their appliances to the Energy Commission to demonstrate compliance with the standards and make this information available to the public. Certifying compliance to the California Energy Commission (CEC) involves testing at a CEC approved test facility according to the specific test methods.

The purpose of this legislation is unclear in that manufacturers must now certify their appliances and not the commission. This bill could add water loss detection and control technologies to the regulatory purview of the commission. Whether the latter is needed is unclear.

Current Position: Not Yet Considered

Recommended Position: Watch

AB 1019 (Chiu D) California Uniform Construction Cost Accounting Commission.

Current Text: Introduced: 2/16/2017 [Text](#)

Introduced: 2/16/2017

Status: 3/27/2017-Referred to Com. on L. GOV.

Is Urgency: N

Is Fiscal: N

Location: 3/27/2017-A. L. GOV.

Summary: Existing law establishes the California Uniform Construction Cost Accounting Commission and requires the commission to recommend for adoption by the Controller uniform construction cost accounting procedures for implementation by public agencies in the performance of, or in contracting for, construction on public projects and cost accounting procedures designed especially for implementation by California cities with populations of less than 75,000. Existing law authorizes the commission to accept grants in order to assist the commission in carrying out its duties, functions, and powers. This bill would make nonsubstantive changes to the provision authorizing the commission to accept grants.

Laws: An act to amend Section 22015 of the Public Contracts Code, relating to public contracts.

Notes 1: This is a spot bill. The Agency should monitor this legislation given the subject matter.

Current Position: Not Yet Considered

Recommended Position: Watch

AB 1041 (Levine D) Urban water suppliers: urban water shortage contingency analysis.

Current Text: Introduced: 2/16/2017 [Text](#)

Introduced: 2/16/2017

Status: 3/6/2017-Referred to Com. on W., P., & W.

Is Urgency: N

Is Fiscal: Y

Location: 3/6/2017-A. W., P. & W.

Summary: Existing law, the Urban Water Management Planning Act, requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan and to update its plan once every 5 years on or before December 31 in years ending in 5 and zero, except as specified. Existing law requires that the plan provide an urban water shortage contingency analysis, including an estimate of the minimum water supply available during each of the following 3 water years based on the driest 3-year historic sequence for the agency's water supply. This bill would instead require an estimate of the minimum water supply available during each of the following 5 years to be based on the driest 5-year historic sequence for the agency's water supply. This bill contains other related provisions and other existing

laws.

Laws: An act to amend Section 10632 of the Water Code, relating to water.

Notes 1: The author is the sponsor of this legislation, which seeks to implement certain recommendations included in a November 2016 draft document titled "Making Water Conservation a California Way of Life" a report intended to implement Governor Brown's Executive Order B-37-16. This legislation, similar to other legislation introduced this year (and those bills pending substantive amendments), is based on the draft document, which has not yet been finalized by the Brown Administration.

This legislation takes a rather rigid approach on two fronts. First, it would require an estimate of the minimum water supply available during the driest 5-year historic sequence for the agency's water supply. An urban retail water supplier should have an option of analyzing the impact of a lesser period of time if the latter is more meaningful for the supplier. For example, prior to the recent drought, some suppliers experienced the greatest loss of available water supply in 1976-77, while others suffered greater losses in the drought experienced between 1929-34. Second, this bill would require stages of action to be undertaken by the urban water supplier in response to specified 10%, 20%, 30%, 40% and 50% reductions in water supply. This level of detail is likely beyond the scope of necessary analysis as carryover water supply availability or other factors may not require the imposition of water demand reduction measures. At some point, state government should allow an individual urban retail water supplier to manage its system without undue regulation by the state.

Current Position: Not Yet Considered

Recommended Position: Not Favor unless Amended

AB 1050 **(Allen, Travis R) Fish and wildlife: Delta smelt.**

Current Text: Introduced: 2/16/2017 [Text](#)

Introduced: 2/16/2017

Status: 3/27/2017-Referred to Com. on W.,P., & W.

Is Urgency: N

Is Fiscal: N

Location: 3/27/2017-A. W.,P. & W.

Summary: The California Constitution provides for the delegation to the Fish and Game Commission powers relating to the protection and propagation of fish and game. Existing statutory law delegates to the commission the power to regulate the taking or possession of birds, mammals, fish, amphibians, and reptiles in accordance with prescribed laws. Under existing law, the Department of Fish and Wildlife exercises various functions with regard to the taking of fish and wildlife. This bill would state the intent of the Legislature to enact legislation relating to Delta smelt.

Laws: An act relating to fish and wildlife.

Notes 1: This legislation would make technical, nonsubstantive changes to existing law relating to the Delta smelt. The Coalition should monitor this legislation given the subject matter.

Current Position: Not Yet Considered

Recommended Position: Watch

AB 1273 **(Gallagher R) Urban water management plans.**

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 3/27/2017-Referred to Com. on NAT. RES.

Is Urgency: N

Is Fiscal: N

Location: 3/27/2017-A. NAT. RES.

Summary: Existing law, the Urban Water Management Planning Act, requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan. This bill would make nonsubstantive changes to that act.

Laws: An act to amend Section 10610 of the Water Code, relating to water management.

Notes 1: This bill would make technical, nonsubstantive changes to provisions of state law relating to urban water management planning. The Agency should monitor this legislation given the subject matter.

Current Position: Not Yet Considered

Recommended Position: Watch

AB 1323 **(Weber D) Sustainable water use and demand reduction: stakeholder workgroup.**

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 3/13/2017-Referred to Com. on W.,P., & W.

Is Urgency: N

Is Fiscal: Y

Location: 3/13/2017-A. W.,P. & W.

Summary: Existing law requires the state to achieve a 20% reduction in urban per capita water use in California by December 31, 2020. Existing law requires each urban retail water supplier to develop urban water use targets and an interim urban water use target, as specified, and requires each agricultural water supplier to implement efficient water management practices. This bill would require the Department of Water Resources to convene a stakeholder workgroup with prescribed representatives invited to participate, including, among others, representatives of the department and the State Water Resources Control Board, no later than February 1, 2018. The bill would require the stakeholder workgroup to develop, evaluate, and recommend proposals for establishing new water use targets for urban water suppliers and to examine and report to the Governor and the Legislature by December 31, 2018, as specified. The bill would require all expenses for the stakeholder working group to be the responsibility of the nonstate agency stakeholders. The bill would repeal its provisions on January 1, 2022.

Laws: An act to add and repeal Section 10608.9 of the Water Code, relating to water.

Notes 1: The San Diego County Water Authority is the sponsor of this bill. The bill is a placeholder of sorts in response to recommendations included in a November 2016 draft document titled "Making Water Conservation a California Way of Life" a report intended to implement Governor Brown's Executive Order B-37-16. This legislation, similar to other legislation introduced this year (and those bills pending substantive amendments), is based on the draft document, which has not yet been finalized by the Brown Administration. Rather than propose specific changes to existing law, this bill would set up a stakeholder process to assist the Brown Administration, and presumably the Legislature, to develop those changes.

Current Position: Not Yet Considered

Recommended Position: Watch

AB 1529

(Thurmond D) Cross-connection or backflow prevention device inspectors: certification.

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 3/16/2017-Referred to Com. on E.S. & T.M.

Is Urgency: N

Is Fiscal: Y

Location: 3/16/2017-A. E.S. & T.M.

Calendar: 4/4/2017 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

Summary: Existing law provides for the licensing and certification of various professions by state boards and commissions. Existing law establishes the California Building Standards Commission and sets forth its powers and duties, including, but not limited to, the duty to codify all building standards adopted by state agencies into one California Building Standards Code. This bill would require a person who performs maintenance or testing of a cross-connection or backflow prevention device to be certified, as specified. The bill would require the California Building Standards Commission to publish a list of approved statewide certification providers on or before January 1, 2019. The bill would provide exceptions for local certification programs and for acceptance of previously issued certifications in certain circumstances.

Laws: An act to add Chapter 9.6 (commencing with Section 7220) to Division 3 of the Business and Professions Code, relating to professions and vocations.

Notes 1: "Cross-Connection" is an unprotected actual or potential connection between a potable water system used to supply water for drinking purposes and any source or system containing unapproved water or a substance that is not or cannot be approved as safe, wholesome, and potable. By-pass arrangements, jumper connections, removable sections, swivel or changeover devices, or other devices through which backflow could occur, shall be considered to be cross-connections. California regulations require that backflow preventers shall be tested by persons who have demonstrated their competency in testing of these devices to the water supplier or health agency. A District "Cross-Connection Control Specialist" shall be a Cross-Connection Control Program Specialist with current AWWA certification or District-approved organization with equivalent certification requirements. A "District Backflow Prevention Assembly Tester" shall be a Backflow Prevention Assembly General Tester with current AWWA certification or District-approved organization with equivalent certification requirements.

This legislation would require cross-connection or backflow prevention device testing or maintenance to be performed by a person who has received a California-specific certification that demonstrates competency in that testing or maintenance, presumably through a program developed by an

unspecified state agency. The bill would provide an exception where a local health officer maintains a local certification program. The bill should be amended to also provide an exception for the current AWWA certification.

Current Position: Not Yet Considered

Recommended Position: Favor if amended

AB 1562 (Garcia, Eduardo D) Salton Sea restoration.

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 3/27/2017-Referred to Coms. on L. GOV. and W.,P., & W.

Is Urgency: N

Is Fiscal: N

Location: 3/27/2017-A. L. GOV.

Summary: The Salton Sea Restoration Act, among other things, requires the Secretary of the Natural Resources Agency, in consultation and coordination with the Salton Sea Authority, to lead Salton Sea restoration efforts. The act, to the extent that funding is appropriated to the Department of Fish and Wildlife for Salton Sea restoration activities, authorizes the Department of Water Resources, in coordination and under agreement with the Department of Fish and Wildlife, to undertake certain restoration efforts. The act authorizes the Salton Sea Authority to lead a feasibility study, in coordination and under contract with the Secretary of the Natural Resources Agency, as prescribed. This bill would make nonsubstantive changes to the provision that names the act.

Laws: An act to amend Section 2930 of the Fish and Game Code, relating to the Salton Sea.

Notes 1: This legislation is being amended by the author to require the Desert Water Agency, on or before January 1, 2020, to determine the feasibility of forming a joint powers agreement with at least one of the following entities: The Agua Caliente Band of Cahuilla Indians; The City of Indio; Coachella Valley Water District, and Mission Springs Water District. The purpose of the JPA would be to manage the Coachella Valley Groundwater Basin.

The legislation would require the Agency to report its findings to the entities identified above and the Assembly Committee on Water, Parks & Wildlife and the Senate Committee on Natural Resources (and Water).

This legislation would impose a mandate on Desert Water Agency, which may be eligible for future reimbursement of expenditures made to comply with provisions of the bill. The bill is unclear in its mandate, but appears to directly conflict with provisions of the Sustainable Groundwater Management Act regarding the formation of groundwater sustainability agencies and the authority of such agencies to undertake actions to ensure the sustainable management of groundwater basins that have been designated as medium or high priority pursuant to the Act. The date by which the legislation would require findings to be submitted to the named parties and legislative committees comes after the SGMA deadline for forming GSAs, and could in all likelihood come after the Department of Water Resources approves the alternate approach to groundwater management previously implemented by local agencies, as compared to the development and submission of a groundwater sustainability plan. The latter, for the Coachella Valley Groundwater Basin, comes in 2022 under SGMA.

Fundamentally, the legislation places the Legislature in a position of interfering with active (often referred to as "pending" litigation), which the Legislature has been loathe to do in the past. Desert Water is currently a defendant in litigation initiated by Mission Springs Water District and a defendant in litigation initiated by the Agua Caliente Band of Cahuilla Indians. Both cases--the former in superior court and the latter in Federal district court--involve matters surrounding groundwater resources policy, the application of Federal and state law, and groundwater management. Ostensibly, the Agency could proceed on its own volition under the legislation should it become law to determine the feasibility of forming a JPA. Doing so, however, would not appear to further to potential to form a JPA. Alternatively, a mandate on the Agency to enter into discussions regarding the formation of a JPA with entities with whom it current opposes in courts of law, places all parties in an untenable position.

Current Position: Not Yet Considered

Recommended Position: Oppose

AB 1617 (Bloom D) Department of Fish and Wildlife: funding.

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 3/27/2017-Referred to Com. on W.,P., & W.

Is Urgency:

Is Fiscal:

Location: 3/27/2017-A. W.,P. & W.

Calendar: 4/4/2017 9 a.m. - State Capitol, Room 437 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, Chair

Summary: Existing law makes legislative findings that the Department of Fish and Wildlife continues to be inadequately funded to meet its mandates and that the department must secure a significant increase in reliable funding, in addition to user fees. Existing law declares the intent of the Legislature that the department cooperate with the Legislature, recreational users, conservation organizations, the commercial fishing industry, and other interested parties to identify and propose new alternative sources of revenue to fund the department's necessary marine conservation, restoration, and resources management and protection responsibilities. This bill would declare the intent of the Legislature that the department, in cooperation with those parties and the hunting community, identify and propose new and alternative sources of revenue to fund the department's necessary wildlife and land conservation, restoration, and resources management and protection responsibilities.

Laws: An act to amend Section 710.7 of the Fish and Game Code, relating to fish and wildlife.

Notes 1: This bill would declare the intent of the Legislature that the department, in cooperation with specified parties and the hunting community, identify and propose new and alternative sources of revenue to fund the department's necessary wildlife and land conservation, restoration, and resources management and protection responsibilities. Agencies like the Desert Water Agency now pay a fee to the Department of Fish and Wildlife regarding department review of documents prepared pursuant to the California Environmental Quality Act. While this bill does not identify that particular source of revenue, it could still come under the scope of the bill once substantive amendments are made to it. Therefore, the Agency should monitor this legislation.

Current Position: Not Yet Considered

Recommended Position: Watch

AB 1654 (Cooper D) Water conservation.

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 3/27/2017-Referred to Com. on W.,P., & W.

Is Urgency: N

Is Fiscal: N

Location: 3/27/2017-A. W.,P. & W.

Summary: Existing law requires the state to achieve a 20% reduction in urban per capita water use in California by December 31, 2020. Existing law requires agricultural water suppliers to prepare and adopt agricultural water management plans with specified components on or before December 31, 2012, and to update those plans on or before December 31, 2015, and on or before December 31 every 5 years thereafter. Existing law sets forth various findings and declarations related to water conservation. This bill would make a nonsubstantive change in those findings and declarations.

Laws: An act to amend Section 10608 of the Water Code, relating to water.

Notes 1: This bill would make technical, nonsubstantive changes to provisions of state law relating to long-term water conservation targets for urban water suppliers.

Regional Water Authority will sponsor this legislation, which is pending substantive amendments. The latter were written by a working group of the Association of California Water Agencies (ACWA) State Legislative Committee. ACWA supports the proposed amendments.

The amendments generally would: (1) require an urban retail water supplier (like the Agency) to report specified monthly and yearly water supply and demand data to the California Department of Water Resources; (2) create a new definition for "emergency supply" with the goal of precluding any state agency action that would impose restrictions on the use of such supplies during a drought emergency or other water supply shortage condition; (3) require an analysis of water supply reliability to consider a period of five consecutive dry years or a lesser period of time if the latter caused more significant impacts to water supply availability; (4) provide that during a statewide or local drought or water shortage, an urban water supplier shall not be required to reduce its use or reliance on any water supply available for its use and identified in its Urban Water Management Plan, or be required to take additional actions beyond those specified in its water shortage contingency analysis for the level of shortage that is anticipated; and (5) make additional changes to the Urban Water Management Planning Act.

The amendments were written in response to a proposal by the Brown Administration, not yet released in a final document, to strengthen water planning requirements in light of the most recent declaration of a statewide drought emergency. ACWA member agencies are seeking to improve planning without adding unnecessary new state mandates regarding water supply availability. Agency staff and Reeb Government Relations will continue to work with RWA and ACWA to refine the amendment language where necessary or desirable. Whether this legislation will be the vehicle for a new statute or whether it will be used to establish a marker of sorts for urban retail water suppliers like the Agency is unknown at this time.

Provisions of the bill that would require the Agency (urban retail water supplier) to provide monthly and annual reporting regarding water supply and use to the Department of Water Resources would place an unnecessary burden on the Agency. The bill would require reporting, but not require DWR to taken any action regarding the data submitted. The provision was written in response to the reporting requirements imposed on public water systems by the State Water Resources Control Board in response to the declaration of a statewide drought emergency by Governor Brown. Future reporting for sole purpose of information sharing with a state agency, in this case, DWR, makes little sense and presumes that local agencies are incapable to taking actions to balance supply and demand. This provision of the bill should either be stricken or modified to require annual reporting to the new state water and environmental data base created through legislation last year (AB 1755) by then-Assembly Member Bill Dodd.

Current Position: Not Yet Considered

Recommended Position: Support/Amend

AB 1667 (Friedman D) Urban water suppliers: landscape water meters.

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 3/16/2017-Referred to Com. on W.,P., & W.

Is Urgency: N

Is Fiscal: N

Location: 3/16/2017-A. W.,P. & W.

Summary: Existing law, the Water Measurement Law, generally requires the installation of a water meter as a condition of new water service on and after January 1, 1992. The law, with certain exceptions, requires an urban water supplier to install water meters on all municipal and industrial service connections that are located in its service area on or before January 1, 2025. Existing law requires a water purveyor to require as a condition of new retail water service on and after January 1, 2008, the installation of separate water meters to measure the volume of water used exclusively for landscape purposes, as prescribed. This bill would require an urban water supplier to install dedicated landscape water meters on commercial, institutional, industrial, and multifamily service connections that are located in its service area on or before January 1, 2020, if the property has greater than 1,000 square feet of irrigated landscape, and on or before January 1, 2025, if the property has greater than 500, but less than 1,001, square feet of irrigated landscape. The bill would require an urban water supplier to install dedicated landscape water meters on single-family residential service connections that are located in its service area on or before January 1, 2030, if the property has greater than 5,000 square feet of irrigated landscape. The bill would authorize an urban water supplier to waive these requirements for a customer that, before January 1, 2018, has installed one or more separate submeters that exclusively measure all water usage for irrigated landscape and that agrees to provide water consumption data recorded by the submeter at least annually to the urban water supplier. This bill would exempt from these requirements a service connection where a separate water meter for landscape purposes is required by existing law as a condition of new retail water service.

Laws: An act to add Section 536 to the Water Code, relating to water meters.

Notes 1: Existing law requires a water purveyor to require as a condition of new retail water service on and after January 1, 2008, the installation of separate water meters to measure the volume of water used exclusively for landscape purposes. However, the requirement does not apply to single-family residential connections and otherwise limits the requirement to a service connection for which the connection serves property with more than 5,000 square feet of irrigated landscape.

This legislation would require an urban water supplier to install dedicated landscape water meters on commercial, institutional, industrial, and multifamily service connections that are located in its service area on or before January 1, 2020, if the property has greater than 1,000 square feet of irrigated landscape, and on or before January 1, 2025, if the property has greater than 500, but less than 1,001, square feet of irrigated landscape. The bill would require an urban water supplier to install dedicated landscape water meters on single-family residential service connections that are located in its service area on or before January 1, 2030, if the property has greater than 5,000 square feet of irrigated landscape. Such an undertaking would involve a major investment of time and materials on the part of the Agency, the cost of which would be borne by water system ratepayers. The initial deadline for the installation of specified landscape water meters would be extremely challenging.

Governor Brown's 2016 executive order makes permanent some water waste restrictions that were initiated in 2015, including: Irrigating lawns in a way that causes runoff; watering within 48 hours of precipitation; and using potable water to irrigate turf in street medians. The Agency offers numerous water efficiency programs related to landscape irrigation. And, the reduction of outdoor irrigation use has been targeted under the 20x2020 law and will be further addressed under a proposed new law by the Brown Administration to further reduce gallons per capita per day water use in the service areas of urban retail water suppliers.

Current Position: Not Yet Considered

Recommended Position: Oppose

AB 1668 (Friedman D) Water conservation: guidelines.

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 3/16/2017-Referred to Com. on W.,P., & W.

Is Urgency: N

Is Fiscal: Y

Location: 3/16/2017-A. W.,P. & W.

Summary: Existing law requires the state to achieve a 20% reduction in urban per capita water use on or before December 31, 2020, and to make incremental progress toward that state target by reducing urban per capita water use by at least 10% on or before December 31, 2015. This bill would require the state board, on or before July 1, 2018, in consultation with the department and other appropriate state agencies, to adopt water conservation guidelines that are consistent with a specified report issued in response to Executive Order B-37-16. This bill contains other existing laws.

Laws: An act to add Section 10608.51 to the Water Code, relating to water conservation.

Notes 1: This legislation is similar to multiple bills introduced this year in response to the draft document released last November titled "Making Water Conservation a California Way of Life" that would implement Governor Brown's Executive Order B-37-16. The report has yet to be released in its final form. And, it is likely that statutory changes will be required in order to implement many of the recommendations relating to water use efficiency. It would be far better for the Legislature to consider enactment of new laws than to give the executive agencies broad authority to implement recommendations.

Current Position: Not Yet Considered

Recommended Position: Not Favor

AB 1669 (Friedman D) Urban water use efficiency.

Current Text: Amended: 3/22/2017 [Text](#)

Introduced: 2/17/2017

Last Amend: 3/22/2017

Status: 3/23/2017-Re-referred to Com. on W.,P., & W.

Is Urgency: N

Is Fiscal: Y

Location: 3/16/2017-A. W.,P. & W.

Summary: Existing law requires the state to achieve a 20% reduction in urban per capita water use on or before December 31, 2020, and to make incremental progress toward that state target by reducing urban per capita water use by at least 10% on or before December 31, 2015. This bill, on or before January 1, 2019, would require the State Water Resources Control Board, in consultation with the Department of Water Resources and other appropriate state agencies, to establish and adopt a process to increase urban water use efficiency through incremental urban water use efficiency standards and in that regard to establish an urban water use efficiency standard to be achieved by urban water suppliers by January 1, 2025. The bill would require the state board to review and consider updates to the urban water use efficiency standard every 5 years.

Laws: An act to add Section 10608.18 to the Water Code, relating to water.

Notes 1: This legislation is similar to multiple bills introduced this year in response to the draft document released last November titled "Making Water Conservation a California Way of Life" that would implement Governor Brown's Executive Order B-37-16. The report has yet to be released in its final form. And, it is likely that statutory changes will be required in order to implement many of the recommendations relating to water use efficiency. It would be far better for the Legislature to consider enactment of new laws than to give the executive agencies broad authority to implement recommendations.

Current Position: Not Yet Considered

Recommended Position: Not Favor

AB 1671 (Caballero D) Backflow prevention devices.

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 3/16/2017-Referred to Com. on E.S. & T.M.

Is Urgency: N

Is Fiscal: Y

Location: 3/16/2017-A. E.S. & T.M.

Calendar: 4/4/2017 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

Summary: Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health, including, but not limited to, conducting research, studies, and demonstration projects relating to the provision of a dependable, safe supply of drinking water, enforcing the federal Safe Drinking Water Act, adopting regulations, and conducting studies and investigations to assess the quality of private domestic water wells. This bill, on or before January 1, 2020, would require the state board to update its backflow protection regulations and to adopt regulations establishing the minimum standards for a backflow prevention device tester for purposes of certification by a local health official. This bill contains other existing laws.

Laws: An act to amend Section 116810 of, and to add Section 116801 to, the Health and Safety Code, relating to drinking water.

Notes 1: Existing law, to ensure that testing and maintenance of backflow prevention devices are performed by persons qualified to do testing and maintenance, authorizes local health officers to maintain programs for certification of backflow prevention device testers and requires the certification program to be consistent with backflow protection regulations adopted by the state board. District employees are certified by the AWWA. It is unclear as to the need to require the State Water Board to develop minimum certification requirements. The costs imposed on the State Water Board will likely be added into public water system permit fees imposed on the District and other public water systems by the Board's Division of Drinking Water. This is likely unnecessary.

Current Position: Not Yet Considered

Recommended Position: Not Favor

AB 1673 (Aguiar-Curry D) The California Water Plan.

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 2/19/2017-From printer. May be heard in committee March 21.

Is Urgency: N

Is Fiscal: N

Location: 2/17/2017-A. PRINT

Summary: Existing law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as The California Water Plan. This bill would make technical, nonsubstantive changes to that requirement.

Laws: An act to amend Section 10004 of the Water Code, relating to water resources.

Notes 1: This legislation would make technical, nonsubstantive changes to existing law relating to the California Water Plan. The Agency should monitor this legislation given the subject matter.

Current Position: Not Yet Considered

Recommended Position: Watch

SB 564 (McGuire D) Joint powers authorities: Water Bill Savings Act.

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 3/8/2017-Set for hearing April 5.

Is Urgency: N

Is Fiscal: N

Location: 3/2/2017-S. GOV. & F.

Calendar: 4/5/2017 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary: Existing law, the Marks-Roos Local Bond Pooling Act of 1985, authorizes joint powers authorities, among other powers, to issue bonds and loan the proceeds to local agencies to finance specified types of projects and programs. This bill would enact the Water Bill Savings Act, which would authorize a joint powers authority to provide funding for a customer of a local agency or its publicly owned utility to acquire, install, or repair a water efficiency improvement on the customer's property served by the local agency or its publicly owned utility. The bill would require the customer to repay the authority through an efficiency charge on the customer's water bill to be established and collected by the local agency or its publicly owned utility on behalf of the authority pursuant to a servicing agreement. The bill would authorize the authority to issue bonds to fund the program. The bill would require an efficiency improvement to comply with certain provisions of the CalConserve Water Use Efficiency Revolving Loan Program guidelines to be eligible for financing under the bill. The bill would also make technical changes.

Laws: An act to add Section 6588.8 to, and to repeal and amend Section 6586.7 of, the Government

Code, relating to water.

Notes 1: This legislation would authorize a joint powers authority to provide funding for a customer of a local agency or its publicly owned utility to acquire, install, or repair a water efficiency improvement on the customer's property served by the local agency or its publicly owned utility. The bill would require the customer to repay the authority through an efficiency charge on the customer's water bill to be established and collected by the local agency or its publicly owned utility on behalf of the authority pursuant to a servicing agreement. The bill would authorize the authority to issue bonds to fund the program. The bill would require an efficiency improvement to comply with certain provisions of the CalConserve Water Use Efficiency Revolving Loan Program guidelines to be eligible for financing under the bill.

It is the intent of the author to "make water efficiency improvements more affordable and promote the acquisition, installation, and repair of those improvements by allowing local agencies to establish a mechanism by which they may help their water customers to acquire, install, and repair water efficiency improvements on privately owned customer properties." Participating in the program by a customer would be voluntary and the local agency or publicly owned utility would be required to authorize its participation in the program before a customer could participate.

This legislation would create a new program that could assist local water districts in achieving future reductions in gallons per capita per day water use through a voluntary, collaborative approach.

Current Position: Not Yet Considered

Recommended Position: Favor

SB 623

(Monning D) Safe and Affordable Drinking Water Fund.

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 3/27/2017-April 5 set for first hearing canceled at the request of author.

Is Urgency: N

Is Fiscal: Y

Location: 3/2/2017-S. E.Q.

Calendar: 4/19/2017 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, WIECKOWSKI, Chair

Summary: Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. This bill would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the board. By creating a new continuously appropriated fund, this bill would make an appropriation.

Laws: An act to add Chapter 4.6 (commencing with Section 116765) to Part 12 of Division 104 of the Health and Safety Code, relating to drinking water, and making an appropriation therefor.

Notes 1: This legislation includes a substantive provision in that it would create a new fund in the State General Fund to address safe drinking water programs. The problem with the bill is that it does not indicate the source of revenue that would be transferred to the new fund, nor does it provide details as to expenditures. The bill could be a vehicle for the introduction of a public goods charge, which the Agency has opposed in the past. The Agency should closely monitor this legislation given the subject matter.

Current Position: Not Yet Considered

Recommended Position: Watch

SB 691

(Lara D) Local agency elections: party preference.

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 3/9/2017-Referred to Com. on E. & C.A.

Is Urgency: N

Is Fiscal: Y

Location: 3/9/2017-S. E. & C.A.

Summary: (1) Existing law permits the voters of a city to nominate a candidate for an elective office of the city by the signing and filing of nomination papers, as specified. Existing law requires a candidate for an elective office in a local agency to include an affidavit with his or her nomination papers, indicating the candidate's name, designation, and residence address, as specified. This bill would additionally require that the candidate disclose his or her party preference, or indicate that he or she declines to disclose a party preference, on the affidavit of the nominee. The bill also would make conforming changes. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 13105 and 13307 of, to add Chapter 3 (commencing with Section 10050) to Part 1 of Division 10 of, and to repeal Section 10226 of, the Elections Code, relating to

elections.

Notes 1: Existing law requires a candidate for an elective office in a local agency to include an affidavit with his or her nomination papers, indicating the candidate's name, designation, and residence address, as specified. This legislation would additionally require that the candidate disclose his or her party preference, or indicate that he or she declines to disclose a party preference, on the affidavit of the nominee.

Proponents of nonpartisan local offices argue that political parties are irrelevant to providing services. They also argue that cooperation between elected officials belonging to different parties is more likely. Proponents of partisan local offices argue that the absence of party labels confuses voters; a voter who must choose from among a group of candidates whom he or she knows nothing about will have no meaningful basis in casting a ballot. Such proponents argue that, in the absence of a party ballot, voters will turn to whatever cue is available, which often turns out to be the ethnicity of a candidate's name. Non-partisanship, they argue, tends to produce elected officials more representative of the upper socioeconomic strata than of the general populace and aggravates the class bias in voting turnout, because in true non-partisan systems there are no organizations of local party workers to bring lower-class citizens to the polls on election day.

California has a history of relying on nonpartisan elections for local office, leaving political parties and their adopted platforms from playing a formal role in the election and office holder experience. This is not to say that candidates for elected local office are not themselves identified with a political party and that they may bring a particular political philosophy to the governing body of the local agency that is consistent with their party affiliation.

Current Position: Not Yet Considered

Recommended Position: Not Favor

SB 701

(Hueso D) State Resources Obligations Act of 2018.

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 3/28/2017-Action From N.R. & W.: Do pass.To G. & F..

Is Urgency: N

Is Fiscal: Y

Location: 3/28/2017-S. G. & F.

Calendar: 3/28/2017 9 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, HERTZBERG, Chair

Summary: The California Constitution requires a measure authorizing general obligation bonds to specify the single object or work to be funded by the bonds and further requires such a measure to be approved by a 2/3 vote of each house of the Legislature and submitted to the voters, as specified. Existing law, the State General Obligation Bond Law, contains procedures for use in authorizing the issuance and sale of, and providing for the repayment of, state general obligation bonds. Under existing law, various general obligation bond measures have been approved by the voters to provide funds for certain natural resources programs. This bill would enact the State Resources Obligations Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an unspecified amount pursuant to the State General Obligation Bond Law to finance a program to comply with specified state obligations relating to natural resources. This bill would provide for the submission of these provisions to the voters at the November 6, 2018, statewide general election.

Laws: An act to add Division 45 (commencing with Section 75500) to the Public Resources Code, relating to state natural resources obligations, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds.

Notes 1: This legislation would place a state general obligation bond proposal on the ballot for various specified purposes, including the provision of an unspecified sum of money that would be made available to the Natural Resources Agency, upon appropriation by the Legislature, for compliance with the terms of the San Joaquin River Restoration Settlement Act (Part I of Subtitle A of Title X of Public Law 111-11), provided for in Section 2080.2 of the Fish and Game Code.

Current Position: Not Yet Considered

Recommended Position: Watch

SB 740

(Wiener D) Onsite treated water.

Current Text: Amended: 3/23/2017 [Text](#)

Introduced: 2/17/2017

Last Amend: 3/23/2017

Status: 3/23/2017-From committee with author's amendments. Read second time and amended. Re-referred to Com. on EQ.

Is Urgency: N

Is Fiscal: Y

Location: 3/9/2017-S. E.Q.

Calendar: 4/5/2017 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, WIECKOWSKI, Chair

Summary: Existing law requires the State Water Resources Control Board to establish uniform statewide recycling criteria for each varying type of use of recycled water where the use involves the protection of public health. This bill would, on or before December 1, 2018, require the state board, in consultation with other state agencies, to adopt regulations, as specified, for a comprehensive risk-based framework to assist local jurisdictions in developing oversight and management programs for onsite treatment of water for nonpotable use. The bill would require the framework to be flexible to adapt to new water sources, end uses, and advances in approaches and methodologies to estimate the risk of onsite water treatment to public health. The bill would specify that a local jurisdiction is not required to adopt the practices set forth in the framework.

Laws: An act to add Article 8 (commencing with Section 13558) to Chapter 7 of Division 7 of the Water Code, relating to water quality.

Notes 1: This legislation is another in a series of bills that would direct the state board, in consultation with other state agencies, to adopt regulations for a comprehensive risk-based framework to assist local jurisdictions in developing oversight and management of programs that will be protective of public health for onsite treatment of water for nonpotable use. The problem with such an approach is that the development of onsite treatment of water for nonpotable use could have a significant negative impact on the operation of a community sewer system and wastewater treatment processes. Additionally, onsite retention of wastewater would have a negative impact on existing recycled water systems operating within the jurisdiction, thus creating a negative financial effect on the financial stability of such systems.

The legislation was recently amended to provide that a local jurisdiction is not required to adopt the practices set forth in the framework adopted. This amendment should protect the interest of recycled water producers and local agencies that rely on the use of recycled water to opt out of the development of onsite treatment of water for nonpotable use.

Current Position: Not Yet Considered

Recommended Position: Watch

SB 771

(De León D) California Environmental Quality Act: continuing education: public employees.

Current Text: Introduced: 2/17/2017 [Text](#)

Introduced: 2/17/2017

Status: 3/10/2017-Set for hearing March 29.

Is Urgency: N

Is Fiscal: Y

Location: 3/9/2017-S. E.Q.

Calendar: 3/29/2017 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, WIECKOWSKI, Chair

Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would establish a continuing education requirement for employees of public agencies who have responsibility for overseeing compliance with the act. Because this bill would require a public agency to ensure that this continuing education requirement is met, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Laws: An act to add Section 21098.5 to the Public Resources Code, relating to environmental quality.

Notes 1: This bill would impose an unfunded state mandated program on the Agency. Legal counsel already is required to complete a requisite number of continuing legal education credits and courses in CEQA compliance are regularly offered throughout California. The legislation does not define or identify the public agency employees who have responsibility for overseeing compliance. Would it be solely limited to legal counsel? Or, would the definition extend to management and employees who are involved in projects that are subject to CEQA environmental review.

The Agency should seek an amendment to limit the scope of the legislation to legal counsel employed by the public agency.

Current Position: Not Yet Considered

Recommended Position: Not Favor unless amended

SB 778**(Hertzberg D) Safe Drinking Water Fund.****Current Text:** Amended: 3/23/2017 [Text](#)**Introduced:** 2/17/2017**Last Amend:** 3/23/2017**Status:** 3/23/2017-From committee with author's amendments. Read second time and amended. Referred to Com. on RLS.**Is Urgency:** N**Is Fiscal:** Y**Location:** 2/17/2017-S. RLS.

Summary: Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. Existing law, the California Safe Drinking Water Act, provides for the operation of public water systems and imposes on the State Water Resources Control Board various responsibilities and duties. The act authorizes the state board to order consolidation with a receiving water system where a public water system or a state small water system, serving a disadvantaged community, as defined, consistently fails to provide an adequate supply of safe drinking water. The act, if consolidation is not appropriate or technically or economically feasible, authorizes the state board to contract with an administrator to provide administrative and managerial services to designated public water systems and to order the designated public water system to accept administrative and managerial services, as specified. This bill would create the Safe Drinking Water Fund, and would continuously appropriate moneys in the fund for the purposes of contracting with an administrator to provide administrative and managerial services to designated public water systems and ordering the designated public water system to accept the administrative and managerial services.

Laws: An act to add Chapter 4.1 (commencing with Section 116756) to Part 12 of Division 104 of the Health and Safety Code, relating to drinking water, and making an appropriation therefor.

Notes 1: This bill would create the Safe Drinking Water Fund, and would continuously appropriate moneys in the fund for the purposes of contracting with an administrator to provide administrative and managerial services to designated public water systems and to order the designated public water systems to accept administrative and managerial services. The California Safe Drinking Water Act authorizes the state board to order consolidation with a receiving water system where a public water system or a state small water system, serving a disadvantaged community, as defined, consistently fails to provide an adequate supply of safe drinking water. The act, if consolidation is not appropriate or technically or economically feasible, authorizes the state board to contract with an administrator to provide administrative and managerial services to designated public water systems and to order the designated public water system to accept administrative and managerial services, as specified.

There is a great deal of interest in the Brown Administration, the Legislature and among environmental and environmental justice interest groups to authorize the imposition of a charge on water users to pay for state safe drinking water programs. The Agency should monitor this legislation given the subject matter. The Agency has opposed similar efforts in prior years to enact legislation that would impose a public goods charge on its customers to pay for infrastructure in other parts of the state and for ecosystem restoration projects, among other purposes for the revenue generated from the charge.

Current Position: Not Yet Considered**Recommended Position:** Watch**SCA 4****(Hertzberg D) Water conservation.****Current Text:** Introduced: 2/2/2017 [Text](#)**Introduced:** 2/2/2017**Status:** 2/16/2017-Referred to Com. on RLS.**Is Urgency:****Is Fiscal:** N**Location:** 2/2/2017-S. RLS.

Summary: The California Constitution requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented. This measure would declare the intent of the Legislature to amend the California Constitution to provide a program that would ensure that affordable water is available to all Californians and to ensure that water conservation is given a permanent role in California's future.

Laws: A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Article X C thereto, relating to water.

Notes 1: ACWA has agreed to sponsor this measure, the goals of which are to amend the California Constitution to allow a local agency providing water service to establish a lifeline rate for low income customers and a demand-based or conservation rate. Neither rate would be required to meet the

proportionality or reasonable cost of service standards provided under Proposition 218. District staff and Reeb Government Relations are concerned about this measure and will be participating in an ACWA State Legislative Committee working group that is charged with writing the measure. ACWA SLC has adopted a number of conditions that must be met; e.g., that the reliance on either rate is voluntary and that a state agency is prohibited from requiring a local agency to adopt either type of rate structure. Additionally, we believe constitutional amendments should be directed toward Proposition 218 and not to Article X of the Constitution relating to waste and unreasonable use.

Current Position: Not Yet Considered

Recommended Position: Watch

Total Measures: 37

Total Tracking Forms: 37

March 16, 2017

MEMORANDUM

TO: GENERAL MANAGER AND BOARD OF DIRECTORS
OF DESERT WATER AGENCY

FROM: BEST BEST & KRIEGER LLP

RE: MARCH 16, 2017 MEETING OF THE BOARD OF DIRECTORS OF THE
STATE WATER CONTRACTORS, INC.

The March 16, 2017 meeting of the Board of Directors of the State Water Contractors, Inc., was conducted at the Tsakopoulos Library Galleria in downtown Sacramento.

1. Board Action Items.

The Board took action to accept the annual audit report for Fiscal Year 2015-2016. It was a "clean" audit report, with no reportable items or recommendations regarding internal control. The Board also adopted three resolutions commending Terry Erlewine upon his retirement as General Manager from the State Water Contractors, Mark Cowin upon his retirement as General Manager of the Department of Water Resources, and Carl Torgersen as Deputy Director of DWR. The resolution adopted for Terry Erlewine noted that he was a 22 year employee of the State Water Contractors, and had served as its General Manager since 2004, giving him the longest tenure of any General Manager of the SWC during its history. Terry also had served previously with the Department of Water Resources as an employee for 13 years. His retirement becomes effective as of April 4, 2017. The resolution adopted on behalf of DWR Director Mark Cowin noted that he had been a career employee of the Department of Water Resources, having served there for 33 years, and in the capacity of its Director from 2010 to 2016. His retirement became effective on December 31, 2016.

2. DWR Management Report.

Deputy Director Mark Anderson was present from DWR to provide his report, which consisted of a comprehensive report on the issues involving the damage at the spillway at

Lake Oroville. Also present to contribute to that report was David Gutierrez, former Chief of the Division of Safety of Dams, who has also been assisting DWR on the Oroville spillway issue.

The report from Mark Anderson included slides which provided remarkable images of the damage at the spillway, the flow of water, and enormous erosion which endangered all of the facilities at that location. What began as relatively minor damage to a portion of the spillway turned into a major problem, as the damage began moving up the structure toward the top where it could have endangered other facilities, including the dam itself. Enormous flows of water left the side of the structure where the damage had occurred, creating a huge canyon in the natural terrain. Anderson explained that all of the facilities at that location constitute a "connected" system which include the dam, the forebay, the spillway, and the power facilities.

The precipitation event was major, breaking every Feather River record from January 1 through the end of February. The February 7 storm alone was the biggest storm since 1997, producing one million acre feet of flow into Oroville which had to be released. From February 7 on, every decision about how to operate the facilities at Oroville was made jointly between DWR, the Federal Energy Regulatory Commission, the United States Corps of Engineers, and others. Erosion created a huge alluvial fan of debris in the diversion pool below the spillway, and placed the power plant itself in great danger. Anderson said that some of the employees had been working nonstop, without a single break, for more than a month. The repair work included filling in the canyon with rocks and shotcrete, to prevent further erosion. The diversion pool was more than 70 feet deep, and it was literally full of debris. Anderson said that DWR was doing everything it could to qualify for reimbursement from the Federal Emergency Management Agency. Normally, FEMA will not reimburse expenditures for contractors employed on a "time and materials" basis. However, in this case, with an emergency requiring work to be performed on a time and materials basis instead of on a "fixed contract amount" basis, FEMA apparently is willing to recognize an exception and provide reimbursement notwithstanding the departure from normal requirements. DWR is still in an emergency mode, and Anderson reported that it will remain in emergency mode until at least June or July, especially since there is so much snow in the watershed that could produce enormous flows into Oroville again if it were to melt quickly. Fortunately, the weather had turned dry as of the dated

of the SWC Board meeting and DWR was taking advantage of the pause to revise contracts for repair work underway. To date Anderson reported that DWR had spent \$125 million on the repair work, and he indicated that the total cost of the repair would be at least twice that amount.

Large flows into the Clifton Court Forebay, in the Delta, also caused damage at the Clifton Court inlet structure as well. Voids were created underneath the apron of the inlet structure which were large enough to park vehicles. Anderson reported that the Banks Pumping Plant would be shut down for 30 days to perform repair work on the inlet structure. Fortunately, the San Luis Reservoir was completely full, and thus there could not have been a better time to shut down the pumping plant to perform necessary work.

Anderson commended the tremendous collaborative effort in dealing with the emergency. He said that new DWR Director Bill Croyle did a magnificent job in establishing a great relationship between DWR and all other entities involved. He noted that the collaboration included the work of the local sheriff, who ordered the evacuations downstream of the dam. Anderson referred to the emergency response effort as "one of the Department's greatest moments." He noted the personal sacrifices that had been made by the DWR personnel involved, and expressed regret that the reports after the fact would not effectively capture the human element and self-sacrifice involved in attending to the emergency. Anderson also made a point of emphasizing that the infrastructure at that location had not been ignored, and that there was no failure to maintain those facilities. He referred to the facilities at Oroville, including the spillway, as some of the best kept infrastructure in the country. In addition, he said that there was no design flaw when the facility was designed in 1957. A forensic analysis is underway to determine what, if anything, could be done to prevent such occurrences in the future. He expressed regret about media reports suggesting that the emergency had resulted from neglect or inattention.

3. Water Supply Report.

John Leahigh was also present from DWR to provide his usual monthly report on water supply conditions. Leahigh stated that he did not have a lot to offer beyond what had already been discussed regarding the enormous quantity of water produced during the rain events this year. He did say that 10 to 15 percent of the total historical use of the spillway at Oroville

had occurred in just the last few weeks. DWR has been ramping up its releases from Oroville to the Feather River, in part as a precaution due to the spillway damage issue and in part because of the enormous inflow into the lake that would have required releases in any event. As of the date of the meeting, releases to the Feather River were at 14,000 cubic feet per second. John stated that the following week was expected to produce some additional precipitation, possibly four to five inches in the Feather River watershed. Leahigh reported that the shutdown of the Banks Pumping Plant to perform the repairs on the inlet structure at Clifton Court could affect DWR's ability to sustain Article 21 deliveries. As of the date of the meeting, DWR had been able to satisfy all requests for Article 21 water through that date, without having to allocate that water among Contractors requesting it. However, he stated that this situation might change now that the Banks Pumping Plant was no longer delivering water from the Delta. With regard to this year's allocations, Leahigh stated that DWR had taken a pause in considering a change in the allocations, due to the uncertainty associated with the emergency conditions. He said that there was still a lot to assess before determining whether there should be a change in the current allocation. (It will not be reduced. The questions is whether it will be increased.)

4. Legislative Report.

A copy of the written legislative report is enclosed with this memo. A number of spot bills have been introduced for use at a later date. The bill introduced to transfer the State Water Project to a new authority to be governed by nine political appointees of the Governor is not favored, and probably will not move forward.

5. General Manager's Report.

Terry Erlewine reported that Mojave Water Agency had sent a letter to the Delta Stewardship Council providing comment on its proposed policy on reduced reliance from the Delta, and that Metropolitan Water District was working on a letter of its own. The deadline for providing comments on the proposed policy was March 23, 2017. Terry also reported on his activities, which include working with DWR on its explanation of the way that the charges on the statement of charges are calculated, continuing work on the stream flow depletion resulting from ground water deliveries from Garden Highway Mutual Water Company, and work on proposed changes to the bylaws which should be sent to Contractors within the next few weeks.

6. Fiscal Year 2017-2018 Budget.

The Board discussed the proposed budget for Fiscal Year 2017-2018, including targets for the Dues Fund, the Energy Fund, and the Bay-Delta Fund. The total proposed budget will be in the amount of \$7.72 million dollars, which is roughly equivalent to the budget for the previous fiscal year as well.

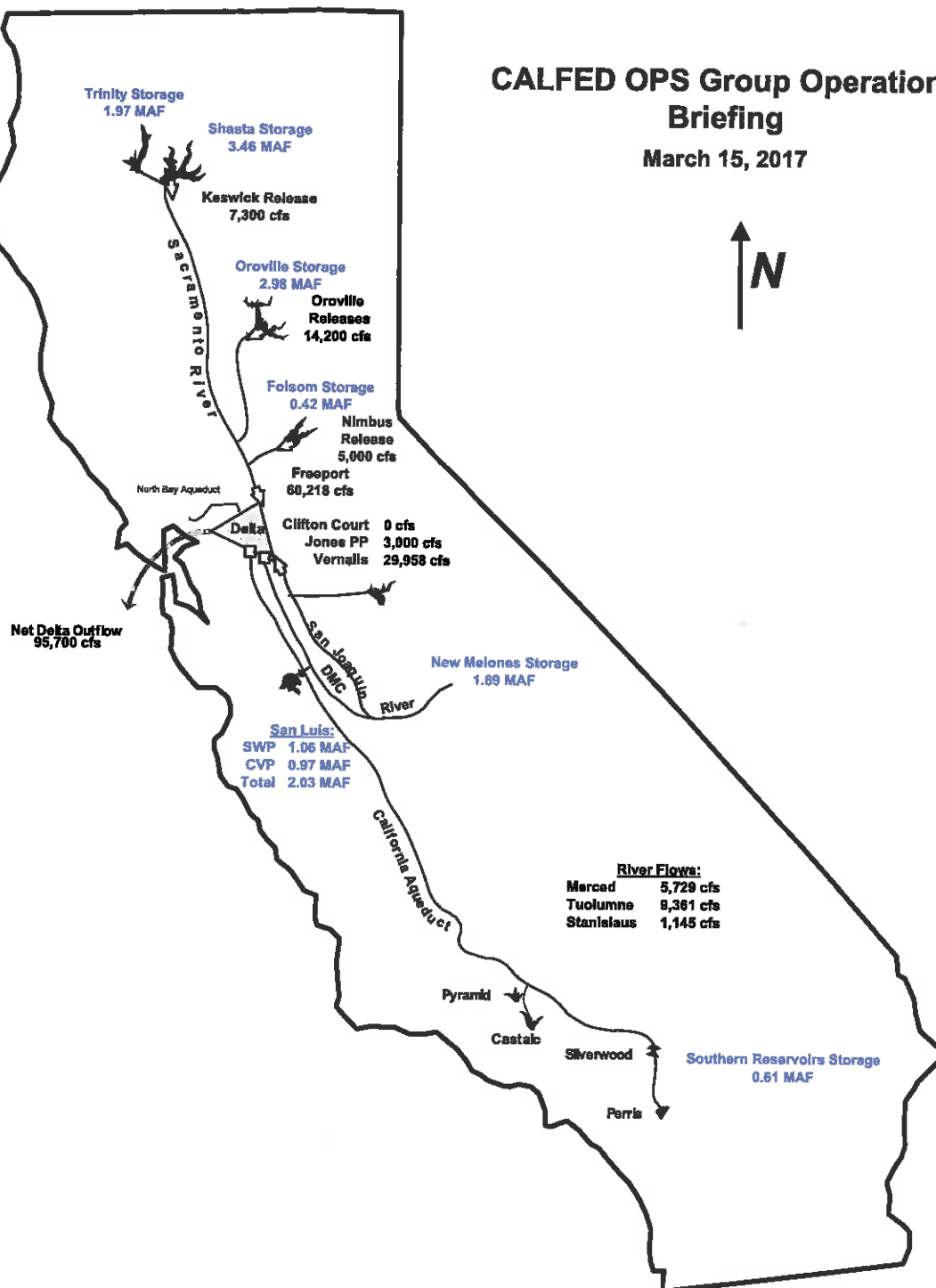
7. Report on Infrastructure Objectives.

Eric Chapman of the State Water Contractors provided a report on infrastructure objectives for the current year. A copy of his PowerPoint presentation is also enclosed with this memo. Priority one objectives addressed in his report include aqueduct subsidence and work on Units 1, 3 and 5 at the Hyatt Power Plant. Eric also reported on the replacement of pumps at the Edmonston Pumping Plant, work on the Bulletin 132 review, and repair of the inlet structure at the Clifton Court Forebay.

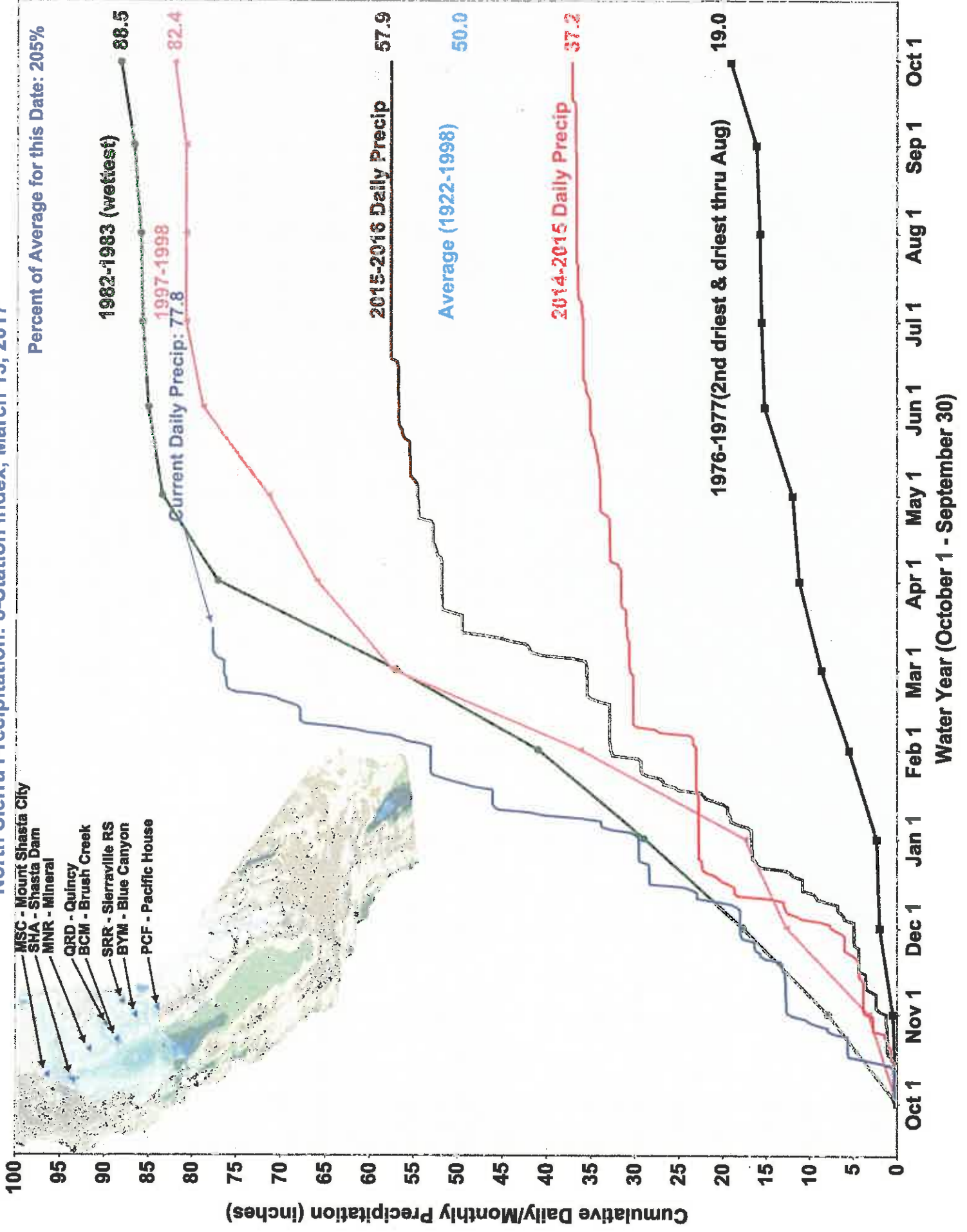
MICHAEL T. RIDDELL

CALFED OPS Group Operations Briefing

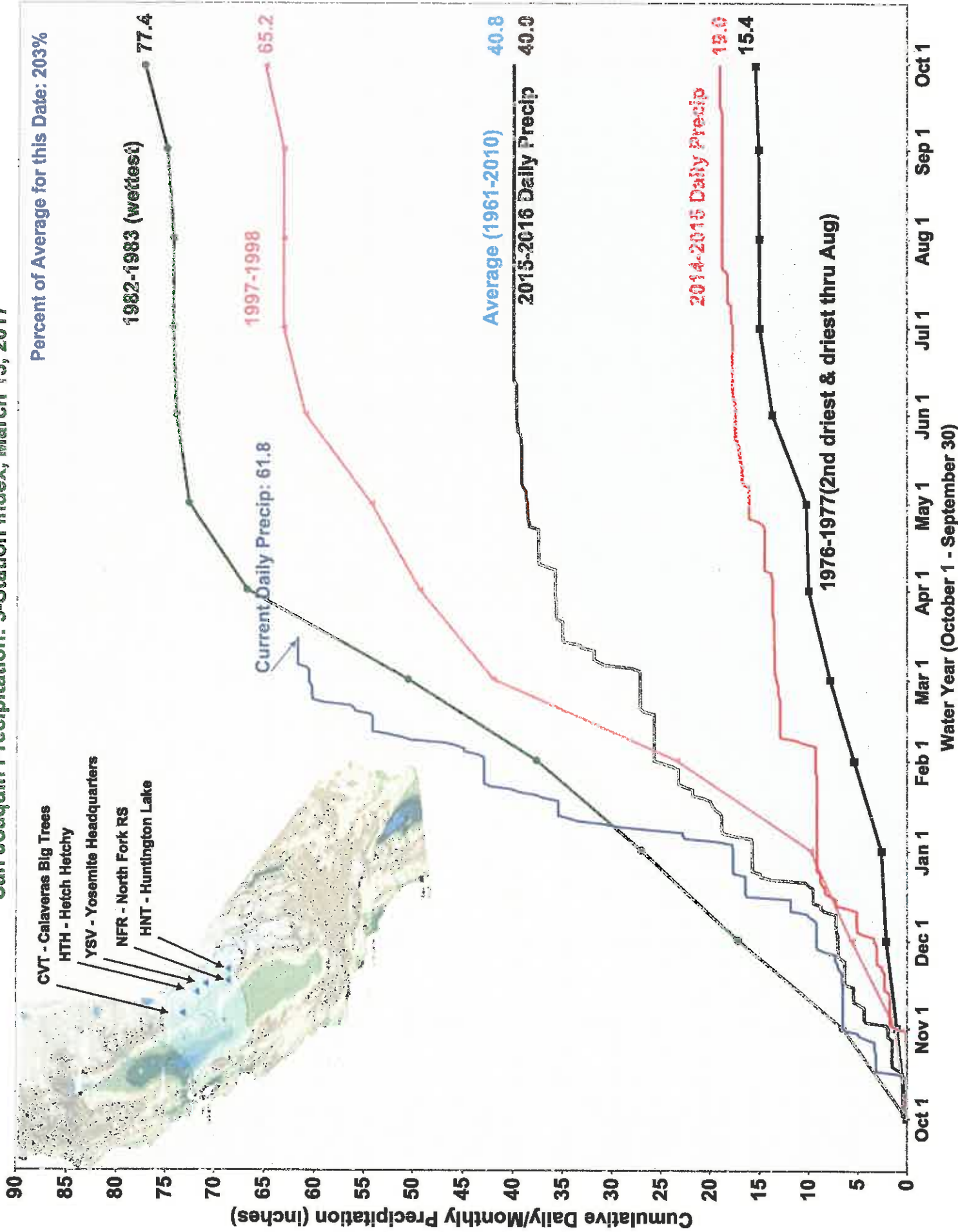
March 15, 2017



North Sierra Precipitation: 8-Station Index, March 15, 2017

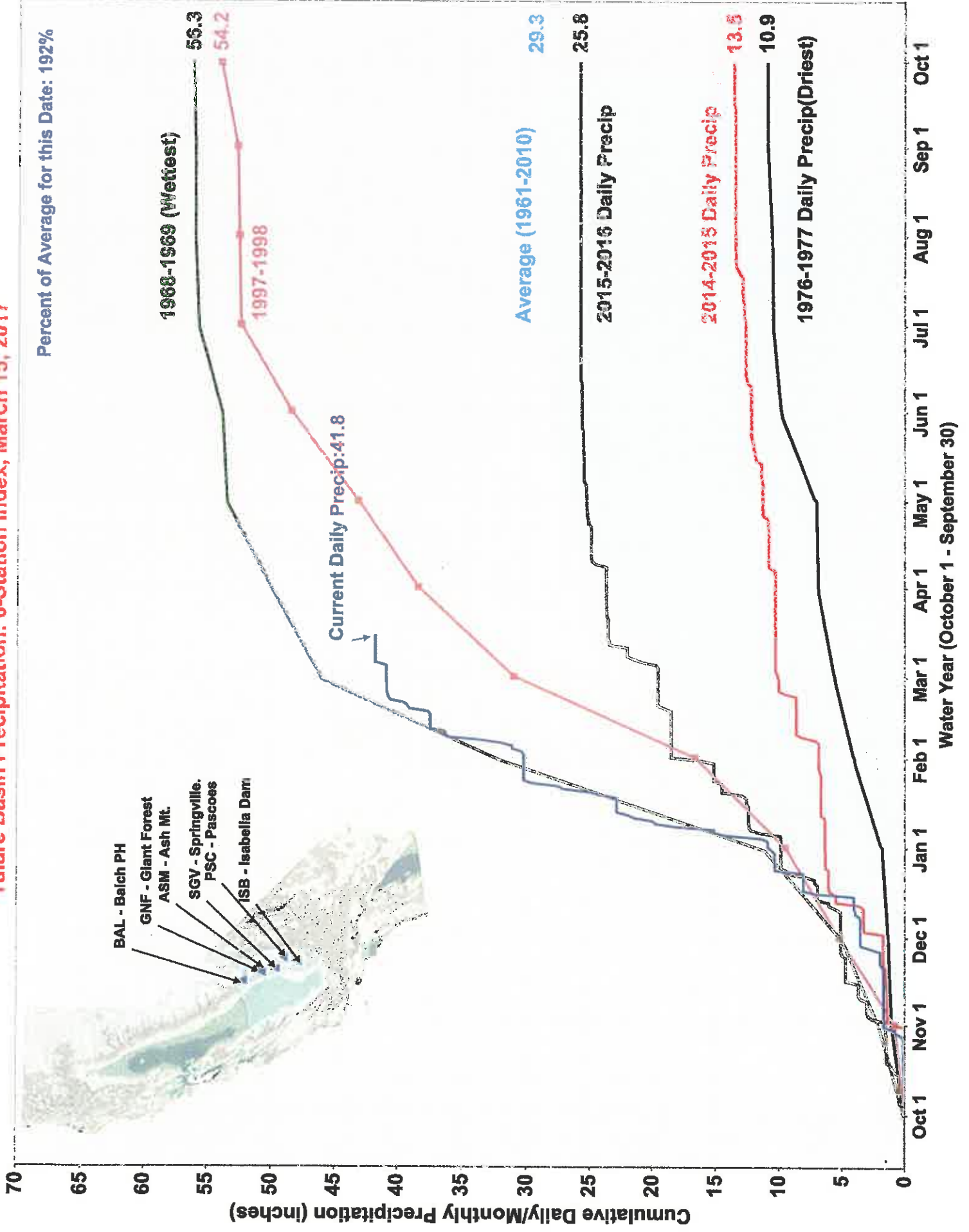


San Joaquin Precipitation: 5-Station Index, March 15, 2017



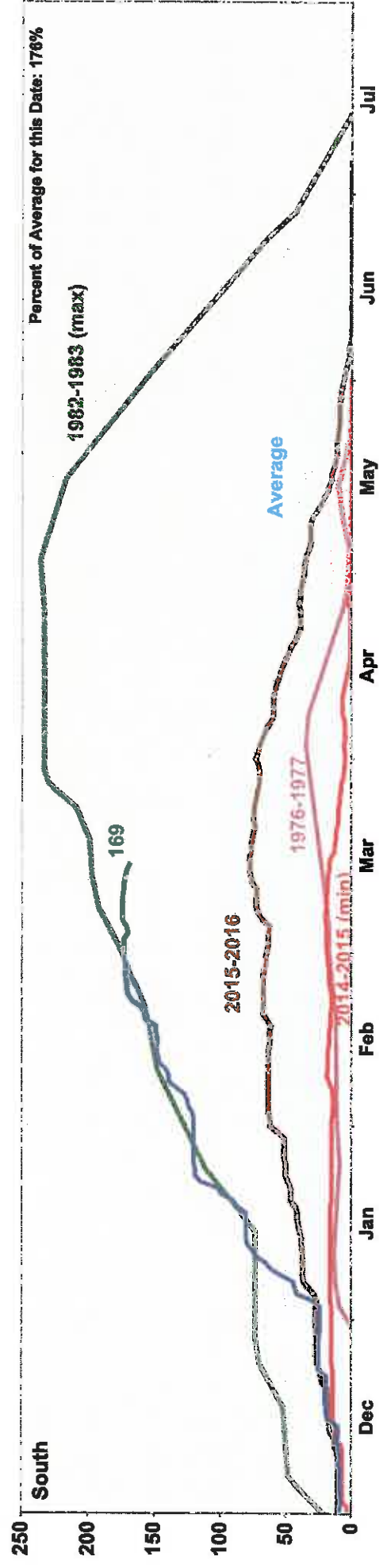
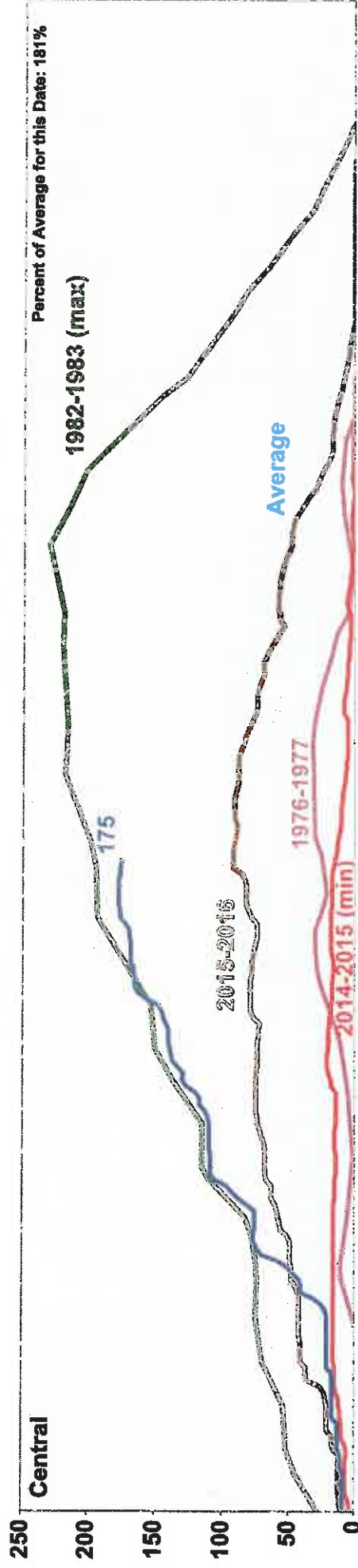
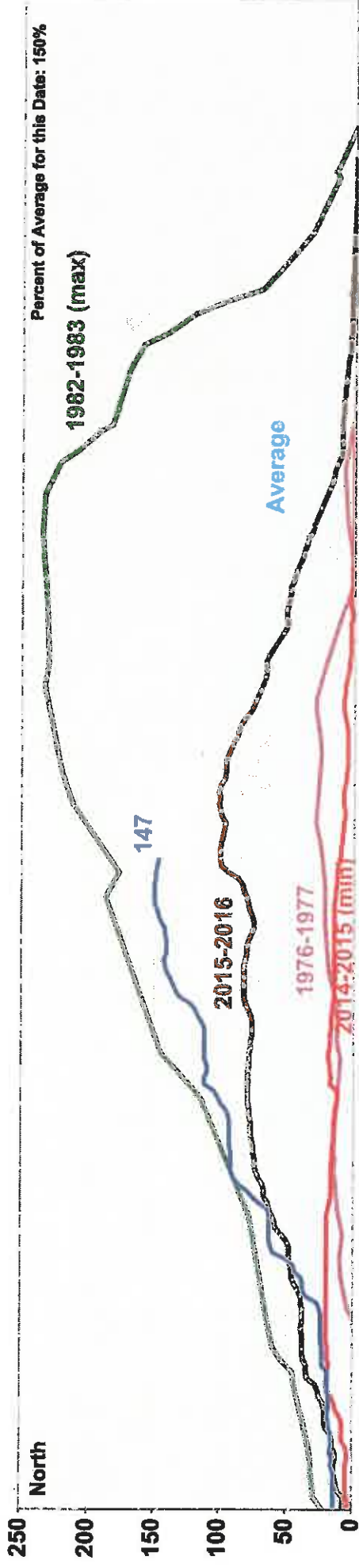
Total Water Year Precipitation

Tulare Basin Precipitation: 6-Station Index, March 15, 2017



Total Water Year Precipitation

California Snow Water Content, March 15, 2017, Percent of April 1 Average

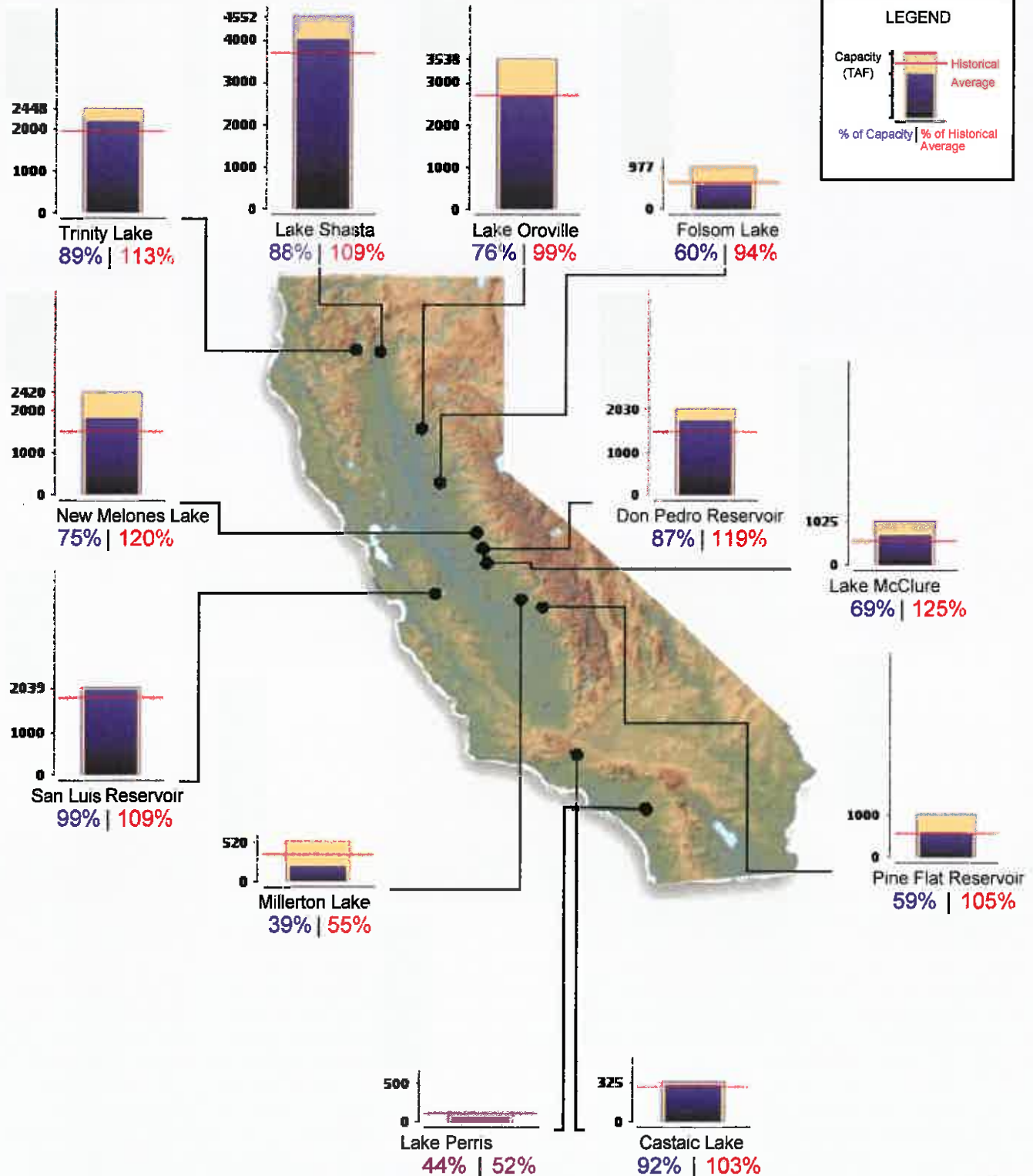




Reservoir Conditions

Ending At Midnight - March 30, 2017

CURRENT RESERVOIR CONDITIONS



SWC Legislative Report
March 2017

Bill Introductions

A grand total of 2,495 bills were introduced between the first day of session, December 5, and the bill introduction deadline of February 17.

The vast majority of introductions were “spot” or placeholders which means we can anticipate a second wave of amendments in the coming weeks to flesh out details on bills before being heard in policy committees.

Below are a handful of measures of interest to the SWC:

Three Delta-related “spot” bills and one broad policy declaration to elevate the “natural state of the Delta” for funding - - all authored by Assembly Member Jim Frazier (D-Antioch). Assembly Member Travis Allen (D-Huntington Beach) has a “spot” bill on Delta smelt.

Two spot bills: SB 623 by Senator Bill Monning (D-Carmel), sponsored by the Community Water Center, and SB 778 by Senator Bob Hertzberg (D-Los Angeles), that are currently placeholders” for broader discussion of statewide fee or tax for funding safe drinking water programs statewide.

Four bills to amend Urban Water Management Planning Act. One or more are likely to morph into legislation to further strengthen drought contingency planning.

Four of eight bills introduced on water use efficiency may be vehicles for implementing retail water use targets beyond 2020.

CA Water Fix

Last month the Senate Natural Resources and Water Committee had plans to hold two oversight hearings in February on CA Water Fix. Just prior to the first of two hearings, the Oroville spillway incident occurred, and the Brown Administration requested more time while they focused attention on stabilizing operations and emergency response. The hearings have not been rescheduled.

Oroville Spillway Developments

On the heels of stabilizing conditions at the Oroville spillway and after extreme weather events in January and February which stressed California’s infrastructure, on February 24, Governor Brown announced a series of immediate and longer-term actions he

intends to employ to bolster dam safety, improve flood protection and fix the state's aging transportation and water infrastructure.

His four-point plan includes:

1. Investment of \$437 million in near-term flood control and emergency response actions by redirecting \$50 million from General Fund and \$387 million emergency appropriation from Proposition 1 - - all require legislative approval.
2. Emergency action plans and flood inundation maps for all dams.
3. Enhancing California's existing dam inspection program; and
4. Prompt regulatory action and increased funding from the federal government to improve dam safety.

The Brown Administration has proposed legislation to require that emergency action plans be updated every ten years, or sooner if local development patterns change; and to ensure that DWR has the regulatory tools it needs to support new requirements, ranging from monetary fines to operational restrictions for failure to comply.

Governor is also requesting supplemental appropriations be approved by the Legislature to support DWR's Division of Safety of Dams for conducting more extensive evaluations and review of inundation maps and emergency response plans.

Just day prior to the Governor's announcement, Senate President pro Tempore Kevin DeLeon (D-Los Angeles) announced plans to amend his park and water bond, SB 18, to include \$500 million for flood protection facilities, levee improvements and related investments to protect people and property from flood damage.

On Assembly side, Assembly Member Eduardo Garcia (D-Coachella), chair of Assembly Water, Parks and Wildlife Committee, has his own park bond, AB 18.

Both authors have announced they plan to develop an unified framework for new parks and water resources bond as there is considerable overlap between the two measures.

SWRCB and Water Rights

Assembly Member Adam Gray (D-Merced) introduced AB 313 to make considerable changes to the administration and management of California water. In its current form, the bill would move state water rights administration and enforcement from the SWRCB to DWR. Water rights adjudications would be heard by the State Office of Administrative Hearings, which would make recommendations to DWR.

The State Water Project would move to a new State Water Project Commission which would be housed within the CA Natural Resources Agency and would consist of nine members appointed by the Governor - - all subject to Senate confirmation.

California Environmental, Public Health and Workers Defense Act of 2017

On March 14, the Senate Natural Resources and Water Committee approved SB 49 by Senator Kevin De Leon (D-Los Angeles).

SB 49, as amended on February 22, makes current federal clean air, clean water, endangered species, climate change and worker safety standards enforceable under state law.

The bill would prohibit state and local agencies from amending or revising their statutes and regulations to be less stringent than the applicable federal baselines.


The bill would also authorize citizen suits under state law if federal standards are weakened or repealed.

The bill must clear two additional policy committee before the April 28 deadline.



SWC FY 2016-17 INFRASTRUCTURE OBJECTIVES Update

February 16, 2017
March 16, 2017
SWC Board Meeting



SWC FY 2016-17 Infrastructure Objectives

March 16, 2017 Update

Priority 1

- Aqueduct Subsidence, Liner Integrity, and SWP Capacity Retention
- Hyatt Unit 1, 3, 5 New Runners/Bearing & TSV Refurbishment
- Oroville Dam River Valves
- Sisk Dam Seismic Stability & Dam Raise Study

Priority 2

- Edmonston Pump Replacements
- Motor/Generator Refurbishments
- Perris Dam - Remediation of Seismic Deficiency
- SWP Asset Management
- Thermalito Plant Post-fire Restoration

Priority 3

- Control System Upgrade
- Fins System Modernization
- Valve Rehab/Replacements

SWC FY 2016-17 Infrastructure Objectives
March 16, 2017 Update

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Aqueduct Subsidence, Liner Integrity, and SWP Capacity Retention

Re. SWP Capacity Retention

- Good news: SWP is moving record volumes of water
 - Banks PP Delta export rate over 10,000 cfs for 23 days
 - Filled SWP share of San Luis Res. by February 12
- Bad news:
 - February 7 - Lake Oroville flood control spillway failure & subsequent liner/foundation damage. Caused ~30 day outage of Hyatt plant due to high tail water
 - March 6 – 3,000 cfs limit placed on Clifton Court forebay intake due to structural damage of apron and wing wall

SWC FY 2016-17 Infrastructure Objectives
March 16, 2017 Update

3



Aqueduct Subsidence, Liner Integrity, and SWP Capacity Retention

Re. Clifton Court Forebay Intake Structure

- Downstream end of wing wall tilted down
- Diver and ROV Inspections
 - Massive voids/scour at the downstream (reservoir side) end of the apron – near outer walls
 - Void is approx. 4' to 15' deep and extends 8' to 16' upstream from edge of concrete apron
 - Triangular shaped section of the apron has broken off due to missing foundation

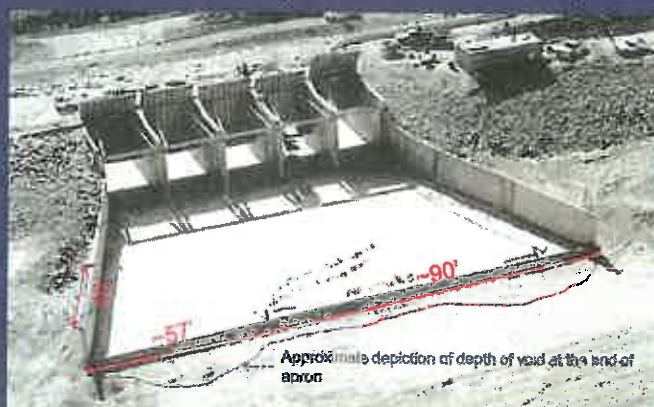
SWC FY 2016-17 Infrastructure Objectives
March 16, 2017 Update

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Aqueduct Subsidence, Liner Integrity, and SWP Capacity Retention

Re. Clifton Court Forebay Intake Structure (continued)



SWC FY 2016-17 Infrastructure Objectives
March 16, 2017 Update

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Aqueduct Subsidence, Liner Integrity, and SWP Capacity Retention

Re. Clifton Court Forebay Intake Structure (continued)

- DWR's remediation game plan
 - Use contractor to isolate/dewater entire concrete structure
 - Remove damaged apron/wall
 - Repair foundation & replace apron/wall
 - Build an extended armored path downstream of apron
 - Estimate 45 days of construction, includes 30 to 35 days of zero inflows to Clifton Court
 - Expected time period: Late March thru April 2017

SWC FY 2016-17 Infrastructure Objectives
March 16, 2017 Update

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Aqueduct Subsidence, Liner Integrity, and SWP Capacity Retention

Re: Aqueduct Subsidence

- Bad News: 2015-16 subsidence rates of SWP Aqueduct (in pools 16 thru 21) were highest since project was put into use
- Average rate ~4 inches/year (pool 16 thru 21) in 2015-16 period
- Pool 20 average rate over 6 inches/year in 2015-16 period
- Cumulative subsidence had reached over 5 feet in pool 17, and approximately 6.5 feet in pool 20

SWC FY 2016-17 Infrastructure Objectives
March 16, 2017 Update

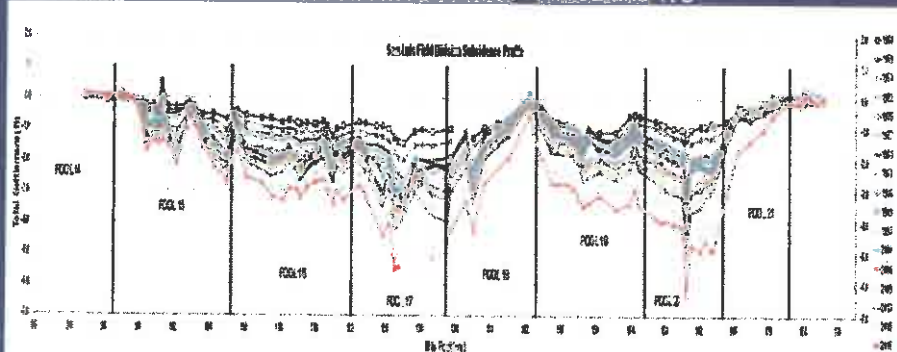
7



Aqueduct Subsidence, Liner Integrity, and SWP Capacity Retention

Re: Aqueduct Subsidence (continued)

Longitudinal profile of subsidence between ~MP 92 and 175



SWC FY 2016-17 Infrastructure Objectives
March 16, 2017 Update

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Aqueduct Subsidence, Liner Integrity, and SWP Capacity Retention

- Re. Aqueduct Subsidence (continued)
 - DWR analysis of hydraulic impacts of subsidence:
 - ✓ Validated Field Observations
 - ✓ Created a HEC-Ras (1-D model)
 - ✓ Determined lined resulting freeboard versus design capacity
 - Modeling results:

Length of Aqueduct	Lined Freeboard
9.5 miles	0 feet or less
28.3 miles	1 foot or less
68.5 miles	2 feet or less
95.8 miles	Less than design criteria (3' in SLFD & 2.5' in SJFD)

SWC FY 2016-17 Infrastructure Objectives
March 16, 2017 Update

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Aqueduct Subsidence, Liner Integrity, and SWP Capacity Retention

- Re. Aqueduct Subsidence (continued)
 - Modeled Hydraulic Impacts:
 - Flow Capacity in Pools with Greatest Subsidence*

Location	Original Cap.	Reduced Cap.	Net Reduction
Pool 17	11,800 cfs	11,400 cfs	400 cfs (-3.5%)
Pool 20	8,350 cfs	6,650 cfs	1,700 cfs (-20%)
Pool 25	6,350 cfs	5,500 cfs	850 cfs (-13%)

* To achieve a minimum of 0.5' of freeboard (which is lower than desired and difficult for operators to actually achieve)

- Note that actual flows through Dos Amigos plant (upstream of pool 14) appear to have reached as high as 7,389 cfs on February 9

SWC FY 2016-17 Infrastructure Objectives
March 16, 2017 Update

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Aqueduct Subsidence, Liner Integrity, and SWP Capacity Retention

- Re. Aqueduct Subsidence (continued)
 - Next steps (coming in phase 2):

Continue Monitoring with Precise Surveys and UAVSAR (satellite)	Annual
Additional Modeling for Long-term Impacts to SWP Operations	December 2016 to March 2017
Identify Remediation Alternatives	June 2017 to July 2017
Alternative Evaluation/ Identify No-Regret Actions	July 2017 to December 2017



Hyatt Unit 1, 3, 5 New Runners/Bearing & TSV Refurbishment

- Unit 1 was taken out of service mid-2015, disassembled by mid-March '16
- Newly designed runner and bearing ordered, manufactured, and received on site
- Detailed inspections after the runner was removed revealed unexpected damage to the portion of the unit that is to remain:
 - Missing wicket gate end seals
 - Severe galling wear on facing plates and wicket gates
 - A design deficiency is being attributed to the main cause of the damage



Hyatt Unit 1, 3, 5 New Runners/Bearing & TSV Refurbishment (continued)

- Based on the inspection and assessment, the project's scope has been expanded
- A decision memo was prepared for the project's Steering Committee, and a solution was selected
 - Replace the existing design with a new thicker facing plate and end seal
- Unit 1's project cost increased from \$10.8M to \$19.4M
- Schedule was also extended by 12 months
- The same damages/scope increase may apply to units 3 & 5
- DWR intends to offset the cost increases by reducing other work



Edmonston Pump Replacements

Third Value Engineering Workshop – Jan 31 thru Feb 2, 2017

- Follow-up session from Aug 2015 workshop
- Involved DWR, MWD, and SWC staff plus VE facilitator
- Third session necessitated by need for new instrumentation & test data on efficiency existing pumps
- Also tested effect of seal repair (leakage reduction) on worst east wing unit (a significant 4.8% efficiency gain was achieved)
- Alternatives have been reduced down to:
 - Refurbish existing pumps and reuse original internal parts
 - Refurbish existing pumps with new internal parts
 - Replace pumps with completely new pumps
- Economic Analysis still being finalized



Bonus Item – Bulletin 132-18 Review

(Prior to Lake Oroville Spillway Incident)

- Preliminary 2018 Budgets for O&M, Engineering, SWP Analysis Office, and Hydroplant Licensing Office reviewed by OME Committee on Jan 27

Preliminary Budgets Summaries (\$M) for O&M, DOE, SWPAO, HLPCO			
Division/Office	Component Type	2017	2018*
O&M	Cap	183.3	196.3
	Extraordinary	42.5	39.0
	Major Replacement	5.2	6.8
	Annual	277.4	302.5
DOE	Cap	16.8	6.3
	Extraordinary	2.2	1.6
	Annual	12.4	12.9
SWPAO	Cap	0.7	0
	Extraordinary	2	0
	Annual	24.7	20.6
HLPCO	Cap	8.9	8.1
	Annual	1.9	1.5

* Figures include a 5% labor cost inflation (typical inflation added to SOC)

- No major surprise or objectionable items
- FTEs constant
- Relatively flat cost
- DWR's intent is to keep SOC consistent with 2017

SWC FY 2016-17 Infrastructure Objectives
March 16, 2017 Update

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Bonus Item – Bulletin 132-18 Review (continued)



Preliminary O&M Budget Overview

- Major Replacements – Relatively flat
- Extraordinary – Decreasing about 7.5%
- Capital – Increasing about 7.5% (mostly Peris Dam seepage recovery project)
- Annual – Increasing about 9% (labor rate increase and shifting labor from Extraordinary projects to routine O&M tasks)

SWC FY 2016-17 Infrastructure Objectives
March 16, 2017 Update

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Bonus Item – Bulletin 132-18 Review

O&M's Preliminary 2018 Capital & Extraordinary Budget – By Major Project Contributors



SWC FY 2016-17 Infrastructure Objectives
March 16, 2017 Update

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SWC FY 2016-17 Infrastructure Objectives

March 16, 2017 Update

Proposed 2017-18 Infrastructure Objectives

Priority 1

- ~~Emergency Dam Safety Post-Disaster Recovery & Repair~~
- Aqueduct Subsidence, Uner Integrity, and SWP Capacity Retention
- Hyatt Unit 1, 3, 5 New Runners/Bearing & TSV Refurbishment
- Sisk Dam Seismic Stability & Dam Raise Study

Priority 2

- Edmonston Pump Replacements
- Oroville Dam River Valves
- Perris Dam – Remediation of Seismic Deficiency
- SWP Asset Management
- Thermalito Plant Post-fire Restoration

Priority 3

- Control System Upgrade
- Fire System Modernization
- Routine Motor/Generator/Valve Refurbishments

SWC FY 2016-17 Infrastructure Objectives
March 16, 2017 Update

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Questions??

**DESERT WATER AGENCY
MEDIA INFORMATION
MARCH
2017**

DATE	PACKET PAGE	MEDIA SOURCE	ARTICLE
03/01/17	1-2	LOS ANGELES TIMES	Snowpack Levels Surge In The Sierra Nevada, Helping To Power California Out Of Drought
03/02/17	3-4	THE DESERT SUN	'Phenomenal' Near-record Snowpack Thwarts Drought
03/02/17	5-6	THE DESERT SUN	Sierra Snowpack Near Record Level
03/03/17	7	ChicoER News	LaMalfa, Garamendi Introduce Bill Boosting Sites Reservoir
03/04/17	8-9	MONTEREY HERALD	Oroville Shows Need For Flood-control Projects
03/05/17	10	THE DESERT SUN	Snow Data Confirms Winter Beat Drought
03/05/17	11	RECORD SEARCHLIGHT	Bill Would Speed Up Review Of Proposed Reservoir
03/07/17	12-13	THE DESERT SUN	Federal Appeals Court Sides With Agua Caliente Tribe In Landmark Water Case
03/07/17	14-15	THE DESERT SUN	Court: Federal Rule Doesn't Stop DWA From Collecting Fees On Indian Land
03/07/17	16-17	CAPITAL PRESS	Flood Control Benefits From New Storage Projects Debated
03/09/17	18	PRESS ENTERPRISE	Water Board To Consider Relaxing Restrictions
03/10/17	19-20	THE DESERT SUN	Water Regulators Prep For Warming
03/06/17	21-22	PRESS ENTERPRISE	Water Basins Still low, Managers Say
03/21/17	23-24	LOS ANGELES TIMES	Water Emergency Called

DATE	PACKET PAGE	MEDIA SOURCE	ARTICLE
03/23/17	25-26	THE DESERT SUN	Utility Bill Startup Sued By CVWD
03/30/17	27-29	THE DESERT SUN	Desert Water Agencies Will Appeal To Supreme Court In Tribe's Landmark Goundwater Case
03/31/17	30-31	LOS ANGELES TIMES	In The Owens Valley, Snowmelt Poses A Threat

Los Angeles Times

Snowpack levels surge in the Sierra Nevada, helping to power California out of drought

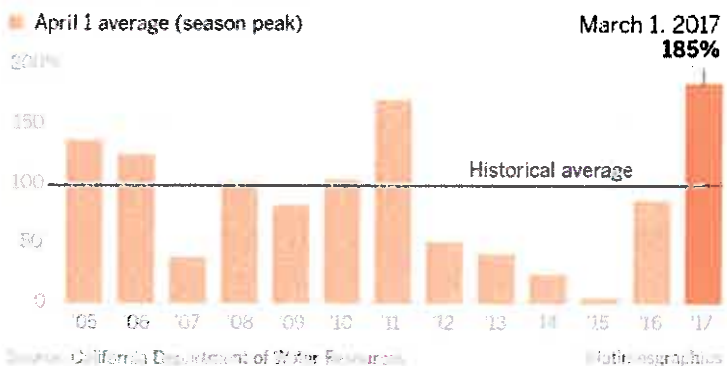
Joseph Serna, March 1, 2017

Plunging the long, metal rod into the snow beneath his feet in the mountain town of Phillips, state snow survey chief Frank Gehrke measured the Sierra Nevada snowpack Wednesday not against California's recent, historic drought but against its biggest rain years.

"It's in the top two or three, three or four snow accumulations for March," Gehrke said, standing on a 9-foot-high pillow of fresh powder Wednesday morning.

Traditionally considered the end of California's rain season, the April 1 snowpack is the bar by which the success of each year's winter is measured. As of Wednesday, the average snowpack across the entire range was at 185% of normal conditions for the first day of March and at 163% of the April 1 average, the Department of Water Resources said. On the same date in 1983, the biggest year on record, the entire Sierra Nevada snowpack was estimated to be 175% of its April 1 average, officials said.

California snow levels



"It basically started snowing on Veterans Day and basically didn't stop until Memorial Day" in 1983, Gehrke said. "If we get another series of storms, we may end up record-setting on April 1. We'll just have to see."

If there were a choice, state water officials would prefer more traditional winter storms that flow south from the Gulf of Alaska. Those bring the snow elevation down and pile up snow that will melt at a steadier pace throughout the year. Warmer storms, dubbed "atmospheric rivers" or the "Pineapple Express" because they flow east from Hawaii and the tropical Pacific, melt snow and send heavy amounts of water cascading down saturated hillsides, causing havoc on the communities below.

"My biggest concern, and just about everyone agrees with it, is with all the snowpack in the Sierra. If we get a warm rain this spring, we're going to be flooded. There's no getting around it," Robert Mitchell, mayor of the Sacramento Valley town of Tehama, said in an interview last week. "It'll be ugly down here, but there's nothing you can do to stop it."

Case in point was San Jose in February. A series of atmospheric rivers overwhelmed Santa Clara County's reservoir and levees and flooded the heart of the city. The city evacuated more than 14,000 people.

Since the water year began Oct. 1, California has enjoyed a constant stream of atmospheric river events that have filled reservoirs and rivers and helped replenish aquifers. About 40% of the state's water comes through atmospheric rivers, and in an average year, the state can count on about a dozen of them, said F. Martin Ralph, the director of UC San Diego's Center for Western Weather and Water Extremes at the Scripps Institution of Oceanography.

During the last five years of drought, California received maybe six atmospheric rivers a year, he said. Since Oct. 1, the state has had about 30 atmospheric river events, he said.

"The storm door is open' is something we sometimes hear," Ralph said.

The results of the atmospheric rivers have been striking.

Isolated, low-lying towns along the Russian and Sacramento rivers have been flooded repeatedly over the last two months. Dozens of counties have declared states of emergency, and the state's biggest reservoir, Shasta Lake, released water from its spillway gates for the first time in two decades last week. About an hour south in Oroville, in the shadow of the Sierra Nevada, conditions at the nation's tallest dam were briefly perilous last month when the main and emergency spillways both suffered damage from torrents of water.

Along the San Joaquin River in Central California, which has a much smaller capacity than the rivers up north, levees were breached and sections of freeways and communities were underwater last month.

"I think at this point people would welcome a little bit of a respite," Gehrke said of the storms. "The snowpack is a wonderful boon, but the rain and precipitation has certainly caused some issues and challenges for folks."

Though no significant storms are expected across the state for the next week or so, California's varied microclimates provide little certainty for forecasters. It's likely there will be at least another atmospheric river making landfall in the next six weeks, given the wet winter, Ralph said.

According to Wednesday's survey, the northern Sierra Nevada snowpack was measured at 159%, the central Sierra was at 191%, and the southern region was at a whopping 201% of the average for the date. The snow will equate to more than 45 inches of rain when it eventually melts and flows into the state's rivers and creeks, experts predict.

"It's going to be hard to avoid some problems," said Maury Roos, the state's chief hydrologist.

This winter has been California's wettest in at least 20 years, and in some parts of the state it may be the rainiest in history, according to state data.

The federal drought monitor shows the vast majority of the state is out of its 5-year-long drought thanks to the downpours, and officials say many of California's surface-level reservoirs are full for the season. The biggest variable is how much the water has helped groundwater basins, which have been pumped for decades – and at rates that caused ground to sink during the drought – and have not been precisely measured.

"Water is good. There's a lot of it. It's just too bad we can't move some of it to some of the areas that really need it for groundwater recharge," Roos said.

‘Phenomenal’ near-record snowpack thwarts drought

Winter storms bring snow to highest level since 1983

Scott Smith and Rich Pedroncelli, March 2, 2017

ASSOCIATED PRESS

PHILLIPS STATION - The Sierra Nevada snowpack is close to setting records notched more than three decades ago — a welcome sight after five years of punishing drought in California, surveyors said Wednesday.

A series of storms that doused the state in the first two months of the year brought the water content of the snowpack up to a “pretty phenomenal” 185 percent of normal, well above the 84 percent of normal a year ago, said Frank Gehrke, the state’s chief snow surveyor.

Winter snowfall on the 400-mile mountain range provides roughly one-third of the water used in the nation’s most populous state as the snow melts over the spring and summer and fills reservoirs supplying farmers and city dwellers.

Gehrke said the snowpack is nearing levels last seen in 1983. He noted that levels reached by April are a key marker because that’s the typical end to the wet season.

“We’ve busted through April 1 values pretty much at all snow courses throughout the state,” Gehrke said.

Gehrke took a manual measurement under clear blue skies Wednesday in a meadow at Phillips Station near Lake Tahoe. He found 10 feet of snow at a spot that had been bare of snow at the height of the drought.

Nearby road signs stood half-covered in snow, and roof peaks of homes sat nestled in deep snow with tunnels dug out for access to front doors.

At the southern end of the Sierra Nevada — with the highest mountain peaks — more than double the normal amount of snow has piled up.

The deluge follows five years of drought, including two of the driest in the state’s recorded history.

In April 2015, Gov. Jerry Brown attended the monthly snowpack survey near Lake Tahoe, standing in a field that was barren of any measureable snow.

Brown later ordered residents to use less water at home — a first for California. In the state that leads the nation in producing fruits, vegetables and nuts, some farmers drew down wells to grow their crops; others left fields unplanted.

The bleak scenario began to ease last year. In recent weeks, heavy storms flooded some areas of California.

For a time, officials feared Oroville Dam, the nation's tallest, could burst. Tens of thousands of people were evacuated.

Flood damage statewide reached an estimated \$1 billion, officials said.

The snow, however, has been good news for skiers.

At Mammoth Mountain, a popular destination in Southern California, more than 43 feet of snow has fallen.

Resort spokeswoman Lauren Burke said the venue plans to stay open through Independence Day. Farther north, Lake Tahoe is at its highest level in more than a decade and ski resorts are extending the season to the end of April.

"We've had days when we had to take a little extra time to dig out we've had so much snow," said Marcie Bradley, a spokeswoman for Northstar California. "It's been an incredible snow year."

Sierra snowpack near record level

Water supply is replenished, but fear of flooding looms

By Joseph Serna, March 2, 2017

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The results of the atmospheric rivers have been striking. Isolated, low-lying towns along the Russian and Sacramento rivers have been flooded repeatedly over the last two months. Dozens of counties have declared states of emergency, and the state’s biggest reservoir, Shasta Lake, released water from its spillway gates for the first time in two decades last week.

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LaMalfa, Garamendi introduce bill boosting Sites Reservoir

By Staff Reports, March 3, 2017

Two north state congressmen have introduced joint legislation to help get Sites Reservoir built.

The proposed reservoir west of Maxwell in Colusa and Glenn counties has been under review for decades, and could get some state funding under Proposition 1, a \$7.5 billion water bond approved by voters in 2014.

But the status of necessary federal and state approvals will determine which projects actually get funds.

The bill announced Friday by Doug LaMalfa, R-Richvale, and John Garamendi, D-Walnut Grove, would accelerate the federal review of Sites Reservoir and improve its chances.

H.R. 1269 would also authorize the federal government to be involved in construction of the project should it be found feasible.

"Sites Reservoir will provide more storage per dollar invested than any other proposed project in the state," said LaMalfa in a press release. "This will help to ensure that we have adequate storage to capture more water during the wet season and allow us to use that water effectively during times of future drought."

"Sites Reservoir is one of the most useful, cost-effective water infrastructure projects California could build," said Garamendi. "The recent feast-or-famine water years should remind us all of the importance of building safe, environmentally friendly long-term storage that can take advantage of wet years and help provide for our water needs during drier periods."

Sites would be an off-stream 1.8 million-acre-foot reservoir that is anticipated to provide 500,000 acre-feet of new water each year. As planned, the lake would be filled with winter runoff from streams flowing into the northern Sacramento Valley, many of which are not controlled by dams.



COLUMNS

Jamie Johansson: Oroville shows need for flood-control projects

By Jamie Johansson, Guest commentary

Saturday, March 4, 2017

Along with the torrents of water released recently from Oroville Dam has come a torrent of ink and words, as writers from every perspective have opined about the dam, the safety of its emergency spillway and what it means for California's water system in general.

I have something of a unique perspective on this. Not only is my farm four miles from Oroville Dam — I was actually at its Visitors Center with my Cub Scout group when word came that authorities were ordering evacuation of areas downstream, concerned about failure of the auxiliary spillway within an hour — a surreal moment that now is second in my life only to experiencing the 1989 Loma Prieta earthquake in San Francisco.

As it turned out, my home and farm were outside the evacuation area, but the order caused worry and dislocation for many of my friends and colleagues.

So far, though, the impact has been mainly one of significant but temporary disruption for the estimated 200,000 people evacuated — not the impending disaster some people feared. For that, we can all be grateful.

Nonetheless, several headlines have referred to the Oroville situation as a disaster. It wasn't a disaster. Instead, it was a disaster averted. The emergency spillway held. The dam itself was never in jeopardy. Its operators were able to lower the lake level enough to allow people to return to their homes, farms and businesses after a couple of nervous days — though no one will take their eyes off the dam until we are safely through the spring snowmelt and repairs are complete.

In a news conference addressing the events at Oroville Dam, Gov. Jerry Brown referred to the Loma Prieta earthquake as an example of how California should move forward: "We live in a world of risk. Stuff happens, and we respond." We should hope California responds to our water infrastructure needs in the same way it did after Loma Prieta to protect people from earthquakes.

The Oroville incident — and the huge volume of precipitation that preceded it — serve as a massive wake-up call. As others have noted, California and the nation have scrimped on infrastructure. We haven't invested enough in the roads, bridges, sewers, canals and dams on which so much of our safety and livelihoods depend.

And where we have invested, how much of our state's financial resources have been squandered on questionable mitigation projects at the expense of public safety?

Dams have been out of favor with some people for quite a while, of course. Environmentalists say they hate them for blocking rivers and affecting fish and wildlife. A couple of environmental groups have been all too eager to note that they had raised concerns about the Oroville Dam emergency spillway in 2005, as they looked for every reason they could to discourage a federal agency from renewing the dam's license.

The environmental groups' petition noted that in 1966, Congress authorized construction of an additional 750,000-acre-foot flood-protection reservoir at Marysville. Had that dam been built, the environmental groups' now-famous concerns about the Oroville spillway would have been alleviated. But of course Marysville Dam was never built — and the protection of salmon and steelhead in the Yuba River as endangered species makes the prospect remote.

Fortunately, Oroville Dam was there. Otherwise, all that water falling on the Feather River watershed would have gushed through the Sacramento Valley, flooding cities and turning the valley into the inland sea that it once became, periodically, in the wettest of winters.

I haven't heard the environmental groups describe how they would prevent flooding, in the absence of dams. Nor have I heard them discuss how their decades of anti-infrastructure obstructionism contributed to the lack of investment in flood control that everyone now regrets.

When California voters approved the Proposition 1 water bond in November 2014, they did so in the midst of a grinding drought, with the goal of adding to the state's water supply. As reservoir operators release huge volumes of water this winter, there's often no place for it to go but out to sea. If next winter turns dry, and California returns to a drought cycle, we will dearly miss all of the flood-flow water we had to dump in 2017.

That's why it's so important to keep pushing forward with above-ground storage projects such as Sites and Temperance Flat reservoirs. Creating additional underground storage projects can also help take better advantage of the wet times, when they come.

A winter such as 2017 — where California seemingly moved in the blink of an eye from lingering drought to widespread flood worries — shows us how our water system needs to add flexibility both in operation of existing projects and in creation of new ones. It has shown us where we need to concentrate efforts at flood control, just as previous drought winters showed how crucial it is to improve our ability to capture water for future supplies.

Dams and reservoirs that have increasingly been repurposed to benefit protected fish need to return to their true multi-use roots, assuring flood control and water supply in ways that still allow fish populations to recover.

Farm Bureau will continue to work with elected officials, government agencies and others involved in water and flood-control discussions, to make sure these lessons are applied.

Jamie Johansson is first vice president of the California Farm Bureau Federation and served on the Oroville City Council for six years.

Snow data confirms winter beat drought

BENJAMIN SPILLMAN RENO (NEVADA) GAZETTE-JOURNAL, March 5, 2017

One sure sign the Sierra Nevada is experiencing a historic winter is the snowpack is getting too deep for devices scientists use to measure it.

It's a problem that cropped up Wednesday when researchers sought to confirm snow depth at a data site on Slide Mountain at Mt. Rose Ski Tahoe near Reno.

"We're not even close," hydrologist Jeff Anderson said after jamming an aluminum tube more than 16 feet into the snowpack hoping to reach the ground below.

The snow-measuring snafu provided real life confirmation of what scientific instruments on the site already showed.

The Sierra Nevada is wrapping up a historic winter and that's huge news for Nevada and California, states that have spent the past several years mired in drought.

"Who would have thought this two years ago when we were measuring the worst snowpack on record," Anderson said.

The snowpack is 212 inches deep at the Slide Mountain SNOTEL site. Water content at the site was 74.6 inches, meaning there's more than six feet of water in the 17-foot snowpack. It's a record for March 1 at the site.

The previous record for March 1 snow water equivalent at the site was a little more than five feet in 1997.

The overall site record was more than seven feet of snow water equivalent in May 1995.

Since Oct. 1, the first day of what's referred to as the "water year," there's been nearly eight feet of precipitation at the Slide Mountain site. Much of it has been rain but there's plenty of snow.

Mt. Rose Ski Tahoe has measured a total of about 54 feet since the beginning of ski season.

The total precipitation so far makes it the second-wettest year at that SNOTEL site, with seven months remaining in the water year.

An average year at the site sees a little more than four-and-a-half feet of precipitation.

The big numbers aren't limited to one SNOTEL site.

The overall snowpack in the Truckee River Basin is 207 percent of normal for the date. The Lake Tahoe Basin snowpack is at 220 percent. The Carson River Basin is at 210 percent. The Upper Humboldt Basin, which is an important basin for rural northern Nevada, is at 156 percent.

California's March 1 snowpack totals are equally impressive.

At the Phillips snow course site south of Lake Tahoe the water content jumped from 28 inches at the beginning of February to more than 43 inches March 1. Snow depth was more than nine feet.

Statewide, the California snowpack is at an estimated 185 percent of normal for the date.

In fact, there's more snow now than there usually is on April 1, when the snowpack tends to peak.

"We busted through April 1 values pretty much at all snow courses throughout the state," said Frank Gehrke, chief of the California Cooperative Snow Surveys Program.

Bill would speed up review of proposed reservoir

Damon Arthur , Record Searchlight Published 8:09 p.m. PT March 5, 2017 | Updated 8:45 a.m. PT March 6, 2017

Citing recent events at Oroville Dam, two congressmen have introduced a bill to speed up approval of a new reservoir in Northern California.

The bill, HR1269, would accelerate federal review of the proposed Sites Reservoir and give officials a better chance at funding for the project under Proposition 1 bond funding, according to a news release from U.S. Rep. Doug LaMalfa, R-Richvale.

"The recent incident involving the Oroville Dam is testament to the fact that California needs better water infrastructure," LaMalfa said in a statement.

Federal, state and local officials are pushing a new reservoir 10 miles west of Maxwell in Colusa County. The reservoir, about a third of the size of Lake Shasta, would be filled with water pumped in from the Sacramento River and used for irrigation and drinking water.

The authority wants to apply for funding under a \$7.5 billion water bond approved by voters in 2014.

Sites Reservoir General Manager Jim Watson said last year that the project could cost about \$4.4 billion, with about half that paid for through the water bond.

The reservoir would be filled when there are high flows in the Sacramento River.

The bill would speed up the federal review of the proposed reservoir so an application for funding could be submitted by the June deadline, said Fritz Durst, vice chairman of the Sites Reservoir Joint Powers Authority.

If officials with the U.S. Bureau of Reclamation and California Department of Water Resources have all their documentation completed and work together on a proposal it is more likely bond money would be approved, Durst said.

LaMalfa and U.S. Rep. John Garamendi, D-Davis, introduced a similar bill in February 2015, also hoping to speed up federal review of the reservoir. Two years later, though, the congressmen are still seeking accelerated review of the project.

Two years ago LaMalfa and Garamendi said the state's historic drought highlighted the need for more water storage in Northern California. Rains the past couple years have eased the drought in Northern California. But the reviews for Sites continue.

This time, LaMalfa is invoking the near disaster at Oroville Dam, as an argument for speeding up review of the Sites proposal. Last month some 188,000 people were evacuated downstream of the dam as officials worried the dam's emergency spillway was in imminent danger of collapse.

Durst said building Sites Reservoir would help keep other Northern California reservoirs full. He said cold water in Lake Shasta, needed by endangered winter-run chinook salmon in the Sacramento River, could be saved until it is needed in the fall.

Water for the Sacramento-San Joaquin Delta, as well as drinking water and irrigation, could come from water stored in Sites, Durst said. It would also provide enough water for some 7 million people in the state, proponents say.

LaMalfa said Sites Reservoir will give officials greater flexibility in water management.

This will help to ensure that we have adequate storage to capture more water during the wet season and allow us to use that water effectively during times of future drought," LaMalfa said.

Federal appeals court sides with Agua Caliente tribe in landmark water case

Ian James , The Desert Sun, March 7, 2017

A federal appeals court sided with the Agua Caliente Band of Cahuilla Indians on Tuesday in a landmark water case, upholding a ruling that the tribe has federally established rights to groundwater in the Coachella Valley.

The decision by the Ninth Circuit Court of Appeals is likely to set an important precedent for tribes across the country.

The three-judge panel upheld a 2015 ruling in which a judge backed the Agua Caliente tribe's claim that it holds a federally granted "reserved right" to groundwater beneath its reservation in Palm Springs and surrounding areas.

The appeals court said in its opinion that the creation of the Agua Caliente Reservation in the 1870s "carried with it an implied right to use water from the Coachella Valley aquifer."

The decision is a setback for the Coachella Valley Water District and the Desert Water Agency, which had argued the tribe holds the same right to use groundwater under state law as all other landowners in California.

The water districts could appeal the decision to the U.S. Supreme Court. Now that the agencies have lost their appeal, the case is set to return to federal court for the next phases in the trial, which are to determine how much groundwater the tribe is entitled to.

Agua Caliente Tribal Chairman Jeff Grubbe said the decision "validates the Tribe's work to protect and preserve the Coachella Valley's most important natural resource."

The appeals court is the highest federal court to directly address the question of whether water rights reserved by the federal government apply to groundwater as well as surface water. In debating that issue during a hearing in October, lawyers for the tribe and the two agencies touched on other decades-old water cases relating to national forests and endangered fish.

The Agua Caliente tribe sued the two water agencies in May 2013, seeking to assert rights to a portion of the area's groundwater and to gain greater influence in decisions about how the aquifer is managed. The tribe has accused the agencies of imperiling the desert aquifer by allowing its levels to decline over the years and by using saltier, less pure Colorado River water to offset the amounts drawn out.

The water agencies have defended their efforts to manage the supply of groundwater and have insisted that water from the Colorado River meets or exceeds all drinking water standards.

The agencies said they filed the appeal seeking to protect the general public's right to water, and are now considering whether to appeal to the Supreme Court.

"We're going to keep working toward the best outcome for the public," Mark Krause, DWA's general manager, said in a statement. "The groundwater basin should remain a shared public resource."

Grubbe has said the case is about securing a "seat at the table" for the Agua Caliente to have a voice in water management decisions. He said the court's ruling is "another critical step toward how water will be responsibly managed in the future."

Groundwater levels have declined over the years in much of the Coachella Valley as water has been pumped from the aquifer for expanding subdivisions, golf courses, resorts and farms.

The water agencies have used imported water from the Colorado River to partially offset those declines, and the water table has risen around groundwater recharge ponds in Palm Springs and La Quinta. The biggest declines in the aquifer's levels – in some areas 90-100 feet or more since the 1950s – have occurred away from those ponds in the middle of the valley.

The two water agencies say they have viable long-term plans to combat groundwater overdraft. They've questioned the tribe's reasons for suing, its financial motivations, and how it intends to use the water.

"They could sell water back to the public, or it could use the water for any purpose," Desert Water Agency said in its statement. "This could drive up rates for local residents and businesses."

The Agua Caliente tribe, which has more than 400 members, owns the Spa Resort Casino in Palm Springs and the Agua Caliente Casino Resort Spa in Rancho Mirage, and has plans for new housing subdivisions on tribal land.

The reservation spreads across more than 31,000 acres in a checkerboard pattern that includes parts of Palm Springs, Cathedral City, Rancho Mirage, and the Santa Rosa and San Jacinto mountains.

The U.S. Department of Justice has signed on as a party to the lawsuit in support of the tribe.

Other leaders of Native American tribes across the West have been closely watching the case. A list of tribes joined the case last year, backing the Agua Caliente in a "friend-of-the-court" brief. Tribes that have signed on include the Morongo Band of Mission Indians in California, the Spokane Tribe of Indians in Washington and others, as well as organizations such as the California Association of Tribal Governments.

In arguments laid out in court documents, the two sides have cited details of the reservation's establishment in 1876 through an executive order by President Ulysses S. Grant, as well as a subsequent order by President Rutherford B. Hayes in 1877 setting aside additional lands for the tribe. Both side also referred to a 1908 Supreme Court decision, *Winters v. United States*, that affirmed that Indian tribes are entitled to sufficient water supplies for their reservations.

The three-judge appeals court panel – comprised of Circuit Judges Richard Tallman and Morgan Christen, and District Judge Matthew Kennelly – said in the opinion that "the Winters doctrine does not distinguish between surface water and groundwater."

They also ruled that federally reserved rights, such as those held by the tribe, preempt state water rights. The judges said "the fact that the Tribe did not historically access groundwater did not destroy its right to groundwater now."

Grubbe argues the water districts have significantly degraded the quality of the groundwater by allowing Colorado River water, which has higher levels of dissolved salts and minerals, to seep down to the aquifer. He has suggested they should instead treat the imported water before allowing it to flow into the underground drinking water supply.

Grubbe said in a statement that the agencies' current practices "are not acceptable for long-term health and viability of the Coachella Valley water supply."

He said the tribe's leaders raised their concerns for years "but were repeatedly ignored."

Court: Federal rule doesn't stop DWA from collecting fees on Indian land

Rosalie Murphy , The Desert March 7, 2017

A federal appeals court has rejected the Desert Water Agency's challenge to a Department of the Interior regulation, denying the agency's argument that the rule could prevent it from collecting millions of dollars in revenue from customers in the Palm Springs area.

The court believes the water agency will be able to continue charging customers on leased Indian land without interference, and does not need extra support from the judiciary to do so, according to an opinion issued by the Ninth Circuit Court of Appeals on Tuesday.

"DWA continues to collect fees and charges from non-Tribal members on lease land. According to the 9th Circuit, DWA lacks standing until it loses revenue on its fees and charges due to the (Department of the Interior) regulation," water agency general manager Mark Krause said in a statement.

Krause said DWA's legal team is reviewing the decision.

The Department of the Interior regulates leases on the U.S.'s Indian reservations. Some 20,000 people in the Palm Springs area lease land on the Agua Caliente Band of Cahuilla Indians' reservation in the Palm Springs area, paying rent for the land underneath their homes, businesses and timeshares.

Beginning in 2011, Interior overhauled the regulations that govern leasing on Indian land nationwide. One of those new rules stated that property on leased land — known as a "possessory interest" — was subject to federal law and could be taxed by the tribe, but not subject to charges imposed by states or "political subdivisions" of states, including water agencies.

Desert Water Agency filed suit in March 2013, fearing that the language could prevent it from collecting fees on leased land and cost it millions of dollars in revenue. DWA argued that, in issuing the new regulatory language, the Department of the Interior was effectively ordering the water agency to immediately stop charging customers who own property on leased land.

Attorneys asked the court to issue a declaratory judgment affirming that DWA could continue to charge those customers.

But the federal government argued that the regulation simply restated a decades-old rule — one holding that, generally, federal and tribal interests preempt state interests. Because it didn't create a new rule, the government argued, DWA could continue charging fees without interference.

A circuit court in January 2014 dismissed DWA's complaint. The judge in that case agreed with the government's interpretation of the rule and added that DWA had not actually been harmed by the language change — it had collected its fees without customers refusing to pay or the federal government's interference.

DWA appealed the ruling to the Ninth Circuit Court of Appeals, one of eleven high courts superseded only by the U.S. Supreme Court.

In the opinion issued Tuesday, the Ninth Circuit held that Interior's regulation had simply re-stated an old law, not issued a new one, and did not preempt DWA's charges.

"We agree with Interior that (the rule) does not itself operate to preempt DWA's charges, and does not command DWA to modify its behavior by doing or refraining from doing anything," Circuit Judge Diarmuid F. O'Scannlain wrote in Tuesday's opinion.

Further, the court declined to issue a declaratory judgment supporting DWA's right to collect charges.

The Agua Caliente tribe has filed its own lawsuit objecting to Riverside County's collection of possessory interest taxes on leased land. The tribe has argued that the county collects those taxes but does not reinvest them on the reservation.

DWA is also a party to that case. In 2015, a judge approved the tribe's motion for partial dismissal, stipulating that the tribe was not challenging the legitimacy of DWA's water service charge, groundwater replenishment fee and a property tax the water agency collects — only the 1 percent possessory interest tax. DWA remains a defendant because it receives some county revenues.

If the court finds in favor of the Agua Caliente, Riverside County could lose about \$28 million in annual revenue, the county said when DWA joined the lawsuit in 2014. At that time, DWA received about \$1.6 million annually from those revenues.

"In joining this suit, Desert Water Agency was acting to protect the interest of the public it serves. The taxes that Riverside County collects on behalf of DWA pay for State Water Project capital expenses that benefit our entire community," Krause said in a statement. A ruling in favor of the tribe, he added, "would shift some costs of service from customers on tribal leased land to those who are not."

That case is scheduled to go to trial before a U.S. district court in June.

Flood control benefits from new storage projects debated

Proposed California storage projects such as Sites Reservoir, Temperance Flat Reservoir and the raising of Shasta Dam might have lessened some of the flooding and other impacts from this winter's storms, but likely not all, officials said.

Tim Hearden • Capital Press Published on March 7, 2017 9:19AM

SHASTA LAKE, Calif. — If all of California's proposed water-storage projects were already built, would they have lessened the severity of flooding and other impacts from this winter's heavy storms?

Perhaps, say federal and state water officials.

For instance, Sites Reservoir, a planned 1.8 million acre-foot reservoir expected to vie for Proposition 1 bond funds, may have captured enough water to prevent at least some of the flooding in the Maxwell area on Feb. 18, said Ajay Goyal, chief of the statewide infrastructure investigations branch for the California Department of Water Resources.

The proposed \$3.6 billion reservoir would have held back some water from Stone Corral Creek and other creeks, which swelled and prompted the evacuation of Maxwell, he said.

"That creek will have less water coming down because it will be caught by a dam," Goyal said, adding that water in area creeks would be sent from the reservoir.

"You wouldn't have uncontrolled water coming in," he said.

But the degree to which flooding could have been averted would depend on timing, cautions Louis Moore, spokesman for the U.S. Bureau of Reclamation in Sacramento. Sites could have held back water, but some of the area's flooding was caused by torrential rainfall in low-lying areas, Moore said.

"Even though you might have the space (for water), it would still require getting that water there," Moore said, adding that "it's not really clear" how much of Maxwell's flood water could have been held by, or diverted to, Sites.

Goyal agreed, noting that Sites' biggest benefits for flood control would occur when the torrential rains fall upstream and can be captured.

Their comments come as Reps. John Garamendi, D-Calif., and Doug LaMalfa, R-Calif., have reintroduced legislation to speed up the federal review of Sites Reservoir and allow the federal government to be involved in construction. The two originally teamed on legislation in 2015 that would have set a deadline of late last year for the feasibility study, but the bill didn't make it out of the House Natural Resources Committee.

"The recent feast-or-famine water years should remind us all of the importance of building safe, environmentally friendly long-term storage that can take advantage of wet years and help provide for our water needs during drier periods," Garamendi said in a statement.

Farm groups have been quick this winter to use flooding and other impacts to call for more storage. For example, as the California Farm Bureau Federation was assessing damage to crops and fields during the Presidents' Day weekend storms, president Paul Wenger argued flood control releases show a need to enhance the state's storage capacity.

"Believe it or not, there are people who think we don't need more water storage, and that we should even tear down many of the facilities we now have," Wenger, a Modesto area nut farmer, said in a statement. "These activists don't care how many people suffer from devastating floods in winters like this. They don't care how many people suffer from water shortages during drought."

Sites is one of several projects around the state that have been identified for potential funding from Proposition 1, the \$7.5 billion water bond passed by voters in 2014. The California Water Commission will begin taking applications this year for \$2.7 billion set aside in the bond for large storage projects.

Other potential projects include the proposed \$2.5 billion Temperance Flat Reservoir near Fresno and a proposal to raise Shasta Dam by as much as 18 feet.

Sites would get about 500,000 acre-feet a year from high flows in the Sacramento River, Goyal noted. That opportunity would occur in most years, he said. "It's not that you have to have flooding, but you have to have good flow and the (Sacramento-San Joaquin River) Delta conditions have to be met," he said. Temperance Flat would create 1.26 million acre-feet of new storage above Millerton Lake, easing flood risks along the San Joaquin River, Goyal said.

"This reservoir would certainly fill up from a (winter) like this and capture a lot of water," he said. That water would be useful in dry years, he said.

The proposed raising of Shasta Dam by 18 feet would increase the reservoir's capacity by 634,000 acre-feet, perhaps lessening instances of last month's releases of up to 79,000 cubic feet per second to make room for future storms and spring runoff. The releases pushed the Sacramento River above flood stage in Tehama County and threatened homes along the river in Shasta County.

A long-awaited federal study on the raising of Shasta Dam was completed in 2015, concluding the estimated \$1.4 billion project is technically and economically feasible but stopping short of recommending funding for the project. The proposal faces opposition from the Winnemem Wintu Tribe, which asserts the higher lake levels would threaten to submerge many of their sacred sites, and would likely be ineligible for Proposition 1 funding.

But regardless of how much new storage were built, some flood control releases would likely still be necessary in a winter such as this, Moore cautions. Water that has passed through Folsom Lake this winter, for example, "would have filled it two or three times," he said.

"The requirements for flood operations would still exist based on forecast conditions, storage in the reservoir and runoff," he said. "We would still need space to receive that water."

Briefly

March 9, 2017

LAKE ELSINORE

Water board to consider relaxing restrictions

Customers of the Elsinore Valley Municipal Water District could get a break on drought related restrictions if the agency's directors support the idea when they meet today.

The session will start at 4 p.m. at the district's office, 31315 Chaney St., in Lake Elsinore.

District administrators propose rolling back the Stage 3(A) drought restrictions now in effect. Instead, the district would be at Stage 2, where some restrictions would be loosened, while others would remain because of the possibility that drought conditions could return.

Approval of the change would mean drought related penalties would be removed from the district's rate structures.

Elsinore Valley supplies water and sewer service to Lake Elsinore, Wildomar, Canyon Lake, Lakeland Village and Temescal Valley. — Michael J. Williams

CLIMATE CHANGE

Water regulators prep for warming

State officials press for 'comprehensive and integrated' planning effort

Ian James, March 10, 2017

California's water regulators are looking to strengthen their focus on climate change, adopting policies aimed at helping the state prepare for more severe floods, more extreme droughts and shrinking snowpack.

The State Water Resources Control Board approved a resolution this week outlining plans for what it calls a "comprehensive response" to climate change. In the document, the board says given the seriousness of global warming's impacts on California, "our response to climate change must be comprehensive and integrated" into all of the agency's work.

The plan lays out a list of commitments and policies, in many cases specifying dates for the staff to produce reports or collect new data in areas from drinking water regulation to water quality protection.

"It commits the entire organization at every level to make climate a component of everything that they do," said Frances Spivy-Weber, the board's vice chair. She said the changes will have concrete effects within the agency and will make climate change a critical consideration in all of its water planning efforts.

"We're not talking about just one action here such as conservation or recycled water," Spivy-Weber said. "We're talking about our data collection. We're talking about the water quality permits that are at the regional level. We're talking about financing. We're talking about admin decisions."

The new initiative builds on other steps by state officials to dramatically cut emissions of planet-warming pollution and prepare for the impacts of a hotter climate on water supplies. The focus on considering climate change in all of the State Water Board's programs provides yet another example of just how radically California's policies differ from those of the Trump administration, which is proposing to boost fossil-fuel development and roll back environmental regulations aimed at reducing emissions of greenhouse gases.

While lawmakers in Sacramento have been strategizing ways of achieving deeper cuts in air pollution, new Environmental Protection Agency chief Scott Pruitt told CNBC's "Squawk Box" this week that he doesn't think carbon dioxide is "a primary contributor to the global warming that we see" – a position that contradicts the agency's established policy and the research of climate scientists.

Gov. Jerry Brown, in contrast, has for years been advocating aggressive steps toward clean energy and preparing California for a hotter future.

The state's Water Action Plan, which was released in January 2014, lays out a list of broad goals including making conservation a "California way of life," preparing better for dry periods, increasing flood protection and expanding the state's water storage capacity, both in reservoirs and underground in aquifers.

In describing the scope of California's water challenges, the 2014 plan outlined strategies for climate adaptation and acknowledged that the state's water system is "inadequate to handle the additional pressures of future population growth and climate change."

In the new resolution approved Tuesday, the State Water Board instructed its staff to coordinate with California's nine regional water quality boards to collect annual data on how much recycled water is used, and to begin producing estimates of how much stormwater is captured and used statewide.

The agency's water quality division is tasked with developing recommendations by July 2018 on how to reduce the vulnerability of water infrastructure to flooding and sea-level rise. And the board's drinking water division will start including assessments of climate change vulnerability in its surveys of communities' water systems.

Other directives focus on providing financial support to protect water systems deemed vulnerable to climate change, restoring and protecting ecosystems and considering ways of reducing the amounts of methane that are released from landfills and dairies.

The plan, which does not involve additional funding, also requires the board's staff to use up-to-date climate models and data to guide decisions rather than relying solely on historical data.

During more than a decade on the board, Spivy-Weber has advocated various strategies for adapting to the added strains the warming climate will place on water supplies. Spivy-Weber, who is stepping down and retiring this month, has said she's optimistic that "climate adaptation definitely is achievable with conservation and a portfolio of water supplies."

For local water districts, she said, the new directives "will affect them eventually if there is a need to add climate considerations into permits, or if water rights are starting to be in some ways encumbered by changes in climate."

After five years of severe drought, heavy rains and snowfall have brought flooding and dramatically boosted the levels of California's reservoirs. As of this week, snow sensors across the Sierra Nevada measured the snowpack at 179 percent of average.

In many farming areas in the San Joaquin Valley, though, groundwater has been severely depleted and overpumping remains chronic – a central focus of the state's 2014 Sustainable Groundwater Management Act, which will require local agencies to develop plans for combating overdraft.

Water researchers have said California and other western states will need to take a variety of steps to anticipate the emerging changes in the region's hydrology.

"Climate change is making a bad situation worse in California. The state is already chronically water short as it struggles to maintain agricultural productivity," said Jay Famiglietti, the senior water scientist at NASA's Jet Propulsion Laboratory in Pasadena and a professor at the University of California, Irvine.

"With the expected changes in the extremes of flooding and drought, as well as decreases in precipitation and snowfall, water managers will have their hands full," Famiglietti said. "It is essential that climate change is accounted for in long-range water planning."

With the drought easing, Brown and the state's top water managers have sought to pivot to long-term conservation strategies while building on the water-savings that Californians have achieved during the past two years.

The water board announced this week that cities and towns across California reduced water use 20.5 percent in January as compared to the same month in 2013, which the state is using as a baseline. Californians have cut back by a cumulative 22.5 percent since state officials began tracking monthly conservation in June 2015.

Felicia Marcus, chair of the State Water Board, said conservation will remain important "in light of the greater extremes we can expect with climate change and increasingly weird weather."

The flooding this winter has also drawn more attention to California's aging dams and other water infrastructure. Last month, Brown proposed spending \$437 million on flood control and emergency response efforts, partially to pay for repairs to the damaged spillways of Oroville Dam. That funding would address only a fraction of the \$187 billion that state officials estimate California needs to spend on water and transportation infrastructure in the long term.

Spivy-Weber said the dramatic swing from severe drought to one of the wettest winters on record shows how California is confronting more extreme weather as a result of climate change, and the state faces "significant challenges to improve the resiliency of our water systems, from our dams to our groundwater basins."

She said the State Water Board's new commitments are key steps in California's "continuing leadership on climate change."

UNDERGROUND STORAGE

Water basins still low, managers say

It takes more than one wet winter to recharge some especially dry parts of the Inland supply

By Jim Steinberg, March 16, 2017

SAN BERNARDINO - While this winter's precipitation was good news for Northern California, the effect has not been so positive for much of the Inland Empire, area water managers said Tuesday.

"The precipitation that refills our underground storage basins is actually below average, so far," said Bob Tincher, manager of water resources for San Bernardino Valley Municipal Water District. "So if it were to stop raining today, even with the wet year in Northern California, our groundwater storage levels could actually decrease again this year."

The Inland Empire needs three consecutive above-average precipitation years to refill local groundwater basins, he said.

Valley district's service area spans the eastern two-thirds of the San Bernardino Valley and serves about 660,000 customers.

While many in California say the drought lasted six years, for residents above the San Bernardino and Colton-Rialto water basins, this drought began in 1998, Tincher said.

Water agencies in the east valley and much of western San Bernardino County depend on local rainfall for 75 percent of their water, Tincher said.

Much of the water that refills the San Bernardino Basin area comes from the watersheds Lytle Creek, the Santa Ana River and Mill Creek.

All of those have had below-average rainfall for 16 of the last 18 years, he said.

The local mountains are so dry they will likely soak up a lot of the precipitation that has been falling this year, possibly reducing the amount of runoff for groundwater recharge, he said.

"We need to keep in mind that despite continuing reports of record rainfall and snowfall up north, we are not seeing record precipitation locally," Susan Longville, president of the Valley district, said in a statement. "Despite a better-than-average snowpack this winter, the next dry spell could be right around the corner, so it's important to protect water resources."

The cumulative change in storage decreased in 2016 in the San Bernardino Basin area while the significantly smaller Rialto-Colton Basin experienced a modest increase, Tincher said.

Without the recharge of State Water Project water, storage levels would be even lower in the San Bernardino and Rialto-Colton basins and would have hit historic lows around 2002 instead of 2014 and 2010, respectively, Tincher said.

The change in storage increased significantly for the Yucaipa Basin, the smallest of the three, between 2005 and 2013, Tincher said. It rose due to the Yucaipa Valley Water District steadily increasing its imported water deliveries and, correspondingly, reducing its groundwater pumping. The change in storage has declined in recent years as Yucaipa has relied on its stored groundwater to get through the drought, but it showed a slight increase in 2016, he said.

In 2017, the San Bernardino Basin water supply will likely register a slight increase, if the Valley district is able to import its full allotment of water, which is higher than the amount available last year, Tincher said.

“Water conservation has to become a lasting way of life in California, said Longville, also chairwoman of the Santa Ana Watershed Project Authority.

Valley district will be asking customers to continue conserving water and eliminating water waste inside and outside their homes, Longville said.

Valley district’s service area spans 353 square miles and includes Crafton Hills, a portion of the Yucaipa Valley, and the cities and communities of San Bernardino, Colton, Loma Linda, Redlands, Rialto, Bloomington, Highland, East Highland, Mentone, Grand Terrace and Yucaipa.

Valley district is responsible for long-range water supply management, including importing supplemental water, and is responsible for most of the groundwater basins within its boundaries.

Los Angeles Times

Water emergency called

Mayor's bid to protect infrastructure 'sounds more ominous' than it is, DWP official says.

By Dakota Smith, March 21, 2017

Mayor Eric Garcetti proclaimed a state of emergency Monday, citing concerns that melting snowpack in the eastern Sierra Nevada could flood homes and highways in the Owens Valley and damage the Los Angeles Aqueduct.

The proclamation, which takes effect immediately and lasts seven days, is designed to help the Los Angeles Department of Water and Power protect its pumps, pipes and reservoirs in the Owens Valley and surrounding areas.

Although the head of the DWP downplayed the immediate threat level, Garcetti called the potential for infrastructure damage "very, very high," adding that he doesn't "want lives to be upended, families hurt, jobs lost because we waited too long and didn't take action."

Recent storms have dumped record levels of snow in the Sierra Nevada, helping ease the drought and swelling reservoirs. But melting snowpack and heavy rains have also sparked alarm about flooding.

Few details about the proclamation were available before Garcetti's news conference, prompting criticism from City Councilwoman Nury Martinez.

Martinez, who chairs the council's Energy and Environment committee, said her office had been seeking information about the emergency proclamation since Thursday, but hadn't received any information from the DWP.

She said she learned about it after a media advisory and in the news.

"There was no communication to the City Council or the council president in terms of this declaration," Martinez said Monday afternoon at a hearing on the emergency proclamation.

DWP General Manager David Wright said at the hearing that the proclamation "sounds more ominous" than it is, but conceded the utility had fallen short in its communications with city leaders.

"We failed," Wright told reporters after the event. "We should have spent more time briefing the City Council."

With the proclamation, which must be renewed every 14 days, the DWP can fast-track its contracting process to allow the utility to dig trenches to divert water runoff, for example. The proclamation also allows the city to seek federal and state funds.

Richard Harasick, director of water operations at the DWP, said severe flooding could cause as much as \$500 million in damage at Owens Lake. He described such flooding as a potential "train wreck" the city is trying to control.

The city is legally bound to suppress airborne dust from the lake after Los Angeles drained the body of water several decades ago.

Vegetation such as saltgrass that is being used as a dust control measure at the lake would be wiped out, Harasick warned. Pipes and pumps that sprinkle the lake with water could also be damaged, he said.

The DWP said Monday's order is the first emergency proclamation the city has issued for excess snowpack runoff.

Inyo County Administrator Kevin Carunchio said the county is likely to follow with a similar emergency proclamation next week. "Everyone up here is concerned about the spring runoff," Carunchio said.

He described a worst-case scenario in which the Los Angeles Aqueduct would be damaged by floods, cutting off the water supply to the city.

Marty Adams, DWP's chief operating officer, downplayed the possibility of such an event. He said the utility is more worried about silt getting into the aqueduct and the potential

Utility bill startup sued by CVWD

SAMMY ROTH

THE DESERT SUN, MARCH 23, 2017

If you pay your water bill through doxo, billionaire Amazon founder Jeff Bezos is probably pretty happy.

The Coachella Valley Water District, less so.

The desert's largest water agency sued the Seattle-based startup in federal court this week, arguing the company is infringing on CVWD's trademark. Doxo, which counts Bezos as an investor, says it offers customers the convenience of paying all their bills in one place, although it usually charges additional fees (\$3.99 per monthly payment, in CVWD's case). Homes and businesses can also pay their car insurance, health insurance, credit card bills and other bills through doxo.

In its lawsuit, CVWD says the startup misleads customers into believing it's affiliated with the water utility, if not the utility's official payment service. Water district officials are concerned that if doxo provides poor service, customers will blame them. CVWD customers can already pay their water bills directly through the utility's website without having to pay an extra fee.

And because doxo transmits payments to CVWD by putting checks in the mail, customers could inadvertently miss a payment deadline, leading to their water being shut off, said Heather Engel, a spokesperson for the water district.

"We're concerned that a customer who comes across this site could be confused and think that they're paying their bill directly to us, when they're not," she said. "The site did have our logo at one time, and it does have our name, and it does have a look that is very similar to our site."

Doxo responds: In an emailed statement, doxo co-founder Roger Parks defended the company's business model. He said the average U.S. household deals with 22 different billers and service providers, and doxo gives people a way to simplify their payments. The startup also offers a mobile app, which many utilities do not. (CVWD launched an app in December, although it doesn't let you pay your bills.)

Parks called the water district's lawsuit "a ridiculous waste of resources," saying it would be "needlessly very expensive for them (and their district residents) and for us."

"I can tell you that this is personally very frustrating," he said.

Parks said 928 doxo users have listed CVWD as their water utility. Since the company started processing CVWD payments in early 2015, it has recorded "exactly 1 customer care incident," he said.

Still, CVWD isn't the first utility to raise concerns. News reports from the last few years show utilities across the country alerting their customers that doxo charges extra fees, and emphasizing that they're not affiliated with doxo. In some cases, utilities have warned consumers that doxo is a scam, only to backtrack upon realizing the company does submit payments on behalf of customers.

'We do not require that members use Doxo's services'

Doxo's CVWD payments page lists contact information for the water district, as well as a "Coachella Valley Water District FAQ" and links to the utility's social media. Doxo used to feature CVWD's logo as well, although the startup took that down after getting a cease-and-desist letter from the water district, according to the district's lawsuit.

Private companies profiting off the name recognition of public utilities isn't a new phenomenon, said Mindy Spatt, a spokesperson for the Utility Reform Network, a San Francisco-based consumer watchdog. Spatt said that while she isn't familiar with doxo, it's common for Pacific Gas & Electric customers in Northern California to get calls from solar companies that make it sound like they're affiliated with PG& E.

"We would be concerned about any services that are marketed to utility consumers that are not clear about who is selling the service, or what the service is," Spatt said.

Other utilities have similar concerns about doxo, although none of them have sued for trademark infringement. In a "scam alert" posted on its website, the Southeast Colorado Power Association says doxo "is using our contact information and reputation to market its online bill payment service to potential customers."

"SECPA is not in partnership with this company and have not authorized them to use our logo or materials. Furthermore, we do not require that members use Doxo's services," the alert reads.

Doxo has agreements with some companies and utilities that allow customers to pay bills directly through the doxo website, without having to pay an extra fee. Those billers include AT& T, Puget Sound Energy in Washington and Advocate Health Care in Illinois.

"We invite billers to participate, but it is always up to them," Parks, the doxo co-founder, said in an email. "We can't and don't depend on their participation to add value to our users. And we definitely don't think that billers should be able to restrict their users from using services that work best for them."

Doxo was founded in 2008. The company's website says its investors include Mohr Davidow Ventures, Sigma Partners and Bezos Expeditions, which manages Jeff Bezos' personal investments.

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Desert water agencies will appeal to Supreme Court in tribe's landmark groundwater case

Ian James , The Desert Sun , March 30, 2017

The Coachella Valley's largest water agencies will appeal to the U.S. Supreme Court to settle the question of whether the Agua Caliente Band of Cahuilla Indians has a federally established right to groundwater beneath the tribe's reservation.

The Coachella Valley Water District and the Desert Water Agency announced Wednesday that they plan to submit their petition for a review by the Supreme Court in June or July. The agencies' board members decided to take the case to the high court three weeks after a federal appeals court ruled the tribe holds a "reserved right" to groundwater.

The case is likely to set an important precedent for tribes across the country.

Leaders of the water agencies said they're pursuing the appeal to protect the general public's right to water and defend their position that the aquifer beneath the California desert is a shared public resource.

"We believe that the water belongs to everyone, all of it," said James Cioffi, president of the Desert Water Agency's board. "We've always maintained that this is a shared resource."

John Powell, Jr., president of the CVWD board, said the agencies are appealing "on behalf of all the water users in the Coachella Valley."

"Granting control of the groundwater to the Tribe could seriously affect the future of this valley," Powell said in a statement.

The Supreme Court is expected to decide in the fall whether to accept the case or decline to review it.

The Agua Caliente tribe sued the two water agencies in May 2013, seeking to assert rights to a portion of the area's groundwater and to gain greater influence in decisions about how the aquifer is managed. The tribe has accused the agencies of imperiling the aquifer by allowing its levels to decline over the years and by using saltier, less pure Colorado River water to offset the amounts drawn out.

The water agencies have defended their efforts to manage the supply of groundwater and have insisted that water from the Colorado River meets all drinking water standards.

The March 7 ruling by the Ninth Circuit Court of Appeals was the first ever to directly address the question of whether water rights reserved by the federal government apply to groundwater as well as surface water. The appeals court upheld a 2015 ruling in which a judge backed the tribe's claim that it holds a federally granted "reserved right" to groundwater beneath its reservation in Palm Springs and surrounding areas.

The three-judge panel said in the opinion, which was written by Circuit Judge Richard C. Tallman, that the creation of the Agua Caliente Reservation in the 1870s "carried with it an implied right to use water from the Coachella Valley aquifer."

The water districts have challenged that position, arguing the tribe shouldn't have special rights above all other water users.

Managers of the two agencies say they're concerned about the tribe's motives in the lawsuit.

"We don't know how much water the Agua Caliente want or what they would do with it," Cioffi said, "but they have said that they are an entrepreneurial organization."

The Agua Caliente tribe relies on the water districts to pump groundwater for its reservation, where thousands of homes are built on leased tribal land. The agencies also supply water to the tribe's hotels, casinos and golf courses.

The reservation spreads across more than 31,000 acres in a checkerboard pattern that includes parts of Palm Springs, Cathedral City, Rancho Mirage and the Santa Rosa and San Jacinto mountains. The tribe, which has more than 400 members, owns the Spa Resort Casino in Palm Springs and the Agua Caliente Casino Resort Spa in Rancho Mirage, and has plans for new housing subdivisions.

Leaders of the Agua Caliente tribe did not respond to a request for comment about the water agencies' announcement.

Agua Caliente Tribal Chairman Jeff Grubbe has said the case is about securing a "seat at the table" for the tribe to have a voice in water management decisions.

If the court rules in favor of the Agua Caliente or declines to review the matter, the case would then return to federal court to settle other questions about the tribe's rights, including issues of water quality and how much groundwater the tribe is entitled to.

If the tribe prevails before the Supreme Court, other tribes across the country would also gain legal backing to assert rights to groundwater, which could in turn strengthen their positions in negotiations or court-administered adjudications divvying up water supplies.

The U.S. Department of Justice has signed on as a party to the lawsuit in support of the tribe.

Leaders of Native American tribes across the West have also been closely watching the case. A list of tribes joined the case last year, backing the Agua Caliente in a "friend-of-the-court" brief. They include the Morongo Band of Mission Indians in California, the Spokane Tribe of Indians in Washington and the Pyramid Lake Paiute Tribe in Nevada, among others.

The Supreme Court hears a small number of the cases that are petitioned for review and usually focuses on cases in which there is a conflict in the law that needs to be resolved.

"There's definitely some conflict in the law here, and the issue's very important. But that alone doesn't guarantee Supreme Court review," said Leon Szeptycki, executive director of Stanford University's Water in the West program. "The Supreme Court will really be deciding whether the conflict is ripe enough for them to review, or whether they'd like to wait and see the courts develop the issue more, or see this case get litigated to a final judgment before they step in."

Sarah Krakoff, a professor at the University of Colorado Law School, said the case will be an important one to watch but she can't offer any prediction as to what the court might decide if it takes up the case.

"The Ninth Circuit's decision rests on solid reserved rights and Indian law principles," Krakoff said in an email. "But it is the first case to hold that a tribe's reserved water right includes groundwater, and the (Supreme) Court does not have Justices with deep backgrounds in water law or western issues."

In arguments laid out in court documents, the two sides have cited details of the reservation's establishment in 1876 through an executive order by President Ulysses S. Grant, as well as a subsequent order by President Rutherford B. Hayes in 1877 setting aside additional lands for the tribe. Both sides also referred to a 1908 Supreme Court decision, *Winters v. United States*, which affirmed that Indian tribes are entitled to sufficient water supplies for their reservations.

The Ninth Circuit Court of Appeals said in its opinion that the Winters doctrine was “developed in part to provide sustainable land for Indian tribes whose reservations were established in the arid parts of the country.” The court said the doctrine applies to both surface water and groundwater on reserved land.

The judges also pointed out that many areas of the western United States rely on groundwater as their only viable water source.

If the tribe wins the case, the Coachella Valley could eventually join a list of 23 other California groundwater basins that have been adjudicated by courts. In such cases, a judge typically determines how much groundwater may be pumped from an aquifer by various parties.

If that happens, Cioffi said the water agencies’ managers are concerned “it could reduce the amount of water that’s available to the rest of the people, and because of that it might also quite likely drive up water rates to who knows what level.”

The appeals court's ruling left various questions unresolved, including how the tribe's federally granted rights would be prioritized as California moves toward implementing the 2014 Sustainable Groundwater Management Act, under which local agencies are tasked with developing long-term plans for sustainable water use.

The most stringent requirements of the law are focused on areas deemed to be in “critical overdraft.” In the Coachella Valley, state regulators have listed three aquifer sub-basins – Indio, Mission Creek and San Geronio Pass – as being “medium” priority. A fourth groundwater sub-basin, Desert Hot Springs, is classified by the state as being a lower priority.

Several local agencies, among them the Coachella Valley Water District and Desert Water Agency, have filed notices with the state to begin the process of becoming the designated “groundwater sustainability agencies” in areas where they supply water. It's unclear what role the tribe may play in that process.

Groundwater levels have declined over the years in much of the Coachella Valley as water has been pumped from the aquifer for expanding subdivisions, golf courses, resorts and farms. The water agencies have used imported water from the Colorado River to partially offset those declines, and the water table has risen around groundwater recharge ponds in Palm Springs and La Quinta.

The biggest declines in the aquifer’s levels – in some areas 90-100 feet or more since the 1950s – have occurred away from those ponds in the middle of the valley.

The two water agencies say they have viable long-term plans to combat groundwater overdraft, including a plan to begin replenishing the aquifer with water from the Colorado River at a facility in Palm Desert.

Grubbe has argued the water districts have significantly degraded the quality of the groundwater by allowing Colorado River water, which has higher levels of dissolved salts and minerals, to seep down to the aquifer. He has suggested the agencies should instead treat the imported water before allowing it to flow into the underground drinking water supply.

Ian James writes about water and environmental issues for The Desert Sun.

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Los Angeles Times

In the Owens Valley, snowmelt poses a threat

DWP crews race to 'armor' vulnerable aqueduct system

By Louis Sahagun, March 31, 2017

LONE PINE, Calif. — A sudden abundance of snowmelt has rendered a stunning spring landscape in the Owens Valley.

In sleepy towns such as Lone Pine, Big Pine and Independence, an all-but-forgotten sound adds to the serenity, as water again gurgles in every ditch and drainpipe.

But those welcome sounds of water have triggered a cacophony throughout the valley. Crews with chain saws clear culverts, bulldozers reshape reservoirs and backhoes clank and roar in the century-old aqueduct that is a key source of Los Angeles' water.

With snowpack levels at 241% of normal, Los Angeles Mayor Eric Garcetti recently issued an emergency declaration allowing the Department of Water and Power to take immediate steps to "armor" the aqueduct system. This means reinforcing ditches and stream banks with rocks and boulders, and bulldozing up new berms to protect the lattice of plumbing and acres of gravel beds the DWP built as part of its \$1-billion dust-control project on dry Owens Lake, which L.A. drained to slake its thirst.

If the work crews lose the race, the 1 million acre-feet of water expected to flow through the century-old aqueduct system this spring and summer could overflow, damaging the web of earth and concrete channels and inundating not just the sprawling lake bed, but fields, homes and businesses.

DWP activities, however, have elicited concern in the Owens Valley since the turn of the 20th century, when Los Angeles agents posed as ranchers and farmers to buy land and water rights in the area. Their goal was to build the aqueduct system to meet the needs of the growing metropolis 200 miles to the south.

The stealth used to obtain the region's land and water rights became grist for books and movies — most famously "Chinatown" — that portrayed the dark underbelly of Los Angeles' formative years and inspired deep-seated suspicions about the city's motives that linger to this day.

Officials insist that the current emergency poses a real threat not just to urban Los Angeles' residents' water supply, but to the ranchers, farmers, outdoor enthusiasts and small-business owners living in the sage-scented high desert gap between the peaks that frame the valley, some taller than 14,000 feet.

"Conditions of extreme peril" threaten the aqueduct system and valley residents, Garcetti said.

The crews swarming the valley are focused on protecting DWP infrastructure and a 110-mile stretch of U.S. 395, the principal route between Southern California and eastern resort areas. This leaves some folks living in the valley's bucolic towns fretting that they are being overlooked.

The emergency is already taking a toll on the tourism industry.

The Bishop Chamber of Commerce & Visitors Bureau, for example, was forced to cancel the 50th annual Blake Jones Trout Derby scheduled for March 11 after the DWP rescinded its permission to hold the event because of dangerously high waters jumping the banks of the Owens River, just north of town.

"Losing the derby was a \$300,000 hit to the local economy," said Tawni Thompson, director of the chamber. "We'll never know how many vacationers decided not to come through Bishop because they were scared of dying in a flood."

"I'm going to declare a state of emergency," she added, "if our tourism industry goes down the toilet."

Bernadette Johnson, superintendent of the Manzanar National Historic Site on U.S. 395, has been getting nowhere with requests for additional flood control measures along streams on DWP land just outside the boundaries of the location that was a Japanese American internment camp during World War II.

“We were hit by destructive flooding earlier this year, and in 2013 and 2014,” Johnson said. “But the DWP is saying that when all hell breaks loose they won’t have enough resources and manpower to help us. We have to wonder about their priorities.”

In long legal battles spanning decades, the DWP was eventually forced to give up significant amounts of water to steady water levels in Mono Lake, re-water parts of dry Owens Lake to help prevent dust storms and restore a 62-mile stretch of the Lower Owens River.

Many residents suspect that the DWP plans to use emergency declarations to bypass rules and regulations that have prevented it from constructing paved roads, pumps and other infrastructure that would make it easier to do the dust control work on Owens Lake, which is owned by the State Lands Commission.

Richard Harasick, head of the DWP’s water system, dismissed that notion: “The department is not using this emergency declaration to take some sort of advantage or build special projects that would otherwise have to go through the normal regulatory process.

“It is as much to help us manage the anticipated floodwaters as to aid in public safety,” he said. “It allows us to get goods, services and contracts faster, from heavy equipment to riprap needed to shore up banks and channels.”

This week, Inyo, Kern and Mono counties were expected to issue their own emergency declarations, making them eligible for state and federal assistance in the event of flooding.

“My proclamation will ask for critical resources,” Inyo County Administrator Kevin Carunchio said. “In the meantime, I want every DWP facility, ditch, diversion bypass, canal and conveyance structure available and operating as soon as possible.”

The region has a history of destructive floodwaters rushing off the High Sierra.

In August 1989, for example, cloudbursts driven by 60-mph winds gouged out the dirt that held up the aqueduct near Cartago and closed a 63-mile stretch of U.S. 395.

Jon Klusmire, administrator of the Eastern California Museum in Independence, isn’t taking any chances along a usually docile creek.

“I’ve devised a survival strategy for a worst-case scenario,” he said. “I’m going to jam some boards in a nearby DWP diversion gate, then dig a ditch to divert the water away from the museum and into the streets.”

The big question for Kathy Jefferson Bancroft, tribal historic preservation officer for the Lone Pine Paiute-Shoshone Reservation, is this: “How could it be that Los Angeles never developed a Plan B in a place where massive snowpack and destructive flooding go with the terrain?”

Over the last 20 years the DWP has used shallow flooding, gravel and plots of vegetation to cut the dust across 50 miles of dry lake bed.

Bancroft surveyed some of the work from a dirt berm. “They’ve reduced dust pollution here by 96% with these projects,” she said. “And they’re all going to be underwater soon.

“Honestly, I’m looking forward to seeing this lake filled up again, like it is supposed to be,” she said.

That vista will be short-lived. The runoff is expected to evaporate within 12 to 18 months, leaving Los Angeles to repair damage to its dust abatement work and aqueduct system that could cost up to \$500 million, officials said.

The rebuilding effort will be done in cooperation with state and federal regulatory agencies, local authorities and stakeholders, the State Lands Commission, which owns the lake bed, and the Great Basin Unified Air Pollution Control District, which is responsible for protecting the health of Owens Valley residents.

“When we’re done, it’ll be something different than what exists today,” Harasick said. “That’s because we plan to make it more flood-resilient.”

**DESERT WATER AGENCY
OUTREACH & CONSERVATION
ACTIVITIES**

March 2017

Activities:

2/28/17- 3/3/17	President Cioffi, Vice President Stuart and Mark Krause attended the ACWA conference in Washington, D.C.
3/2/17	Ashley Metzger was on a live segment with KESQ regarding leak repair.
3/2/17	Ashley Metzger was interviewed on the Joey English radio show.
3/3/17	Ashley Metzger attended and offered information to homebuyers at the Cathedral City Homebuyer Seminar.
3/8/17	Vicki Petek completed 5 turf buy back post-inspections.
3/9/17	Ashley Metzger attended the ONE-PS meeting and gave a presentation on upcoming events.
3/9/17	Ashley Metzger was interviewed by Alpha Media Group about the CV Water Counts event.
3/9/17	Ashley Metzger was on a live segment with KESQ regarding irrigation clock battery change.
3/11/17	DWA provided the water trailer for the Chalk Art Festival at Palm Springs High School.
3/16/17	Ashley Metzger was on a live segment with KESQ about the CV Water Counts event.
3/20/17- 3/22/17	Director Ewing and Director Bloomer attended the NWRA conference in Washington D.C.
3/21/17	Ashley Metzger attended the Desert Horticultural Society's docent Desert Garden Tour.
3/21/17	Vicki Petek completed 3 turf buy back post-inspections.
3/23/17	Ashley Metzger was on a live segment with KESQ about Fix A Leak week and the Desert Horticultural Society Desert Garden Tour.
3/25/17	DWA staff attended and provided the water trailer to the ONE-PS Picnic and Community Expo at Ruth Hardy Park.
3/26/17	DWA hosted registration for the Desert Horticultural Society Desert Garden Tour.

- 3/28/17 Ashley Metzger attended the Palm Springs Rotary meeting and gave a presentation on various topics.
- 3/28/17 DWA staff attended the CV Water Counts event at UCR in Palm Desert.
- 3/29/17 Ashley Metzger was interviewed by KMIR regarding the water rights lawsuit.
- 3/29/17 President Cioffi, Mark Krause and Ashley Metzger were interviewed by The Desert Sun regarding the water rights lawsuit.
- 3/30/17 Ashley Metzger was on a live segment with KESQ about FreeSprinklerNozzles.com.
- 3/30/17 Ashley Metzger was interviewed on the Joey English radio show.

Public Information Releases/eBlasts:

- March 6, 2017 – Nextdoor – EVENT: Water Counts 2017 on March 28, 2:00 – 3:30 @ UCR Palm Desert.
- March 7, 2017 – Media release and Nextdoor – Court rules in favor of Agua Caliente in water rights case.
- March 7, 2017 – Media release and Nextdoor – Court dismisses case aimed at protecting water customers against cost shifts.
- March 13, 2017 – Nextdoor – DWA customers used 1/3 less water this February.
- March 22, 2017 – Nextdoor – Upcoming events you don’t want to miss.
- March 29, 2017 – Media release and Nextdoor – Agencies Request Supreme Court Intervention to Protect Public Water Rights.

Water Conservation Reviews:

- | | |
|-------------------|----------------------------------|
| Deepwell Condos | Indian Canyon Gardens |
| Fairways Condos | Palm Springs Villas |
| Greenhouse Condos | P.S. Unified School District (9) |

Water Conservation Reviews are annual mailings sent to large water users. The Reviews include a 5-year consumption report, facility map, and information brochures. The purpose is to help customers save water by summarizing their consumption, and offering suggestions for reducing usage. Occasionally, after viewing, the recipient may contact DWA for assistance in the form of a Mobile Lab Evaluation.

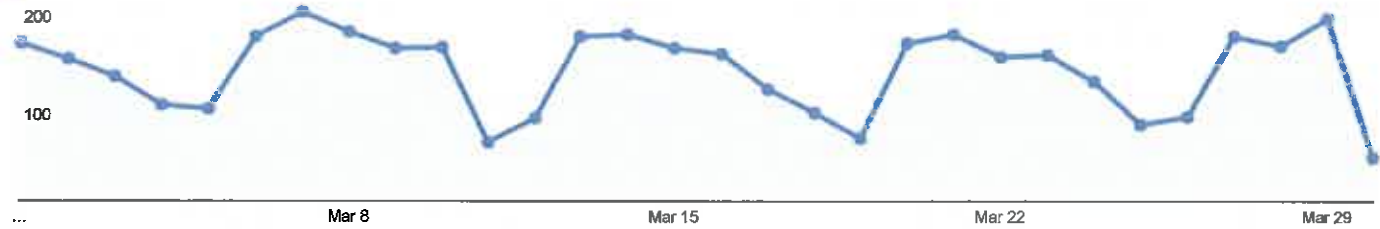
Audience Overview

Mar 1, 2017 - Mar 30, 2017

All Users
100.00% Sessions

Overview

Sessions



Sessions

3,998

Users

2,978

Pageviews

19,338

Pages / Session

4.84

Avg. Session Duration

00:02:16

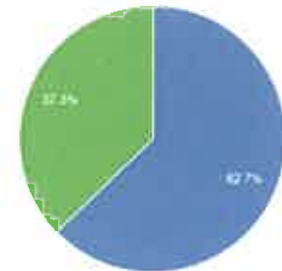
Bounce Rate

0.23%

% New Sessions

62.71%

New Visitor Returning Visitor



Language	Sessions	% Sessions
1. en-us	3,857	96.47%
2. en-ca	60	1.50%
3. en-gb	31	0.78%
4. en	6	0.15%
5. (not set)	5	0.13%
6. fr	5	0.13%
7. ja-jp	5	0.13%
8. es	4	0.10%
9. en-au	3	0.08%
10. c	2	0.05%



Desert Water Agency Facebook Analytics March 2017

Results from Mar 03, 2017 - Mar 30, 2017

Organic Paid

Actions on Page

March 3 - March 30



We don't have data to show you this week.

Page Views

March 3 - March 30

55

Total Page Views ▲2,650%



Page Likes

March 3 - March 30

64

Page Likes ▲814%



Reach

March 3 - March 30

3,250

People Reached ▲19%

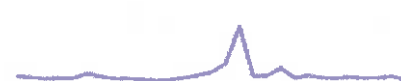


Post Engagements

March 3 - March 30

440

Post Engagement ▲25%



Videos

March 3 - March 30

2,182

Total Video Views ▲218,100%



Published ▾

Post

Type

Targeting

Reach

Engagement

Promote

03/30/2017
7:52 am



The Adventures of Golda



0

0

Boost Post

03/29/2017
1:20 pm



Desert Water Agency and Coachella Valley Water District have



78

4

Boost Post

03/22/2017
4:15 am



It's #FixALeakWeek. Take a few minutes this week to tackle tho



55

1

Boost Post

03/17/2017
9:00 am



Desert Water Agency



2

3

Boost Post

03/17/2017
7:45 am



Top of the mornin' to you. You don't need the luck of the Irish or



117

7

Boost Post

03/15/2017
11:13 am



Desert Water Agency shared Monte Vista Water District's phot



31

0

Boost Post

03/15/2017
9:34 am



We're proud that this event kicks off at Desert Water Agency. C



73

6

Boost Post

03/14/2017
4:49 pm



Desert Water Agency shared Chino Basin Water Conservation



98

1

Boost Post

03/14/2017
3:41 am



Two weeks until #WaterCounts2017. (2PM on 3/28 at UCR Pal



44

1

Boost Post

03/13/2017
4:08 pm



Last month, our community saved 33% compared to February 2



36

0

Boost Post

03/10/2017
9:01 pm



Control your sprinklers from your smartphone. Find out how and



35

0

Boost Post

03/10/2017
1:25 pm























We're already losing an hour this weekend. Let's not lose any w



31

0

Boost Post

03/07/2017 8:54 am		Read this important update on DWA litigation. Two rulings cam			52		2		1	Boost Post
03/02/2017 8:28 am		HEAR all about how we pinpoint leaks on KESQ News Channel			400		4		2	Boost Post
03/02/2017 8:28 am		Mark your calendars!			52		1		2	Boost Post
03/01/2017 9:04 am		With spring just around the corner, now's a great time to remove			66		2		2	Boost Post

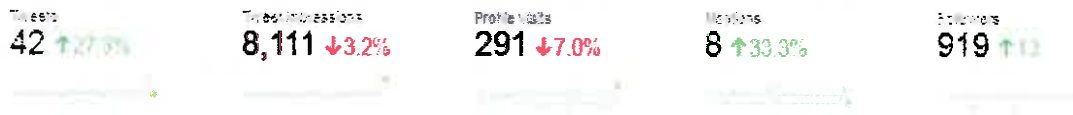
Total Page Likes as of Today: 967





Desert Water Agency Twitter Analytics March 2017

28 day summary with change over previous period



Mar 2017 - 29 days so far...

Tweet highlights

Top Tweet earned 553 impressions

Kathy Tieg, Pres. of @ACWAWater at Water Counts 2017: "Your local agencies do an outstanding job planning for water for your future."



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[View all Tweet activity](#)

Top Follower followed by 133K people



Jennifer Guerra

@JenniferGuerraT [FOLLOWS YOU](#)

Success is moving from failure to failure without a loss of enthusiasm.

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Using Twitter Cards gives you greater insight into your URL clicks, app installs, and Retweets.



Top mention earned 18 engagements



Ian James

@TDJames1 [REPLY](#)

Mark Krause of @DWAwater: "The groundwater basin should remain a shared public resource." [desert.sn/2mCmsmi](#) [#cawater](#)



[View Tweet](#)

Top media Tweet earned 549 impressions

[#NationalPuppyDay](#) [#DogsofDWA](#)
[pic.twitter.com/MIFrBW71Ma](#)



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MAR 2017 SUMMARY

