

## WESTERN MUNICIPAL WATER DISTRICT

# State Legislative Priorities: 2021

### Top Priorities

1. Support science-based approaches to prioritizing and regulating constituents of emerging concern.
2. Support assistance to low-income water and sewer customers that have been unable to pay their utility bills due to COVID-19.
3. Support legislation that allows public agencies to choose if they would like to continue having remote access by board members and the public attend public meetings even after COVID-19.
4. Oppose any attempt by the State to recuperate lost revenue through the use of a water tax or fee.
5. Oppose measures that would further delay or halt a Delta conveyance project.

### Water Supply Reliability

#### *The Bay-Delta and Conveyance Project*

- Support a Delta conveyance project as well as other policies that recognize, maintain and advance the “co-equal goals” of providing a more reliable water supply for California while also protecting, restoring, and enhancing the Delta ecosystem.
- Support the Voluntary Agreements process as a way to create increase water flows and enhance the habitat for the Delta region.
- Support programs and policies that address the multiple stressors impacting the health of the Delta, including but not limited to:
  - ✓ Water quality.
  - ✓ Wastewater discharges.
  - ✓ Invasive species.
  - ✓ Non-native species.
  - ✓ Predation.
  - ✓ Climate change.
- Support a new Delta conveyance system that:
  - ✓ Contributes to improving the aquatic environment within the Delta to address fishery issues, preservation of native species, and restoration of habitat.
  - ✓ Improves water supply reliability within the Delta and outside the Delta, and allows for better water management and planning for the 25 million California residents who are currently dependent upon the Delta.
  - ✓ Provides for improved water quality, with respect to reducing exposure to salinity and naturally occurring organic compounds.
- Support state levee protection for critical levees in the Delta, where levee failure of those important assets would have negative water quality, water supply, and economic impacts statewide.

## State Legislative Priorities: 2021

- Oppose legislative attempts to either delay or stop the building of a new Delta conveyance project.

### ***Conservation and Water Use Efficiency***

- Support the development, implementation, and appropriate financial assistance tools for cost-effective urban water conservation programs.
- Support regulatory policies and funding that maximize efficient water use and reduces water waste while also reflecting local conditions, demand hardening, and historic conservation results.
- Support conservation and water use efficiency policies that recognize historical investments in local supply development and conservation programs.
- Support the development, implementation, and appropriate financial assistance of cost-effective agricultural water conservation and water efficiency programs, which should:
  - ✓ Provide flexibility to California's agricultural communities.
  - ✓ Protect critical infrastructure.
  - ✓ Recognize each community's widely varying climatic and economic circumstances.
- Support measures that ensure that water conservation and water use efficiency programs do not diminish or otherwise affect the existing water rights of the entity engaged in water conservation or water use efficiency.
- Support efforts to streamline and align reporting requirements prescribed in the long-term water use efficiency mandates.

### ***Groundwater***

- Support practical implementation of the Sustainable Groundwater Management Act (SGMA), including continued local control of groundwater uses.
- Support financial and technical assistance for the Groundwater Sustainability Agencies (GSAs).
- Support science-based policies that protect groundwater basins from contamination, and land use policies that preserve and protect groundwater recharge basins.
- Support expansion of conjunctive use management of groundwater and surface water supplies.
- Support additional state and local funding for groundwater management programs.
- Support increased use of stormwater and recycled water for recharge of groundwater basins, in a manner that does not degrade groundwater.
- Support local control of groundwater uses and groundwater rights.
- Support efforts to maximize beneficial groundwater recharge, especially during high storm events that will not impact downstream water users.

### ***Storage***

- Support the creation of additional economically feasible and environmentally sound surface and groundwater storage facilities.
- Support policies to ensure that mitigation and project costs are the responsibility of the project beneficiary, consistent with existing law.

## Local Resource and Supply Development

### ***Desalination***

## State Legislative Priorities: 2021

- Support additional state and local funding for both ocean water and brackish water desalination projects.
- Support policies to streamline the regulatory approval process of desalination projects.
- Support research and policies that minimize environmental impacts and reduce the energy use of desalination projects, and develop emerging technologies that will make desalination projects more cost-effective.

### ***Graywater***

- Support the development of standards for commercial greywater systems for both indoor and outdoor use with the concurrent goals of protecting public health, water quality, and expanding the utilization of greywater to displace potable water use.

### ***Potable Reuse***

- Support policies that treat potable reuse water as a resource and not as a waste, including the possibility of a statutory definition that accomplishes this.
- Support additional state and local funding for both direct and indirect potable reuse projects.
- Support for expanded use of indirect potable reuse that continues to protect water quality and human health.
- Support additional research and regulations of direct potable reuse and how to safely and effectively expand its use.
- Support streamlining of permitting to increase the use of potable reuse water statewide to meet state policy goals.
- Support efforts that facilitate stormwater and recycled water reuse.

### ***Sustainable Stormwater Management***

- Support the development of local, sustainable stormwater management plans that use or mimic natural systems and address the effects of increased urbanization.
- Support the development of plans that achieve multiple stormwater benefits, including the removal of pollutants, the replenishment of groundwater, habitat restoration, and lowered energy use for the treatment and disposal of stormwater.
- Support additional state and local funding for sustainable stormwater management programs.

### ***Resource Planning and Management***

- Support local control for planning management and use of water supplies to address local needs and contribute to long-term sustainability.
- Support efforts that facilitate the development of local or regional conveyance facilities that assist in providing more efficient distribution of water supplies, consistent with local and regional planning activities. The mitigation and project costs of these local conveyance facilities should be the responsibility of the project(s) beneficiaries.
- Support integrated planning while maintaining local control, among groundwater, surface water, local water, imported water, stormwater and recycled water for improved flexibility and new achievements in the management of water resources.
- Support comprehensive basinwide planning.
- Support data sharing efforts to maximize opportunities for voluntary water transfers, collaboration, and advance locally supported conservation measures.

## State Legislative Priorities: 2021

- Support policy initiatives that encourage the use of the most current scientific data and analysis to provide enhanced flexibility for water project operations.
- Support administrative or legislative actions that deter metal theft, water theft, and protect critical public water infrastructure.
- Support administrative/legislative actions that would require any future programs that mandate specific reductions or reuse of ocean discharges consideration of the following:
  - ✓ A cost-benefit analysis.
  - ✓ Current use and demand for recycled water.
  - ✓ Location and site constraints for reuse of ocean discharges.
  - ✓ Available state funding.
- Oppose efforts that would jeopardize sensitive water infrastructure data.
- Oppose legislation or administrative actions that would require a water provider to store, secure, and/or track data that is not germane to core district functions.

## Water Quality

### *Quality*

- Support watershed-based management and point source pollution control programs that protect and improve surface and groundwater water quality for urban and agricultural uses, as well as the environment
- Support water quality policies and regulatory decisions that are timely, based on sound science, and are cost-effective.
- Support continued state funding assistance to upgrade water treatment systems.
- Support legislative and administrative efforts to adopt cost-effective, science-based drinking water regulations to help ensure the protection of human health, and maintain or improve water quality from constituents of emerging concern.
- Support regulatory and legislative activities to ensure support for a fair and balanced compliance and enforcement structure for potable and related water charges.
- Support policies that provide economically feasible and environmentally sound solutions to both agricultural and non-point source run-off.
- Support policies that afford maximum local control of mandated consolidations through State Board directives.
- Support legislation or administrative actions to reduce pharmaceuticals in wastewater and receiving waters through take-back and other source control programs.
- Oppose efforts to legislate water quality standards that are more appropriately promulgated through the scientifically-sound regulatory process.

## Environmental Stewardship

### *Regulatory Efficacy*

- Support measures that achieve science-based regulatory goals while improving regulatory certainty and predictability in the processes – including environmental review under the California Environmental Quality Act (CEQA).

## State Legislative Priorities: 2021

### ***Climate Change Mitigation and Adaptation***

- Support voluntary integration of emissions reductions considerations into state and local water resources planning.
- Support the voluntary inclusion and development of cost-effective renewable energy in the delivery and treatment of water supplies and wastewater.
- Support policies that encourage the voluntary development of diversified local water portfolios and that take into consideration the greenhouse gas emissions associated with those supplies.
- Support policies that recognize, support, and credit the role of water conservation and water use efficiency in reducing greenhouse gas emissions.

### ***Endangered and Invasive Species Management***

- Support modifications to the approaches within the Endangered Species Act that deal with habitat protection, restoration, and enhancement consistent with principles of best available science, adaptive management, and flexible implementation.
- Support legislation, regulatory actions, and funding for controls, mitigation, and elimination of invasive species, including quagga mussels and striped bass.

## General Governance and Finance

### ***Finance***

- Support dedication of State funds to water infrastructure projects that are cost-effective, provide long-term benefits to consumers, and where all the beneficiaries of projects are paying their fair shares of those project costs.
- Support legislation that solidifies the legality of tiered water rate structures.
- Support legislation that creates a sunset date for which water and sewer rates can no longer be legally challenged after passing.
- Support efforts to promote and secure funding for septic to sewer conversion projects that mitigate impacts to groundwater and surface water supplies.
- Support administrative/legislative actions to increase issuance of revenue bonds for Clean Water State Revolving Fund and Drinking Water State Revolving Fund low-interest loans to reduce state funding backlog; and reduce the lien parity, limitations on future bond issuance, mandatory bond reserve requirements, and other burdensome loan application requirements for agencies with high credit ratings (AA or better).
- Support administrative/legislative actions that would provide state funding or reimbursement for enhanced physical and cybersecurity for water and power infrastructure.
- Oppose a public goods charge or other charges levied on water agencies for funding broader public benefits without a direct and proportional benefit to Western customers.
- Oppose any legislative or administrative attempt to restrict or redirect the use of special district reserves, property taxes, or ratepayer revenues without a direct and proportional benefit to Western customers.
- Oppose effort to establish a statewide low-income water rate assistance program that is not consistent with conservation objectives, and burdens water providers with collecting fees and charges.
- Oppose efforts to restrict the use of state revenue bonds to pay for infrastructure projects that provide broad public benefits to the state.

## State Legislative Priorities: 2021

- Oppose legislation that shifts responsibilities to local governments and special districts absent funding or reimbursement (i.e., unfunded mandates).

### **Taxes**

- Support tax exemptions for water conservation or efficiency incentives for measures including, but not limited to, turf removal, local stormwater capture (e.g., rain barrels, cisterns), and other measures to reduce consumption of water or enhance the absorption and infiltration capacity of the landscape.
- Support administrative/legislative actions to improve supply chain reliability for water treatment chemicals and achieve tax-exempt status for all water treatment chemicals.
- Oppose efforts that reduce access to or threaten the viability of tax-exempt municipal bonds.
- Oppose efforts to reapportion property tax allocations by state or local agencies.

### **Governance**

- Support governance reforms of small water systems that chronically serve contaminated drinking water before assessing the need for outside revenues to address water safety and reliability concerns.
- Support legislation that would establish funding for county Local Area Formation Commissions (LAFCO) to address dissolutions, make consolidations of water systems that fail to provide safe, clean, and reliable drinking water, and complete municipal service reviews.
- Oppose legislation that would arbitrarily force or restrict consolidations of special districts.

## Water-Energy Nexus

### **Energy Efficiency**

- Support policies that prioritize energy efficiency goals.
- Support policies that encourage the establishment or continuation of and the removal of obstacles for local funding mechanisms to facilitate energy efficiency.
- Support for increased state financial incentives and funding mechanisms.
- Support for the empowerment of consumer demand-side management to allow consumers to achieve the maximum benefits from time-of-use rates and other rate structures.
- Support the availability of funding generated from any potential cap-and-trade revenues, carbon fee, or climate change offset revenues for investment in water sector renewable energy projects, energy-saving water use efficiency programs and alternative water supply projects with lower embedded energy.

### **Renewable Energy**

- Support renewable energy legislation that acknowledges biosolids, biodiesel from fats, oils, greases, and biogas (digester gas) as eligible renewable energy sources.
- Support energy production from the wastewater treatment process as a priority or equally important status for any renewable energy legislation or programs.
- Support regulatory and legislative efforts to facilitate cost-effective net metering for renewable and distributed energy generation by water and wastewater utilities.

### **Power Shutoffs**

## State Legislative Priorities: 2021

- Support administrative or legislative actions that assist the water industry in addressing the effects of wildfires and power outages, including the impacts of public safety power shutoff events, which may include but are not limited to:
  - Funding for emergency responses and planning.
  - Improving the clarity and workability of regulatory requirements.

### ***Energy Storage***

- Support development of energy storage to optimize distributed generation.
- Support incentives to make battery storage more cost-effective and

### ***Hydropower***

- Support policies that recognize all forms of hydropower generation as a source of climate-friendly renewable energy that also benefits flood control, water supply, air quality, and the economy.

### ***Utility Worker Classification***

- Support legislation that classifies utility workers as first-responders which would allow them primary emergency access when disasters occur.

## Human Resources

### ***Labor Relations***

- Support greater employer flexibility to maintain a safe and drug-free workplace.
- Support measures that promote efforts to advance workplace diversity, equity, and inclusion.
- Oppose any legislation that would reduce local authority to resolve public employee disputes or impose regulations of an outside agency.
- Oppose laws and regulations that unfairly penalize employers.
- Oppose any measure that would grant employee benefits that should be decided at the local bargaining table.
- Oppose measures that would require municipalities to pay erroneous retirement benefits.

### ***Workers Compensation***

- Support efforts to enact workers' compensation that lowers employers' costs while still protecting workers.
- Oppose legislation that expands or extends any presumptions of occupational injury or illness and support legislation that repeals the presumption that the findings of a treating physician are correct.
- Oppose legislation that increases workers' compensation benefits without providing for concurrent cost controls.

### ***Pensions***

- Support proposals that will help the state and local governments with their unfunded pension liabilities, ensure that local government can continue to offer meaningful benefits to employees while still providing the levels of service our customers expect.
- Support efforts to enact pension reform that lowers employers' costs while still protecting workers.

# State Legislative Priorities: 2021

## ***Workforce Development***

- Support funding for apprenticeships and education programs dedicated to water and wastewater careers.
- Support collaborative efforts to promote mentorship and internship programs.
- Support initiatives and efforts to STEM/STEAM education related to the water and wastewater industries.
- Support efforts to improve the educational and vocational skills of employees to help them move upward in their field.
- Support measures that help promote awareness of water and sewer careers in K-12 schools.
- Support legislation that provides funding to local agencies for training, disaster preparedness, and emergency planning and operations.

## **Information Technology**

### ***Security and Emergency Management***

- Support legislation that promotes and provides funding for increased ability to manage technology, assistance in adhering to regulatory compliance requirements and reducing the risk of cyber-attacks.
- Support efforts to ensure that the implementation of the Open and Transparent Water Data Act is within the original intent of the legislation to provide state agencies and the public with better, transparent data about water but does not jeopardize the safety, operations, or public trust of water agencies.
- Oppose legislation that increases the length of time public agencies have to store any audio or video recordings.

### ***Public Records Requests***

- Support legislation and policies that encourage streamlining of business processes for responding to open records requests and that provide funding for these activities.
- Support legislation and policies that encourage the use of modern technologies to manage the lifecycle of public records.
- Support funding that helps public agencies digitize their physical public records.
- Support legislation that makes the economic disclosure and conflict of interest provisions of the Political Reform Act more efficient and less burdensome to administer, while furthering the purposes of the Act.
- Oppose legislation that would require public agencies to share information in public settings that could be used by groups or individuals with malicious intent to compromise the systems, services or private information of public employees or citizens.

### ***Open and Transparent Meetings***

- Support legislation that gives local municipalities the ability to choose to continue the implementation of the Governor Newsom's Executive Order N-29-20, allowing for members of a local elected board to participate in meetings remotely without identifying their location or posting the agenda at their location, and allowing the public to participate via telephone or other streaming platform.

## State Legislative Priorities: 2021

- Support funding opportunities that encourages more public agencies to enhance their facilities to provide livestreaming capabilities, remote public participation, and the ability to store and share recorded meetings.

### ***Local Control***

- Oppose legislation that would restrict procurement practices or impact vendor interaction.
- Oppose legislation that reduces local government control over cellular technology infrastructure development, installation, and deployment.

## Current State Issues

### ***Coronavirus Disease 2019 (COVID-19)***

- Support water and sewer bill payment assistance for low-income customers that goes directly to water and sewer providers.
- Support liability protection of essential employers that comply with all state and federal COVID-19 guidelines.
- Oppose legislation that requires overly burdensome COVID-19 reporting or notifications.
- Oppose any attempts to violate Proposition 218 by having customer past-due balances forgiven using reserves or other public agency revenues.

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