

Borrego Water District Board of Directors
Regular Meeting
March 8, 2022 @ 3:00 p.m.
806 Palm Canyon Drive
Borrego Springs, CA 92004

COVID-19 UPDATE: The Borrego Water District Board of Directors meeting as scheduled in an electronic format. BWD will be providing public access to the Meeting thru electronic means only to minimize the spread of the COVID-19 virus, based upon direction from the California Department of Public Health, the California Governor's Office and the County Public Health Office. Anyone who wants to listen to or participate in the meeting is encouraged to observe the GO TO MEETING at:

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I. OPENING PROCEDURES -

- A.** Call to Order
- B.** Pledge of Allegiance
- C.** Directors' Roll Call: President Dice (SCHEDULED ABSENCE), Vice President Baker, Directors Duncan, Johnson and Roseboom
- D.** Approval of Agenda
- E.** Approval of Minutes
- F.** Comments from the Public & Requests for Future Agenda Items (may be limited to 3 min)
- G.** Comments from Directors
- H.** Correspondence Received from the Public- None

II. CLOSED SESSION:

- A.** Conference with Legal Counsel - Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of Section 54956.9: (One (1) potential case)
- B.** Conference with Legal Counsel – Existing Litigation (BWD v. All Persons Who Claim a Right to Extract Groundwater, et al. (San Diego Superior Court case no. 37-2020-00005776)

AGENDA: March 8, 2022

All Documents for public review on file with the District's secretary located at 806 Palm Canyon Drive, Borrego Springs CA 92004. Any public record provided to a majority of the Board of Directors less than 72 hours prior to the meeting, regarding any item on the open session portion of this agenda, is available for public inspection during normal business hours at the Office of the Board Secretary, located at 806 Palm Canyon Drive, Borrego Springs CA 92004.

The Borrego Springs Water District complies with the Americans with Disabilities Act. Persons with special needs should call Geoff Poole – Board Secretary at (760) 767 – 5806 at least 48 hours in advance of the start of this meeting, in order to enable the District to make reasonable arrangements to ensure accessibility.

If you challenge any action of the Board of Directors in court, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Board of Directors (c/o the Board Secretary) at, or prior to, the public hearing.

OPEN SESSION WILL START NO SOONER THAN 3:45

III. ITEMS FOR BOARD CONSIDERATION AND POSSIBLE ACTION –

- A. Proposition 68 Update – G Poole/M Wylie/J Gray
 - 1. Project List and Spending Plan
 - 2. Other – All
 - 3. Recommended Actions – All
- B. Overview of Fed and State Grant Opportunities – G Poole
- C. Borrego Springs Subbasin Watermaster Board – VERBAL D Duncan/K Dice
 - i. Update on Board Activities
 - ii. Update on Technical Advisory Committee Activities - T Driscoll

IV. BOARD COMMITTEE REPORTS, IF NEEDED

STANDING:

- A. **Operations and Infrastructure:** Dave Duncan and Paul Rosenboom
- B. **Budget and Audit:** Paul Rosenboom and Kathy Dice
- C. **ACWA/JPIA insurance:** Kathy Dice and Diane Johnson

AD HOC:

- A. **Prop 68:** Tammy Baker and Diane Johnson
- B. **Public Outreach:** Kathy Dice and Diane Johnson
- C. **Grants:** Kathy Dice and Diane Johnson
- D. **Cyber Security/Risk Management:** Tammy Baker and Paul Rosenboom
- E. **Pilot Water Program/Developer's Policy:** Tammy Baker and Dave Duncan

V. STAFF REPORTS:

- A. Covid Related Water Bill Arrearages Grant – J. Claubagh

- B. General Manager Report:
 - i. Expanding Water Quality Monitoring Verbal - G. Poole and D. Johnson

- VI. CLOSING PROCEDURE:** The next Board Meeting is scheduled for 9:00 AM, March 22, 2022, to be available online. See Board Agenda at BorregoWD.org for details, Agenda information available at least 72 hours before the meeting.

AGENDA: March 8, 2022

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**BORREGO WATER DISTRICT
BOARD OF DIRECTORS MEETING
MARCH 8, 2022
AGENDA ITEM III. A**

March 4, 2022

TO: Board of Directors

FROM: Geoffrey Poole, General Manager

SUBJECT: Proposition 68 Update – G Poole/M Wylie/J Gray

1. Project List and Spending Plan
2. Other – All
3. Recommended Actions – All

RECOMMENDED ACTION:

Receive Report and direct staff as deemed appropriate

ITEM EXPLANATION

Staff will update the Board on Grant related activities and implement the Boards direction.

FISCAL IMPACT

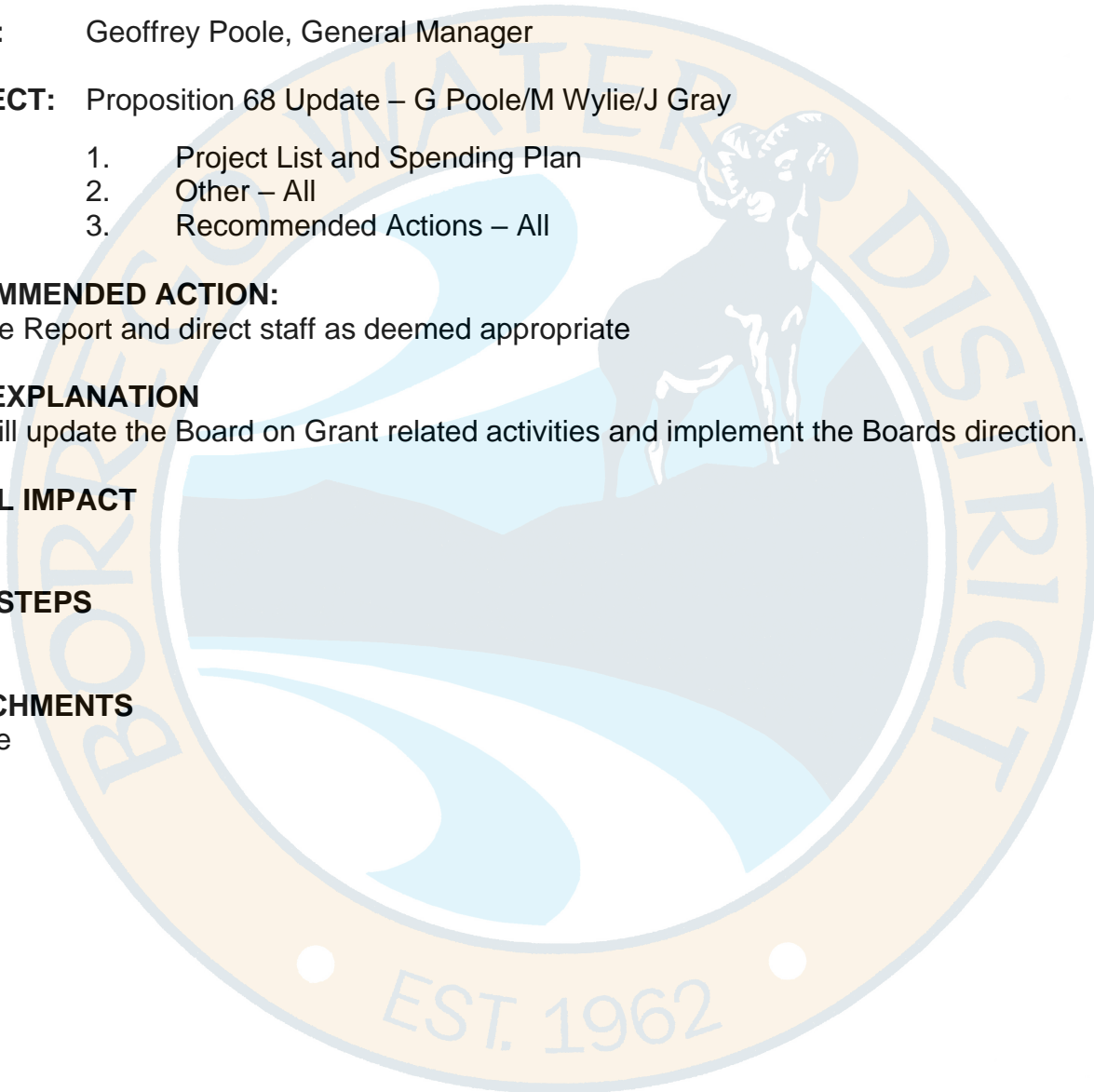
TBD

NEXT STEPS

TBD

ATTACHMENTS

1. None



**BORREGO WATER DISTRICT
BOARD OF DIRECTORS MEETING
MARCH 8, 2022
AGENDA ITEM III. B**

March 4, 2022

TO: Board of Directors

FROM: Geoffrey Poole, General Manager

SUBJECT: Overview of Federal and State Grant Opportunities – G Poole

RECOMMENDED ACTION:
Receive Report

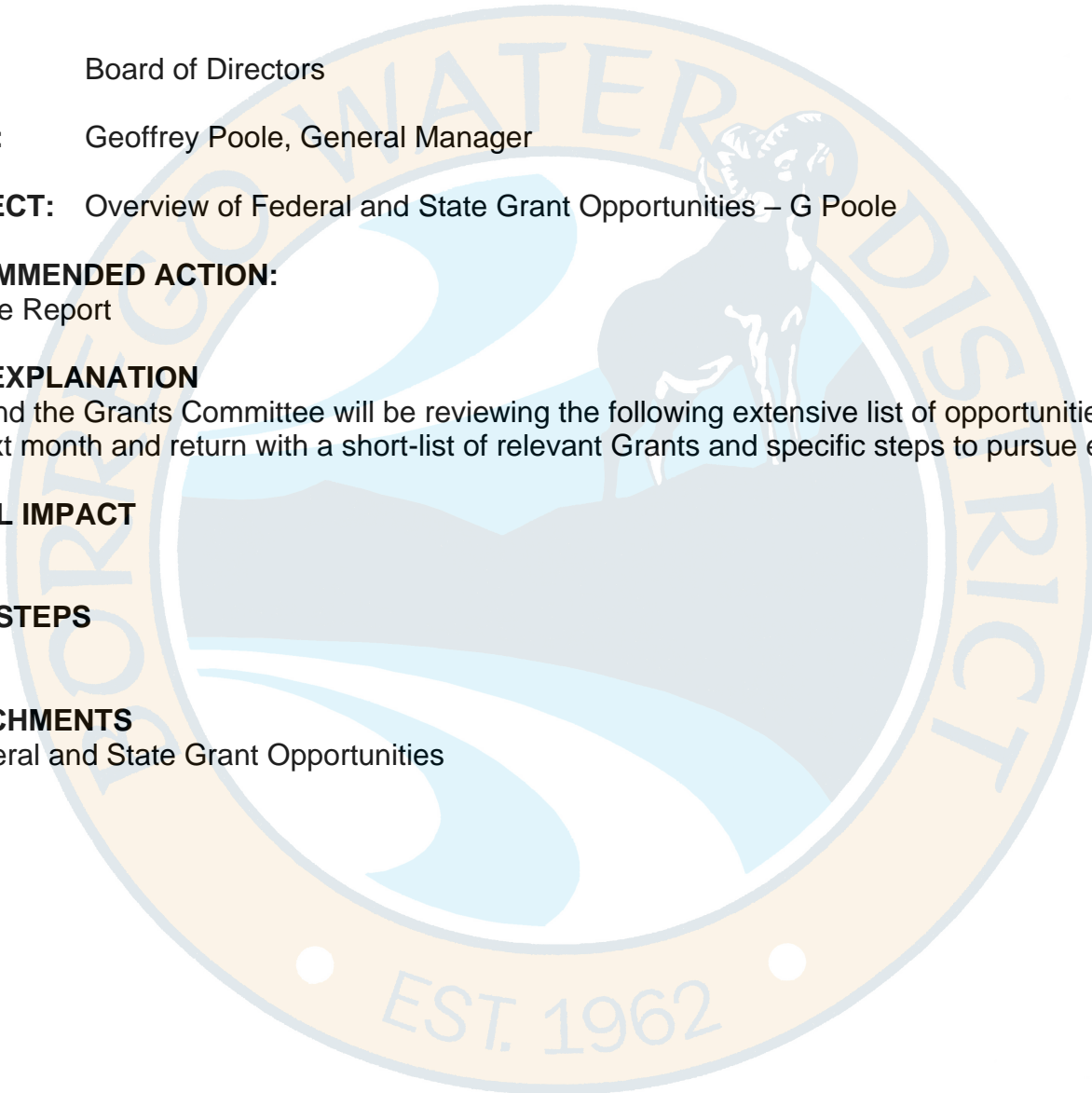
ITEM EXPLANATION

Staff and the Grants Committee will be reviewing the following extensive list of opportunities over the next month and return with a short-list of relevant Grants and specific steps to pursue each.

FISCAL IMPACT
TBD

NEXT STEPS
TBD

ATTACHMENTS
1. Federal and State Grant Opportunities



Borrego Water District Water and Wastewater Funding Sources, FY2022

Program	Clean Water State Revolving Fund (SRF) Loan Program	Drinking Water State Revolving Fund (SRF) Loan Program	Small and Disadvantaged Communities Drinking Water Grant Program		
Availability	Continuous availability (apply through the State)	Continuous availability (apply through the State)	Continuous availability (apply through the State)		
Lead Federal Agency/Department	EPA	EPA	EPA		
What does the program do?	<p>Municipal wastewater treatment and other eligible projects and activities that align with one of the eleven eligibilities below:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <ol style="list-style-type: none"> 1. Construction of publicly owned treatment works 2. Nonpoint source pollution management program 3. National estuary program projects 4. Decentralized wastewater treatment systems 5. Stormwater management, reduction, treatment, or recapture or subsurface drainage water </td> <td style="width: 50%; vertical-align: top;"> <ol style="list-style-type: none"> 6. Water conservation, efficiency, and reuse 7. Watershed pilot projects 8. Energy efficiency projects 9. Water reuse or recycling wastewater, Stormwater, or subsurface drainage water 10. Security measures at publicly owned treatment works 11. Technical assistance to plan, develop, and obtain financing for CWSRF eligible projects </td> </tr> </table>	<ol style="list-style-type: none"> 1. Construction of publicly owned treatment works 2. Nonpoint source pollution management program 3. National estuary program projects 4. Decentralized wastewater treatment systems 5. Stormwater management, reduction, treatment, or recapture or subsurface drainage water 	<ol style="list-style-type: none"> 6. Water conservation, efficiency, and reuse 7. Watershed pilot projects 8. Energy efficiency projects 9. Water reuse or recycling wastewater, Stormwater, or subsurface drainage water 10. Security measures at publicly owned treatment works 11. Technical assistance to plan, develop, and obtain financing for CWSRF eligible projects 	<p>Public water supply projects needed to meet federal drinking water standards and to address serious health risks. Projects that are eligible align with one of the six categories below:</p> <ol style="list-style-type: none"> 1. Treatment installation or upgrades to comply with SDWA regulations 2. Rehabilitation, replacement, or installation of pipes to improve water pressure to safe levels or to prevent contamination caused by leaky or broken pipes 3. Rehabilitation of wells or development of eligible sources to replace contaminated sources 4. Installation or upgrade of finished water storage tanks 5. Consolidation of two or more water systems 6. Construction of a new system to serve homes with contaminated individual wells or consolidate existing systems into a new regional system 	<p>To fund drinking water projects needed to meet federal drinking water standards, household water quality testing, assistance that benefits a community on a per-household basis. Eligible projects include:</p> <ul style="list-style-type: none"> – Investments in a public water system to comply with the SDWA – Assistance that directly and primarily benefits a disadvantaged community – Programs to provide household water quality testing, including testing for unregulated contaminant – Activities necessary and appropriate for a state to respond to a contaminant
<ol style="list-style-type: none"> 1. Construction of publicly owned treatment works 2. Nonpoint source pollution management program 3. National estuary program projects 4. Decentralized wastewater treatment systems 5. Stormwater management, reduction, treatment, or recapture or subsurface drainage water 	<ol style="list-style-type: none"> 6. Water conservation, efficiency, and reuse 7. Watershed pilot projects 8. Energy efficiency projects 9. Water reuse or recycling wastewater, Stormwater, or subsurface drainage water 10. Security measures at publicly owned treatment works 11. Technical assistance to plan, develop, and obtain financing for CWSRF eligible projects 				
Amount Appropriated/ Requested:					
<p style="text-align: right;">FY2021 (Enacted)</p> <p style="text-align: right;">FY2022</p> <p><i>(Amounts shown are as requested in the President's Budget)</i></p>	<p>\$1.64 B</p> <p>\$1.87 B</p>	<p>\$1.13 B</p> <p>\$1.36 B</p>	<p>\$26.4 M</p> <p>\$41.4 M</p>		

Borrego Water District Water and Wastewater Funding Sources, FY2022

Types of Financial Assistance	<ul style="list-style-type: none"> - Loans, terms may not exceed 30 years or the useful life of the project with interest rates at or below market rate, including interest free. Loan forgiveness can occur. - Purchase of debt or refinance. May have terms up to 30 years or the useful life of the project and may be used to refinance previously issued debt. - Guarantees or insurance can be used where assistance will result in improved credit market access or reduced interest rates - May be used to issue debt guaranteed by CWSRF funds - Provide loan guarantees 	<ul style="list-style-type: none"> - Loans, terms may not exceed 30 years or the useful life of the project with interest rates at or below market rate, including interest-free - Purchase of debt or refinance. May have terms up to 30 years or the useful life of the project and may be used to refinance previously issued debt. - Guarantees or insurance can be used where assistance will result in improved credit market access or reduced interest rates - May be used to issue debt guaranteed by DWSRF funds - Provide loan guarantees 	Grants
Applicant Eligibility	EPA provides grants to the state and each state administers the program. Within California, eligible applicants include: <ul style="list-style-type: none"> - Any city, town, district, or other public body created under state law, including state agencies - A Native American tribal government or an authorized Native American tribal organization having jurisdiction over disposal of sewage, industrial wastes or other waste - Any designated and approved management agency under Section 208 of the Clean Water Act - 501(c)(3)'s and National Estuary Programs 	EPA provides grants to the state and each state administers the program. Within California, eligible applicants include: <ul style="list-style-type: none"> - Publicly-owned community water systems - Privately-owned community water systems - Non-profit or publicly-owned non-community water systems - Community water systems created by the project 	<ul style="list-style-type: none"> - States on behalf of an underserved community or public water systems <ul style="list-style-type: none"> - Communities can apply through the State Water Control Board - Tribal water systems
Cost Share/Program Cap	No Program Cap	No Program Cap	Federal: 55% Nonfederal: 45% (EPA may waive match under certain circumstances)
Are funds available for construction?	Yes	Yes	Yes

Borrego Water District Water and Wastewater Funding Sources, FY2022

Program	Water Infrastructure Finance and Innovation Act (WIFIA) Program	Drinking Water System Resilience	Sewer Overflow and Stormwater Grant Program	Technical Assistance for Treatment Works
Availability	<i>Potentially Spring 2022</i>	To be announced	To be announced	To be announced
Lead Federal Agency/Department	EPA	EPA	EPA	EPA
What does the program do?	<p>Wastewater and drinking water projects with costs of \$20 million or larger (or \$5 million for rural areas). Eligible development and implementation activities eligible for projects include</p> <p>1. Projects that are eligible for the Clean Water SRF, notwithstanding the public ownership clause</p> <p>2. Projects that are eligible for the Drinking Water SRF</p> <p>3. Enhanced energy efficiency projects</p> <p>4. Brackish or sweater desalination, aquifer recharge, alternative water supply, and water recycling projects</p> <p>5. Drought prevention, reduction, or mitigation projects</p> <p>6. Acquisition of property if it is integral to the project or will mitigate the environmental impact of the project</p> <p>7. A combination of projects secured by a common security pledge or submitted under one application to an SRF program</p>	<p>Water projects that increase resilience to natural hazards, including hydrologic changes. Eligible projects include those that increase water use efficiency, enhance water supply through watershed management or desalination, and increase energy efficiency in the conveyance or treatment of drinking water</p>	<p>Sewer overflow or stormwater infrastructure projects, with priority for financially distressed communities. The program can provide grants for planning, design, and construction of Stormwater capture and treatment works.</p>	<p><i>Wastewater Systems:</i> To assist rural, small, and tribal publicly owned treatment works and decentralized wastewater treatment systems to comply with the Clean Water Act and apply for financing from the CWSRF.</p> <p><i>Drinking Water Systems:</i> Assist public water systems and particularly small systems (serving 25- 10,000 customers) with SDWA compliance.</p>
Amount Appropriated/ Requested:				
<p style="text-align: right;">FY2021 (Enacted)</p> <p style="text-align: right;">FY2022</p> <p><i>(Amounts shown are as requested in the President's Budget)</i></p>	<p>\$65 M</p> <p>\$80 M</p>	<p>\$4 M</p> <p>\$9 M</p>	<p>\$40 M</p> <p>\$60 M</p>	<p>\$18 M</p> <p>\$18 M</p>
Types of Financial Assistance	– Loans or loan guarantees	Grants	Grants	Grants

Borrego Water District Water and Wastewater Funding Sources, FY2022

	<ul style="list-style-type: none"> – 35 years: maximum final maturity date from substantial completion – 5 years: maximum time that repayment may be deferred after substantial completion of the project – Interest rates to equal or be greater than the U.S. Treasury rate of a similar maturity at the date of closing 			
Applicant Eligibility	<ul style="list-style-type: none"> – Local, state, tribal, and federal government entities – Partnerships and joint ventures – Corporations and trusts – Clean Water and Drinking Water State Revolving Fund (SRF) Programs <p>Additional Information Regarding Eligibility:</p> <ul style="list-style-type: none"> – \$20 M: minimum project size for large communities – \$5 M: minimum project size for small communities (populations of 25,000 or less) 	<p>Eligible systems that provide drinking water to small and disadvantaged communities. Eligible entities under this include:</p> <ul style="list-style-type: none"> – Public water system – Water system located in an area governed by an Indian Tribe – State on behalf of an underserved community 	<p>Eligible entities include a municipality or municipal entity. Prioritization is given a municipality that serves a distressed community and also to a project that is on the State’s intended use plan.</p>	<p>Public or private nonprofit organizations that are qualified and experienced to provide on-site training and technical assistance to small publicly owned treatment works</p>
Cost Share/Program Cap	<ul style="list-style-type: none"> – WIFIA funding cannot exceed 49% of project costs – Total federal assistance may not exceed 80 percent of a project’s eligible costs 	<p>Federal: 100% Nonfederal: Not Required</p>	<p>Federal: 55% Nonfederal: 45%</p>	<p><i>Applications may not exceed \$12 million in federal funds</i></p>
Are funds available for construction?	Yes	Yes	Yes	No

Borrego Water District Water and Wastewater Funding Sources, FY2022

Program	Water and Waste Disposal Program	Emergency Community Water Assistance Grants	Public Works and Economic Adjustment Assistance
Availability	Continuous availability	Continuous availability	Continuous availability – Advised Date 03/31/2022
Lead Federal Agency/Department	Department of Agriculture (USDA), Rural Development	Department of Agriculture (USDA), Rural Development	Department of Commerce, Economic Development Administration
What does the program do?	<p>Municipal water supply and treatment, wastewater facilities, and waste disposal. Eligible projects include:</p> <ul style="list-style-type: none"> – Drinking water sourcing, treatment, storage, and distribution – Sewer collection, transmission, treatment, and disposal – Solid waste collection, disposal, and closure – Storm water collection, transmission, and disposal 	<p>Assists eligible communities prepare, or recover from, an emergency that threatens the availability of safe, reliable drinking water.</p> <p>Events that qualify as an emergency include: drought or flood; earthquake; tornado or hurricane; disease outbreak; chemical spill, leak or seepage; or other disasters – a federal declaration is not required.</p> <p>Water transmission line grants to construct waterline extensions, repair breaks or leaks in existing water distribution lines, and address related maintenance necessary to replenish the water supply.</p> <p>Construct a water source, intake or treatment facilities</p>	Funding to revitalize, expand, and upgrade their physical infrastructure.
Amount Appropriated/ Requested:			
<p style="text-align: center;">FY2021 (Enacted) FY2022</p> <p><i>(Amounts shown are as requested in the President's Budget)</i></p>	<p>\$2.1 B \$2.2 B</p>	<p>Up to the discretion of the Secretary N/A</p>	<p>\$119.5 M \$124 M</p>
Types of Financial Assistance	<ul style="list-style-type: none"> – Long-term, low interest loans. Loans will have up to a 40-year payback period, based on the useful life of the facilities financed. Fixed interest rates, based on the need for the project and the median income of the area to be served – A grant may be awarded if funds are available 	<p>Grants:</p> <ul style="list-style-type: none"> – Water transmission line grants up to \$150,000 to construct waterline extensions, repair breaks or leaks in existing water distribution lines, and address related maintenance necessary to replenish the water supply – Water source grants up to \$1 M are to construct a water source, intake or treatment facility 	Grants

Borrego Water District Water and Wastewater Funding Sources, FY2022

Applicant Eligibility	Rural areas and towns with populations of 10,000 or less. Tribal lands in rural areas and colonias are eligible as well. <ul style="list-style-type: none"> - Most state and local governmental entities - Private nonprofits - Federally-recognized tribes 	Rural areas and towns with populations of 10,000 or less and a median income less-than the state’s median income for non-metropolitan areas. Tribal lands in rural areas and colonias are eligible as well. <ul style="list-style-type: none"> - Most state and local governmental entities - Private nonprofits - Federally-recognized tribes 	States, cities, counties and other political subdivisions of states, institutions of higher education or a consortium of such institutions, and private or public not-for-profit organizations
Cost Share/Program Cap	Loans: funds can cover the entire cost Grants: Federal: up to 75% Nonfederal: up to 25%	Program can cover up to 100% Partnerships with other federal, state, local, private and nonprofit entities are encouraged	Federal: 50% Nonfederal: 50%
Are funds available for construction?	Yes	Yes	Yes

Borrego Water District Water and Wastewater Funding Sources, FY2022

Program	Watershed and Flood Prevention Operations Program	Watershed Surveys and Planning
Availability	To be announced	To be announced
Lead Federal Agency/Department	Department of Agriculture (USDA), Natural Resources Conservation Service	Department of Agriculture (USDA), Natural Resources Conservation Service
What does the program do?	<ul style="list-style-type: none"> - Erosion and sediment control - Watershed protection - Flood prevention - Water quality Improvements - Rural, municipal and industrial water supply - Water management <ul style="list-style-type: none"> -Fish and wildlife habitat - Hydropower sources 	Assist with flood prevention (including structural and land treatment measures); conservation, development, utilization, and disposal of water; or the conversation and proper utilization of land
Amount Appropriated/ Requested:		
FY2021 (Enacted)	\$175 M	\$0
FY2022	\$175 M	N/A
<i>(Amounts shown are as requested in the President's Budget)</i>		
Types of Financial Assistance	Project grants and technical advisory services	Grants
Applicant Eligibility	Units of federal, state, local and tribal of government Requirements include: <ul style="list-style-type: none"> - Public sponsorship - Watershed Projects up to 250,000 acre-feet - Benefits that are directly related to agriculture, including rural communities, must be at least 20 percent of the total benefits for the project. 	Available to any State, political subdivision of the state, soil or water conservation district, flood prevention or control district, or combinations therefore, or any other agency having authority under the State to carry out, maintain and operate the works of improvement, or any irrigation or reservoir company, water users' association, or any federally recognized Native American tribe or tribal organization <ul style="list-style-type: none"> - Watershed projects up to 250,000 acre-feet - Not including any single structure which provides more than 12,500 acre-feet of floodwater detention capacity - Projects must directly benefit agriculture,, including rural communities, that account for at least 20% of the total benefits of the project
Cost Share/Program Cap	Federal: 100% Nonfederal: 0% <i>Varies according to purpose of improvement activity</i>	Program Caps: <ul style="list-style-type: none"> - For any plan involving an estimated Federal contribution to construction costs in excess of \$5,00,000 or which includes any structure which provides more than 2,500 acre-feet of total capacity unless such plan has been approved by Congress
Are funds available for construction?	Yes	Yes

Borrego Water District Water and Wastewater Funding Sources, FY2022

Program	Cooperative Watershed Management		Drought Response	Agricultural Water Use Efficiency Grants
Availability	OPEN – Deadline 03/31/2021	To be announced	OPEN – Deadline 04/14/2022	OPEN – Deadline 03/15/2021
Lead Federal Agency/Department	Bureau of Reclamation, WaterSMART		Bureau of Reclamation, WaterSMART	Bureau of Reclamation, WaterSMART
What does the program do?	<p><i>Development of Watershed Groups (PHASE I):</i> For the development of watershed groups and watershed restoration planning activities (Phase I) and the implementation of on-the-ground watershed management projects (Phase II)</p>	<p><i>Implementation of Watershed Management Projects (PHASE II):</i> For on-the-ground projects, collaboratively developed by members of a watershed group, will address critical water supply needs, water quality, and ecological resilience, helping water users meet competing demands and avoid conflicts over water.</p>	<p>Provides assistance to water managers in developing and updating comprehensive drought plans, implementing drought resiliency projects, and undertaking emergency response actions.</p> <p>Identifies vulnerabilities and mitigation actions to reduce risks; improve coordination and cooperation among key entities, and development of procedures for monitoring, assessing, and responding to drought, and reduce impacts of drought and conflicts between water users</p>	<p>Grant funding opportunity is for water conservation projects that will result in quantifiable and sustained water savings or improved water management. Applicants may submit multiple project proposals. Eligible water conservation projects include:</p> <ul style="list-style-type: none"> – Canal Lining/Piping: Projects that line or pipe canals, resulting in conserved water. – Irrigation Flow Measurement: Projects that improve measurement accuracy and resulting reduced spills and over-deliveries to irrigators. – Supervisory Control and Data Acquisition and Automation (SCADA): Projects that install SCADA and/or automation components that provide water savings when irrigation delivery system operational efficiency is improved to reduce spills, over-deliveries, and seepage.
Amount Appropriated/ Requested:				
<p style="text-align: right;">FY2021 (Enacted)</p> <p style="text-align: right;">FY2022</p> <p><i>(Amounts shown are as requested in the President's Budget)</i></p>	\$4.25 M		\$14.5 M	\$3 M
	\$2.25 M		\$16.5 M	N/A

Borrego Water District Water and Wastewater Funding Sources, FY2022

Types of Financial Assistance	Grants	Grants	Grants	Grants
Applicant Eligibility	States, Tribes, local and special districts (e.g., irrigation and water districts), local governmental entities, and non-profit organizations in the Western U.S. and capable of supporting the sustainable use of water resources within the watershed	Established watershed groups that represent a diverse group of stakeholders, have completed a watershed restoration plan, and are capable of promoting the sustainable use of water resources.	States, Indian Tribes, Irrigation Districts, Water Districts, and other organizations with water or power delivery authority	Indian tribe, irrigation district, water district, or other organization with water or power delivery authority in California
Cost Share/Program Cap	Federal Funding can cover up to 100% or up to \$50,000	Federal funding up to \$100,000 per project for projects up to two years in length. Non-Federal cost share of at least 50% is required.	<i>Drought Plans:</i> Up to \$200,000 per plan, completed within 2 years <i>Drought Projects:</i> – Funding Group 1: up to \$300,000 and completed within 2 years – Funding Group 2: up to \$750,000 and completed within 3 years	Federal share: maximum 50% of project cost. Award ceiling is capped at \$200,000.
Are funds available for construction?	Yes	No	No	Yes

Borrego Water District Water and Wastewater Funding Sources, FY2022

Program	Title XVI WIIN Act Water Reclamation and Reuse Projects	Small-Scale Water Efficiency Projects	Water and Energy Efficiency Grants
Availability	OPEN – Deadline 03/15/2021	Expected March 2022	Expected April 2022
Lead Federal Agency/Department	Bureau of Reclamation, WaterSMART	Bureau of Reclamation, WaterSMART	Bureau of Reclamation, WaterSMART
What does the program do?	<p>To provide supplemental water supplies by recycling/reusing agricultural drainage water, wastewater, brackish surface and groundwater, and other sources of contaminated water. Projects may be permanent or for demonstration purposes.</p> <p>Eligible projects include projects that reclaim and reuses municipal, industrial, domestic, or agricultural wastewater; or impaired ground or surface waters. Applicants are invited to request funding for planning, design, and/or construction of projects.</p>	<p>Assists eligible applicants with small water efficiency improvements that have been identified through previous planning efforts. Eligible projects include:</p> <ul style="list-style-type: none"> - Canal lining/piping - Municipal metering - Irrigation flow measurement - Irrigation measures - Supervisory Control and Data Acquisition and Automation - Other projects similar to the above may be considered 	<p>For projects that can be completed within 2-3 years to implement water and energy conservation and efficiency. Also for projects expected to lead to future on-farm improvements.</p>
<p>Amount Appropriated/ Requested:</p> <p style="text-align: center;">FY2021 (Enacted) FY2022</p> <p><i>(Funds are not yet set but amounts shown are as requested in the President's Budget)</i></p>	<p>\$134 M \$0</p>	<p>N/A N/A</p>	<p>\$55 M \$15 M</p>
Types of Financial Assistance	Grants	Grants	Grants
Applicant Eligibility	Entities with water delivery authority, all located within the 17 Western States or Hawaii.	States, Tribes, irrigation districts, water, districts, or other organizations with water or power delivery authority in the Western United States. Additional applicants include nonprofit conservation organizations working in partnership with a group in the prior sentence.	States, Tribes, irrigation districts, water, districts, or other organizations with water or power delivery authority in the Western United States.
Cost Share/Program Cap	<p>Generally limited to a maximum of 75% of total project costs and is nonreimbursable, resulting in a de facto grant to the local project sponsor(s).</p> <p>Award ceiling per project is \$30,000,000</p> <p>Feasibility studies are generally 50%</p>	<p>Federal: up to \$75,000 for 2-year projects Maximum total project costs of \$200,000 Nonfederal: 50%</p>	<p>Federal funding up to \$300,000 for projects to be completed within two years; or up to \$1,000,000 for projects to be completed within three years with a cost share of 50% or greater</p>
Are funds available for construction?	Yes	Yes	Yes

Borrego Water District Water and Wastewater Funding Sources, FY2022

Program	Low Income Household Water Assistance Program	Environmental Infrastructure Assistance
Availability:	<i>Potentially Spring 2022 (Apply through the State)</i>	N/A
Lead Federal Agency/Department	Health and Human Services (HHS)	U.S. Army Corps of Engineers
What does the program do?	Provide water and wastewater utility bill assistance to households.	Technical and grant assistance for public drinking water and wastewater infrastructure (including treatment and distribution/collection facilities) and source water protection and development.
Amount Appropriated/ Requested: <div style="text-align: right;"> FY2021 (Enacted) FY2022 </div> <i>(Amounts shown are as requested in the President's Budget)</i>	\$638 M \$0	*Up to the discretion of USACE \$0
Types of Financial Assistance	Grants	Grants
Applicant Eligibility	States, tribes, and territories. Subgrantees include nonprofits. Water and wastewater agencies will be able to apply to the program through the California Department of Services and Development.	Varies - USACE evaluates an activity's eligibility by identifying whether there is an authorization for the geographic area of the activity and whether the type of activity is eligible under that authorization.
Cost Share/Program Cap	Federal: 100%	Federal: 75% Nonfederal:25% Some authorities are 65%/35%
Are funds available for construction?	No	Yes

Borrego Water District Water and Wastewater Funding Sources, FY2022

STATE PROGRAMS

Program	Sustainable Groundwater Management (SGM) Grant Program – Round 1	Sustainable Groundwater Management (SGM) Grant Program – Round 2	Multibenefit Land Repurposing Program
Availability:	Closed on 2/28/2022	Potentially Fall 2022	OPEN – Deadline 4/1/2022
Lead State Agency/Department	California Department of Water Resources	California Department of Water Resources	California Department of Conservation
What does the program do?	<ul style="list-style-type: none"> - Activities and/or tasks that consist of the development of groundwater recharge projects with surface water, stormwater, recycled water, and other conjunctive use projects; - Projects that prevent or clean up contamination of groundwater that serve as a source of drinking water (Public Resources Code § 80146(a)); - Projects and programs that support water supply reliability, water conservation, and water use efficiency and water banking, exchange, and reclamation; - Geophysical investigation(s) of groundwater basins to identify recharge potential; early implementation of existing regional flood management plans that incorporate groundwater recharge; or projects that would complement efforts of a local GSP, that provide for floodplain expansion to benefit groundwater recharge or habitat; and - Revisions, updates, and/or modifications to a GSP or Alternative to a GSP. 	<ul style="list-style-type: none"> - Filling data gaps in a GSP(s) or Alternative to a GSP - Project development activities (e.g., feasibility studies, design, permits, environmental documents) - Long-term planning studies - Technical and planning assistance for Underrepresented Communities - Interested party outreach and engagement - Vulnerability or risk assessments - Technical assistance for Underrepresented Communities - Engagement and outreach to Underrepresented Communities - Evaluation of groundwater management needs - SGM Grant Program Proposal Solicitation Package 2021 12 - Impact studies on domestic and de minimis groundwater well users - Annual reporting for GSPs and Alternative to a GSP - Identifying and proper destruction of abandoned wells - Identifying of recharge location(s) - Soil carbon enhancement and Healthy Soil Initiative activities - Coordination activities with adjacent GSA(s) - Instrumentation for monitoring wells (e.g., pressure transducers) - Pilot or demonstration projects meeting the purpose of SB-170 and Proposition 68 - Installation of meters on groundwater production and agricultural wells - Installation of monitoring well(s) 	<p>Regional block grant recipients must include each the following activities in their scope of work:</p> <ol style="list-style-type: none"> 1. Develop a Multibenefit Agricultural Land Repurposing Plan to reduce reliance on groundwater while providing regionally appropriate benefits, including community health, economic wellbeing, water supply, flood resilience, habitat, renewable energy, and climate benefits; 2. Complete project development and permitting to generate implementation-ready projects to repurpose agricultural lands for funding consideration; 3. Implement land repurposing projects that achieve multiple benefits; 4. Support capacity needs of partners to achieve the deliverables of the grant; 5. Conduct outreach, education, and training as needed to facilitate and build capacity to implement the above activities; and 6. Conduct monitoring to ensure defined conservation outcomes from projects have been achieved and maintained for the agreed upon duration the benefit <p>Each block grant recipient must use a portion of this funding to develop a Multibenefit Agricultural Land Repurposing Plan that identifies and prioritizes land repurposing strategies and projects to address groundwater sustainability within their region. Plans must be consistent with the relevant Groundwater Sustainability Plan(s) for the region and prioritize projects that</p>

Borrego Water District Water and Wastewater Funding Sources, FY2022

		<ul style="list-style-type: none"> - Connection of communities to a municipal water supply (except laterals on private land) - Groundwater recharge projects with surface water, stormwater, recycled water, and other conjunctive use projects - Groundwater contaminant remediation or prevention projects for groundwater that serves as a source of drinking water - Construction, rehabilitation, or expansion of conveyance facilities for groundwater recharge projects - Wastewater treatment and water recycling facility upgrades for groundwater recharge project sources - Stormwater and runoff capture projects that support groundwater recharge - Groundwater recharge facility expansion - Seawater barrier injection wells - Groundwater recharge projects that address groundwater dependent ecosystems (GDEs) - Projects and programs that support water supply reliability, water conservation, water use efficiency and water banking, exchange, and reclamation - Planning, design, and environmental documentation only as a task of a Project or Component of an overall project (not a standalone task). 	provide meaningful benefits to disadvantaged communities and socially disadvantaged farmers and ranchers.	
Amount Appropriated/ Requested:				
	FY2021 (Enacted) FY2022	\$180 million \$60 million	\$180 million \$77 million	\$0 \$50 million
Types of Financial Assistance	Grant	Grant	Grant	
Applicant Eligibility	Nonprofit, Public Agency, Tribal Government	Nonprofit, Public Agency, Tribal Government	Eligible regional block grant applicants are: (1) Groundwater Sustainability Agencies (“GSAs”), (2) federally recognized California Native American tribes, (3) non-federally recognized California Native American tribes on the contact list maintained by the Native	

Borrego Water District Water and Wastewater Funding Sources, FY2022

			<p>American Heritage Commission; (4) public agencies; (5) nonprofit groups with 501(c) status; and (7) Watermasters implementing an approved groundwater sustainability plan or approved alternate plan.</p> <p>Eligible applicants that are not Groundwater Sustainability Agencies or tribes must partner with at least one Groundwater Sustainability Agency to submit an application. The application must include a resolution or letter from the Groundwater Sustainability</p> <p>Agency(ies) stating their support for the project, and how the Groundwater Sustainability Agency will be involved in the applicant's work.</p>
Cost Share/Program Cap	No cost share required. Award ceiling: \$7,600,000	To be determined.	Grants up to \$10 million each will be awarded as block grants to regional or basin-scale organizations
Are funds available for construction?	No	Yes	Yes

Borrego WD Bill List

- [AB 1001](#) (Garcia, Cristina D) Environment: mitigation measures for air and water quality impacts: environmental justice.**
Current Text: Amended: 1/24/2022 [html](#) [pdf](#)
Status: 2/1/2022-In Senate. Read first time. To Com. on RLS. for assignment.
Location: 2/1/2022-S. RLS.
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 authorize mitigation measures, identified in an environmental impact report or mitigated negative declaration to mitigate the adverse effects of a project on air or water quality of a disadvantaged community, to include measures for avoiding, minimizing, or compensating for the adverse effects on that community.
- [AB 1774](#) (Sevarto R) California Environmental Quality Act: water conveyance or storage projects: judicial review.**
Current Text: Introduced: 2/3/2022 [html](#) [pdf](#)
Status: 2/10/2022-Referred to Coms. on NAT. RES. and JUD.
Location: 2/10/2022-A. NAT. RES.
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 (EIR) on a project that the lead agency proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. This bill would require the Judicial Council to adopt rules of court applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification or adoption of an environmental impact report for water conveyance or storage projects, as defined, or the granting of project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to those projects.
- [AB 1817](#) (Ting D) Product safety: textile articles: perfluoroalkyl and polyfluoroalkyl substances (PFAS).**
Current Text: Introduced: 2/7/2022 [html](#) [pdf](#)
Status: 2/18/2022-Referred to Com. on E.S. & T.M.
Location: 2/18/2022-A. E.S. & T.M.
Summary: Would prohibit, beginning January 1, 2024, any person from distributing, selling, or offering for sale in the state any textile articles that contain regulated PFAS, and requires a manufacturer to use the least toxic alternative when replacing regulated PFAS in textile articles to comply with these provisions.
- [AB 1845](#) (Calderon D) Metropolitan Water District of Southern California: alternative project delivery methods.**
Current Text: Introduced: 2/8/2022 [html](#) [pdf](#)
Status: 2/18/2022-Referred to Coms. on L. GOV. and W.,P., & W.
Location: 2/18/2022-A. L. GOV.
Summary: Would authorize the Metropolitan Water District of Southern California to use the design-build procurement process for certain regional recycled water projects or other water infrastructure projects. The bill would define "design-build" to mean a project delivery process in which both the design and construction of a project are procured from a single entity. The bill would require the district, if using this procurement process, to follow certain procedures, including preparing and issuing a request for qualifications, preparing a request for proposals including the scope and needs of the project or contract, and awarding projects based on certain criteria for projects utilizing either lowest responsible bidder or best value selection criteria.
- [AB 1944](#) (Lee D) Local government: open and public meetings.**
Current Text: Introduced: 2/10/2022 [html](#) [pdf](#)
Status: 2/18/2022-Referred to Com. on L. GOV.
Location: 2/18/2022-A. L. GOV.

Summary: Current law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health. This bill would specify that if a member of a legislative body elects to teleconference from a location that is not public, the address does not need to be identified in the notice and agenda or be accessible to the public when the legislative body has elected to allow members to participate via teleconferencing.

AB 2108 (Rivas, Robert D) Water policy: environmental justice and tribal community representation.

Current Text: Introduced: 2/14/2022 [html](#) [pdf](#)

Status: 2/24/2022-Referred to Com. on E.S. & T.M.

Location: 2/24/2022-A. E.S. & T.M.

Summary: Current law establishes the State Water Resources Control Board (state board) in the California Environmental Protection Agency. The state board consists of 5 members appointed by the Governor, including one member who is not required to have specialized experience. Current law requires one of those members, excluding the member who is not required to have specialized experience, to additionally be qualified in the field of water supply and water quality relating to irrigated agriculture. This bill would require that one of the persons appointed by the Governor to the state board be qualified in the field of water supply and water quality relating to environmental justice or tribal communities. The bill would also require that at least one person appointed to each regional board have specialized experience to represent environmental justice or tribal communities.

AB 2142 (Gabriel D) Income taxes: exclusion: turf replacement water conservation program.

Current Text: Introduced: 2/15/2022 [html](#) [pdf](#)

Status: 2/24/2022-Referred to Com. on REV. & TAX.

Location: 2/24/2022-A. REV. & TAX

Summary: The Personal Income Tax Law and the Corporation Tax Law, in conformity with federal income tax law, generally defines "gross income" as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income. Current law provides an exclusion from gross income for any amount received as a rebate or voucher from a local water or energy agency or supplier for the purchase or installation of a water conservation water closet, energy efficient clothes washers, and plumbing devices, as specified. This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, under both of these laws, provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a local water agency or supplier for participation in a turf replacement water conservation program.

AB 2157 (Rubio, Blanca D) Urban water use objectives: indoor residential water use.

Current Text: Introduced: 2/15/2022 [html](#) [pdf](#)

Status: 2/15/2022-From printer. May be heard in committee March 18.

Location: 2/15/2022-A. PRINT

Summary: Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and in collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use, beginning January 1, 2025, establishes the greater of 52.5 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. This bill would make a nonsubstantive change to the provision requiring the department and the board to collaborate with, and seek input from, stakeholders with regard to the studies, investigations, and report.

AB 2201 (Bennett D) State water policy: water rights.

Current Text: Introduced: 2/15/2022 [html](#) [pdf](#)

Status: 2/15/2022-From printer. May be heard in committee March 18.

Location: 2/15/2022-A. PRINT

Summary: Current law declares general state policies regarding water use, water rights, and the regulation of the waters of California. This bill would make nonsubstantive changes to one of those provisions relating to water rights.

AB 2278 (Kalra D) Natural resources: coastal and ocean resources.

Current Text: Introduced: 2/16/2022 [html](#) [pdf](#)

Status: 2/17/2022-From printer. May be heard in committee March 19.

Location: 2/16/2022-A. PRINT

Summary: Current law creates the California Ocean Protection Act, which includes various legislative findings and declarations related to coastal and ocean resources. This bill would make a nonsubstantive change to these provisions.

[AB 2313](#) (Bloom D) Water: judges and adjudications.

Current Text: Introduced: 2/16/2022 [html](#) [pdf](#)

Status: 3/3/2022-Referred to Coms. on JUD. and W.,P., & W.

Location: 3/3/2022-A. JUD.

Summary: (1) Current law authorizes the Judicial Council to conduct institutes and seminars for the purpose of orienting judges to new judicial assignments, keeping them informed concerning new developments in the law, and promoting uniformity in judicial procedure, as specified. This bill would encourage the Judicial Council to establish a program that provides training and education to judges in specified actions relating to water, as defined. The bill would provide that the program may be funded by an appropriation from the General Fund in the annual Budget Act or another statute. The bill would authorize the Chairperson of the Judicial Council to assign to certain actions relating to water a judge with that training or education. This bill contains other related provisions and other existing laws.

[AB 2387](#) (Garcia, Eduardo D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.

Current Text: Introduced: 2/17/2022 [html](#) [pdf](#)

Status: 3/3/2022-Referred to Coms. on W.,P., & W. and NAT. RES.

Location: 3/3/2022-A. W.,P. & W.

Summary: Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$7,430,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs. This bill contains other related provisions.

[AB 2412](#) (Villapudua D) Agriculture: State Water Efficiency and Enhancement Program.

Current Text: Introduced: 2/17/2022 [html](#) [pdf](#)

Status: 3/3/2022-Referred to Coms. on AGRI. and W.,P., & W.

Location: 3/3/2022-A. AGRI.

Summary: Would require the Department of Food and Agriculture, upon appropriation by the Legislature of additional funds, to administer the State Water Efficiency and Enhancement Program to provide grants to agricultural operations to implement irrigation, water reclamation, water storage, or groundwater recharge systems that reduce greenhouse gases and energy use and increase water use efficiency. The bill would require the secretary, on or before one year after receiving an appropriation by the Legislature for these purposes, in consultation with the Secretary of the Natural Resources Agency, the Natural Resources Conservation Service of the United States Department of Agriculture, and the Scientific Advisory Panel on Environmental Farming, to develop guidelines for awarding grants under the program, as specified. The bill would require the secretary, on or before January 1, 2027, and biennially thereafter, to submit a report to the relevant legislative policy committees, as prescribed.

[AB 2421](#) (Rubio, Blanca D) Water: unpermitted cannabis cultivation.

Current Text: Introduced: 2/17/2022 [html](#) [pdf](#)

Status: 3/3/2022-Referred to Coms. on W.,P., & W. and JUD.

Location: 3/3/2022-A. W.,P. & W.

Summary: Current law makes it unlawful to deposit, permit to pass, or place where it can pass, specified pollutants into the waters of this state, including any substance or material deleterious to fish, plant life, mammals, or bird life. A violation of this provision is a crime under the Fish and Game Code. Current law also subjects a violation of that provision to a civil penalty of no more than \$25,000 for each violation and an additional civil penalty of no more than \$10 for each gallon or pound of material discharged, and requires the civil action to be brought by the Attorney General upon complaint by the Department of Fish and Wildlife or by the district attorney or city attorney in the name of the people of the State of California. Current law provides that a specified affirmative defense to a violation of the criminal provision does not apply to an action for civil penalties or injunctive relief pursuant to that civil provision. This bill would provide that the specified affirmative defense to a violation of the criminal provision also does not apply in any other civil action that alleges a violation resulting from unpermitted cannabis cultivation.

[AB 2449](#) (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Introduced: 2/17/2022 [html](#) [pdf](#)

Status: 3/3/2022-Referred to Com. on L. GOV.

Location: 3/3/2022-A. L. GOV.

Summary: Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with specified teleconferencing requirements in specified circumstances when a

declared state of emergency is in effect, or in other situations related to public health. This bill would authorize a local agency to use teleconferencing without complying with those specified teleconferencing requirements if at least a quorum of the members of the legislative body participates in person from a singular location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. The bill would impose prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The bill would require the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law.

[AB 2451](#) (Wood D) State Water Resources Control Board: drought planning.

Current Text: Introduced: 2/17/2022 [html](#) [pdf](#)

Status: 3/3/2022-Referred to Com. on W.,P., & W.

Location: 3/3/2022-A. W.,P. & W.

Summary: Would require the State Water Resources Control Board to establish a Drought Section within the Division of Water Rights, as specified. The bill would require the state board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds during times of water shortage for drought preparedness and climate resiliency and for the development of watershed-level contingency plans to support public trust uses, public health and safety, and the human right to water in times of water shortage. The bill would require the state board to adopt those principles and guidelines no later than March 31, 2023, as specified.

[AB 2477](#) (Rodriguez D) Local Emergency Preparedness, Hazard Mitigation, and Mutual Aid Fund.

Current Text: Introduced: 2/17/2022 [html](#) [pdf](#)

Status: 2/18/2022-From printer. May be heard in committee March 20.

Location: 2/17/2022-A. PRINT

Summary: Would establish a Local Emergency Preparedness, Hazard Mitigation, and Mutual Aid Fund to, upon appropriation by the Legislature, support staffing, planning, emergency mitigation priorities, and enhancing mutual aid to help local governments meet emergency management, preparedness, readiness, and resilience goals. The bill would require the Controller, upon appropriation by the Legislature, to transfer \$500,000,000 annually to the fund. The bill would require the Office of Emergency Services to establish the Local Emergency Preparedness, Hazard Mitigation, and Mutual Aid Fund Committee under the Standardized Emergency Management System Advisory Board. The bill, on or before July 1, 2023, would require the committee to adopt guidelines identifying eligible uses of the funds distributed pursuant to these provisions for the mitigation, prevention, preparedness, response, and recovery phases of emergency management that supports the development of a resilient community and enhances mutual aid.

[AB 2605](#) (Villapudua D) Water quality: state certification.

Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)

Status: 2/19/2022-From printer. May be heard in committee March 21.

Location: 2/18/2022-A. PRINT

Summary: The State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements in accordance with the Federal Water Pollution Control Act and the Porter-Cologne Water Quality Control Act. Under federal law, any applicant seeking a federal license or permit for an activity that may result in any discharge into the navigable waters of the United States is required to first seek a state water quality certification, as specified. The Porter-Cologne Water Quality Control Act authorizes the state board to certify or provide a statement to a federal agency, as required pursuant to federal law, that there is reasonable assurance that an activity of any person subject to the jurisdiction of the state board will not reduce water quality below applicable standards. The federal act provides that if a state fails or refuses to act on a request for this certification within a reasonable period of time, which shall not exceed one year after receipt of the request, then the state certification requirements are waived with respect to the federal application. This bill would authorize the state board to delegate its authority regarding the above-described issuance of a certificate or statement to the regional boards.

[AB 2639](#) (Quirk D) Water quality control plans and water rights permits.

Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)

Status: 2/19/2022-From printer. May be heard in committee March 21.

Location: 2/18/2022-A. PRINT

Summary: Would require the State Water Resources Control Board, on or before December 31, 2023, to adopt a final update of a specified water quality control plan for the Bay-Delta and to implement the final San Joaquin River/Southern Delta update of that specified water quality control plan, as provided. The bill would prohibit the state board from approving any new water right permits or extensions of time for any existing permits resulting in new or increased diversions to surface water storage from the Sacramento River/San Joaquin River watershed until the state board has taken those actions.

- [AB 2740](#) (Dahle, Megan R) Water resources: desalination.**
Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)
Status: 2/19/2022-From printer. May be heard in committee March 21.
Location: 2/18/2022-A. PRINT
Summary: Current law requires the Department of Water Resources, not later than July 1, 2004, to report to the Legislature, on potential opportunities and impediments for using seawater and brackish water desalination, and to examine what role, if any, the state should play in furthering the use of desalination technology. Current law requires the department to convene a Water Desalination Task Force, comprised of representatives from listed agencies and interest groups, to advise the department in carrying out these duties and in making recommendations to the Legislature. This bill would repeal these provisions.
- [AB 2742](#) (Friedman D) Water meters: urban water suppliers.**
Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)
Status: 2/19/2022-From printer. May be heard in committee March 21.
Location: 2/18/2022-A. PRINT
Summary: 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. This bill would delay that requirement for an urban water supplier to install the water meters to on or before January 1, 2030.
- [AB 2857](#) (Bauer-Kahan D) Groundwater.**
Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)
Status: 2/19/2022-From printer. May be heard in committee March 21.
Location: 2/18/2022-A. PRINT
Summary: Current law relating to groundwater management declares the intent of the Legislature to encourage local agencies to work cooperatively to manage groundwater resources within their jurisdictions, and makes related legislative findings and declarations. This bill would make nonsubstantive changes to those legislative findings and declarations.
- [AB 2876](#) (Bigelow R) Sustainable Groundwater Management Act.**
Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)
Status: 2/19/2022-From printer. May be heard in committee March 21.
Location: 2/18/2022-A. PRINT
Summary: The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. The act requires all relevant state agencies to consider the policies of the act, and any adopted groundwater sustainability plans, when revising or adopting policies, regulations, or criteria, or when issuing orders or determinations, where pertinent. This bill would make nonsubstantive changes to the latter provision.
- [AB 2877](#) (Garcia, Eduardo D) Water infrastructure projects: grants: tribal governments.**
Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)
Status: 2/19/2022-From printer. May be heard in committee March 21.
Location: 2/18/2022-A. PRINT
Summary: Would state the intent of the Legislature to enact subsequent legislation that would create the Tribal Government Water Infrastructure Grant Fund in the State Treasury to provide grants to tribal governments for water infrastructure projects.
- [AB 2895](#) (Arambula D) Water transfers.**
Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)
Status: 2/19/2022-From printer. May be heard in committee March 21.
Location: 2/18/2022-A. PRINT
Summary: Current law regulates water transfers and authorizes a permittee or licensee to temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if the transfer would only involve the amount of water that would have been consumptively used or stored by the permittee or licensee in the absence of the proposed temporary change, would not injure any legal user of the water, and would not unreasonably affect fish, wildlife, or other instream beneficial uses. Current law defines a temporary change for these purposes to mean a change of point of diversion, place of use, or purpose of use involving a transfer or exchange of water or water rights for a period of one year or less. This bill would make nonsubstantive changes to the definition of a temporary change.

- [AB 2919](#) (Fong R) Dams: water: fishway.**
Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)
Status: 2/19/2022-From printer. May be heard in committee March 21.
Location: 2/18/2022-A. PRINT
Summary: Current law requires the owner of a dam to allow sufficient water at all times to pass through a fishway, or in the absence of a fishway, allow sufficient water to pass over, around or through the dam, to keep in good condition any fish that may be planted or exist below the dam. This bill would make nonsubstantive changes to that provision.
- [AB 2940](#) (Dahle, Megan R) Water rights: reasonable and beneficial use of water.**
Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)
Status: 2/19/2022-From printer. May be heard in committee March 21.
Location: 2/18/2022-A. PRINT
Summary: Current law declares that the right to water is limited to that water that is reasonably required for the beneficial use to be served, and does not extend to the waste or unreasonable use, unreasonable method of use, or unreasonable method of diversion of water. This bill would make nonsubstantive changes to that provision.
- [SB 45](#) (Portantino D) Short-lived climate pollutants: organic waste reduction goals: local jurisdiction assistance.**
Current Text: Amended: 1/3/2022 [html](#) [pdf](#)
Status: 1/24/2022-Read third time. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.
Location: 1/24/2022-A. DESK
Summary: Current law requires the Department of Resources Recycling and Recovery, in consultation with the State Air Resources Board, to adopt regulations to achieve the organic waste reduction goals established by the state board for 2020 and 2025, as provided. Current law requires the department, no later than July 1, 2020, and in consultation with the state board, to analyze the progress that the waste sector, state government, and local governments have made in achieving these organic waste reduction goals. This bill would require the department, in consultation with the state board, to provide assistance to local jurisdictions, including, but not limited to, any funding appropriated by the Legislature in the annual Budget Act, for purposes of assisting local agencies to comply with these provisions, including any regulations adopted by the department.
- [SB 230](#) (Portantino D) State Water Resources Control Board: Constituents of Emerging Concern in Drinking Water Program.**
Current Text: Amended: 1/20/2022 [html](#) [pdf](#)
Status: 1/26/2022-Read third time. Passed. (Ayes 37. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.
Location: 1/26/2022-A. DESK
Summary: Would require the State Water Resources Control Board to establish, maintain, and direct a dedicated program called the Constituents of Emerging Concern in Drinking Water Program for 5 years to assess the state of information and recommend areas for further study on, among other things, the occurrence of constituents of emerging concern (CEC) in drinking water sources and treated drinking water. The bill would require the state board to convene, by an unspecified date, the Science Advisory Panel for 3 years to review and provide recommendations to the state board on CECs for further action, among other duties. The bill would require the state board to provide a final report to the Legislature by June 1, 2026, on the work conducted by the panel.
- [SB 832](#) (Dodd D) Water rights: measurement of diversion.**
Current Text: Introduced: 1/3/2022 [html](#) [pdf](#)
Status: 1/19/2022-Referred to Com. on N.R. & W.
Location: 1/19/2022-S. N.R. & W.
Summary: Current law requires a person who diverts 10 acre-feet or more of water per year under a permit or license to install and maintain a device or employ a method capable of measuring the rate of direct diversion, rate of collection to storage, and rate of withdrawal or release from storage. Current law requires the measurements to be made using the best available technologies and best professional practices using a device or methods satisfactory to the State Water Resources Control Board, as specified in regulations adopted by the state board. Current law requires a permittee or licensee to maintain a record of all diversion monitoring, as provided, and to include those records with annual reports required to be submitted to the state board. Current law authorizes the state board to modify these requirements if the state board finds that strict compliance with these requirements is infeasible, is unreasonably expensive, would unreasonably affect public trust uses, or would result in the waste or unreasonable use of water, or that the need for monitoring and reporting is adequately addressed by other conditions of the permit or license. This bill would clarify existing law that a person diverting 10 acre-feet or more of water per year under a registration is subject to these water diversion measurement, recording, and reporting requirements.

- [SB 890](#) (Nielsen R) Department of Water Resources: Water Storage and Conveyance Fund: water storage and conveyance.**
Current Text: Amended: 2/23/2022 [html](#) [pdf](#)
Status: 2/23/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on N.R. & W.
Location: 2/9/2022-S. N.R. & W.
Summary: Would establish the Water Storage and Conveyance Fund in the State Treasury to be administered by the Department of Water Resources. The bill would require all moneys deposited in the fund to be expended, upon appropriation by the Legislature, in support of subsidence repair and reservoir storage costs, including environmental planning, permitting, design, and construction and all necessary road and bridge upgrades required to accommodate capacity improvements. The bill would require the department to expend from the fund, upon appropriation by the Legislature, specified monetary amounts to complete funding for the construction of the Sites Reservoir, and to restore the capacity of 4 specified water conveyance systems, as prescribed, with 2 of those 4 expenditures being in the form of a grant to the Friant Water Authority and to the San Luis and Delta-Mendota Water Authority. This bill would make these provisions inoperative on July 1, 2030, and would repeal it as of January 1, 2031.
- [SB 892](#) (Hurtado D) Cybersecurity preparedness: food and agriculture sector and water and wastewater systems sector.**
Current Text: Introduced: 1/31/2022 [html](#) [pdf](#)
Status: 2/17/2022-Set for hearing March 15.
Location: 2/9/2022-S. G.O.
Summary: Would require the Office of Emergency Services (CalOES) to develop, propose, and adopt reporting requirements applicable to companies and cooperatives in the food and agriculture industry if they identify a significant and verified cyber threat or active cyberattack. The bill would require a water and wastewater systems sector entity serving more than 3,300 people to report their risk assessments and emergency response plan required by the America's Water Infrastructure Act of 2018 to the California Cybersecurity Integration Center, the Department of Water Resources, and the State Water Resources Control Board.
- [SB 1059](#) (Becker D) Water Recycling in Landscaping Act: recycled water producers.**
Current Text: Introduced: 2/15/2022 [html](#) [pdf](#)
Status: 2/23/2022-Referred to Coms. on GOV. & F. and N.R. & W.
Location: 2/23/2022-S. GOV. & F.
Summary: The Water Recycling in Landscaping Act requires a recycled water producer, as defined, if the recycled water producer determines that within 10 years they will provide recycled water that meets specified conditions within the boundaries of a local agency, to notify the local agency of that fact and other specified information. This bill would instead require a recycled water producer to provide that notification if they determine that within 8 years they will provide recycled water that meets specified conditions within the boundaries of a local agency.
- [SB 1078](#) (Allen D) Sea Level Rise Revolving Loan Pilot Program.**
Current Text: Introduced: 2/15/2022 [html](#) [pdf](#)
Status: 2/23/2022-Referred to Com. on N.R. & W.
Location: 2/23/2022-S. N.R. & W.
Summary: Would require the Ocean Protection Council, in consultation with the State Coastal Conservancy, to develop the Sea Level Rise Revolving Loan Pilot Program for purposes of providing low-interest loans to local jurisdictions for the purchase of coastal properties in their jurisdictions identified as vulnerable coastal property located in specified communities, including low-income communities, as provided. The bill would require the council, before January 1, 2024, in consultation with other state planning and coastal management agencies, as provided, to adopt guidelines and eligibility criteria for the program. The bill would authorize specified local jurisdictions to apply for, and be awarded, a low-interest loan under the program from the conservancy, in consultation with the council, if the local jurisdiction develops and submits to the conservancy a vulnerable coastal property plan and completes all other requirements imposed by the council. The bill would require the conservancy, in consultation with the council, to review the plans to determine whether they meet the required criteria and guidelines for vulnerable coastal properties to be eligible for participation in the program. This bill contains other related provisions.
- [SB 1157](#) (Hertzberg D) Urban water use objectives: indoor residential water use.**
Current Text: Introduced: 2/17/2022 [html](#) [pdf](#)
Status: 3/2/2022-Referred to Com. on N.R. & W.
Location: 3/2/2022-S. N.R. & W.
Summary: Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and including collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly

recommend to the Legislature a standard for indoor residential water use. Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use. Existing law establishes, beginning January 1, 2025, the greater of 52.5 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. This bill would eliminate the option of using the greater of 52.5 gallons per capita daily and the greater of 50 gallons per capita daily, as applicable, or a standard recommended by the department and the board as the standard for indoor residential water use.

[SB 1219](#) (Hurtado D) Water: State Water Resources Control Board dissolution: Blue Ribbon Commission.

Current Text: Introduced: 2/17/2022 [html](#) [pdf](#)

Status: 3/2/2022-Referred to Coms. on N.R. & W. and E.Q.

Location: 3/2/2022-S. N.R. & W.

Summary: Current law establishes the State Water Resources Control Board within the California Environmental Protection Agency with specified duties relating to, among other things, administering water rights, the Porter-Cologne Water Quality Control Act, and the California Safe Drinking Water Act. Current law establishes the Department of Water Resources within the Natural Resources Agency and prescribes the jurisdiction and various general administrative authorities and duties of the department regarding, among other things, matters pertaining to water resources and dams in the state. This bill would dissolve the board as of January 1, 2025.

[SB 1426](#) (Caballero D) Cannabis: water pollution crimes.

Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)

Status: 2/22/2022-From printer.

Location: 2/18/2022-S. RLS.

Summary: Would make it a felony to plant, cultivate, harvest, dry, or process more than 6 living cannabis plants, or any part thereof, and where that activity involves theft of groundwater, unauthorized tapping into a water conveyance or storage infrastructure, digging an unpermitted, illegal well, or the pollution of groundwater, as specified. This bill would also clarify that causing substantial environmental harm to public resources includes groundwater. By expanding the scope of a crime, this bill would impose a state-mandated local program.

[SB 1442](#) (Borgeas R) Water conservation and reclamation projects.

Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)

Status: 2/22/2022-From printer.

Location: 2/18/2022-S. RLS.

Summary: Current law establishes the Water Conservation Projects Act of 1985 and declares the intent of the Legislature to encourage local agencies and private enterprise to implement water conservation and reclamation projects. This bill would make nonsubstantive changes to related legislative findings and declarations.

[SB 1459](#) (Caballero D) State water policy.

Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)

Status: 2/22/2022-From printer.

Location: 2/18/2022-S. RLS.

Summary: The Porter-Cologne Water Quality Control Act requires the State Water Resources Control Board to formulate and adopt state policy for water quality control. This bill would make nonsubstantive changes to that provision.

[SB 1476](#) (Bradford D) Water replenishment districts: contracts.

Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)

Status: 2/22/2022-From printer.

Location: 2/18/2022-S. RLS.

Summary: The Water Replenishment District Act provides for the formation of water replenishment districts with prescribed powers for the purposes of replenishing the groundwater supplies within the district. The act requires contracts and other documents executed by a district that require or authorize the district to expend \$10,000 or more to be authorized by the board of directors and signed by the president and the secretary, except as specified. This bill would make nonsubstantive changes to those provisions relating to water replenishment district contracting.

[SB 1485](#) (Rubio D) Water quality: statewide program.

Current Text: Introduced: 2/18/2022 [html](#) [pdf](#)

Status: 2/22/2022-From printer.

Location: 2/18/2022-S. RLS.

Summary: The Porter-Cologne Water Quality Control Act designates the State Water Resources Control Board and the California regional water quality control boards as the principal state agencies

with authority over matters relating to water quality. The act requires the state board and the regional boards to, among other things, coordinate their respective activities to achieve a unified and effective water quality control program in the state. This bill would make nonsubstantive changes to the latter provision.

Total Measures: 41

Total Tracking Forms: 79