

# 2021 LEGISLATIVE POLICY GUIDELINES

Government Relations Program  
San Diego County Water Authority



***San Diego County  
Water Authority***

# 2021 Legislative Policy Guidelines

## Purpose

The San Diego County Water Authority's legislative policy guidelines reflect policy positions adopted by the Board of Directors through 2017. The guidelines provide direction to staff and the legislative advocates when they evaluate proposed legislation that may affect the Water Authority, its member agencies, or regional water management and use. Legislation that meets, or fails to meet, the principles set forth in the guidelines may be supported or opposed accordingly. The guidelines permit staff and the Water Authority's legislative advocates to act in a timely fashion between Board meetings on issues that are clearly within the guidelines. Such actions are then reported to the Board during the next regular monthly Board meeting.

While the title of this document suggests these policy guidelines are applicable solely to state and federal legislative issues reviewed by the Water Authority, increasingly state and federal regulatory and administrative bodies are developing rules, guidelines, white papers, and regulations that can significantly affect the Water Authority and its member agencies. Water Authority staff, including the Water Authority's legislative team, often utilize these Legislative Policy Guidelines to provide guidance on emerging and active regulatory and administrative issues.

Legislation that does not meet the principles set forth in the guidelines or that has potentially complicated or varied implications will not be acted upon by staff or the legislative advocates in between Board meetings and will instead be presented to the Board directly for guidance in advance of any position being taken.

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## **Bill Positions Considered by the Water Authority Board of Directors**

The following represent active bill positions that may be recommended by the Water Authority staff for consideration by the Water Authority's Board of Directors in providing guidance to the Water Authority staff and legislative advocates. Once adopted by the Board of Directors, the bill position will be communicated with the author of the legislation and may be communicated with other legislators, legislative staff, the Administration, member agencies, and the public. Advocacy strategies and activities will be directed toward implementation of the Board's policies through advancement of the Water Authority adopted bill position.

- **SUPPORT:** This position reflects the Water Authority's unconditional interests to see the legislation become law. Water Authority staff and legislative advocates will work for passage of the bill in its present form.
- **SUPPORT AND SEEK AMENDMENTS:** This position reflects the similar level of unconditional support for a bill as the SUPPORT position. However, this position connotes that the Water Authority would prefer specific amendments to be considered that would improve the measure. Water Authority staff and legislative advocates will communicate and advocate in support of the legislation even if amendments proffered by the Water Authority are not included in the measure.
- **SUPPORT IF AMENDED:** This is an affirmative position that connotes conditional support for a measure, but only if it is amended to incorporate specific amendments approved by the Water Authority Board. Water Authority staff and legislative advocates will not advocate in support of the legislation unless it is amended as requested by the Water Authority.
- **OPPOSE:** This position reflects the Water Authority's unconditional interests to defeat the legislation. Water Authority staff and legislative advocates will work for defeat of the measure in its present form, and will not pursue amendments to address the measure's shortcomings.
- **OPPOSE UNLESS AMENDED:** This is a position that connotes conditional opposition to a measure, unless it is amended to incorporate specific amendments approved by the Water Authority Board. Water Authority staff and legislative advocates will actively work to defeat the legislation until and unless it is amended as requested by the Water Authority. If legislation is amended as requested by the Water Authority, the Water Authority staff and legislative advocates will cease working to defeat the legislation, but will not advocate in support of the measure unless further directed by the Water Authority Board.

All other bills that are of potential interest or concern to the Water Authority are monitored by the staff and legislative advocates, as reflected on the monthly bill matrix provided to the Board. If any of those measures are amended, they are reevaluated to determine if a formal position should be recommended for Board consideration.

# **Binational Issues**

**Policy Category: Binational Issues**

## **Binational Issues**

The Water Authority generally supports initiatives that fund and encourage cooperative projects that serve the San Diego/Baja California area.

### **The Water Authority's policy principles support initiatives that:**

1. Provide funding for development of Board-approved water supply and infrastructure projects to serve the San Diego/Baja California region while protecting local interests.
2. Encourage enhanced cooperation between entities in San Diego and Baja California in development of supply and infrastructure projects that will benefit the entire border region.
3. Encourage state and federal funding to support collaborative binational projects to improve water quality and protect human health and the environment within the broader San Diego border region.

# Biological and Habitat Preservation

**Policy Category:** Biological and Habitat Preservation  
Environmental & Conservation Planning  
Funding  
Species & Habitats

## Biological and Habitat Preservation

The Water Authority generally supports the preservation of biological and habitat values through comprehensive approaches that provide the necessary regulatory certainty for long lead time water supply projects. The Water Authority also believes that water storage and conveyance facilities provide inherent long-term habitat values that should be recognized in the regulatory process.

The Water Authority supports regulatory exemption of emergency activities when the emergency threatens the continued delivery of safe and clean water. The Water Authority also supports efforts to provide state and federal funding for habitat conservation efforts in San Diego County, on the Salton Sea, Colorado River, and at the Bay-Delta.

The Water Authority generally opposes regulations that reduce or limit the use of existing water rights or supplies, restrict the development of future water supplies, or interfere with the operation, maintenance, or repair of existing water conveyance and storage facilities.

### Environmental & Conservation Planning

**The Water Authority's policy principles support initiatives that:**

1. Support development of comprehensive multi-species habitat conservation plans that anticipate and mitigate project development impacts while preserving representative ecosystems, rather than individual species.
2. Exempt operation, maintenance, and repair of water system facilities from endangered species and other habitat conservation regulations because they provide beneficial cyclical habitat values to declining species and foster biological diversity in California.
3. Provide environmental regulatory certainty for implementation of existing and proposed long-term water supply programs.
4. Consolidate wetlands regulations to alleviate multi-agency jurisdiction over the same environmental resource.
5. Streamline filing of CEQA notices of determination for multi-county water projects by making those notices available on the CEQAnet website through the Governor's Office of Planning and Research.
6. Support the eradication of nutria (*myocaster coypus*) or prevent the species from becoming established in the Delta.

## Funding

### **The Water Authority's policy principles support initiatives that:**

1. Authorize federal and state funding to develop and implement regional or subregional wildlife and habitat conservation programs, including but not limited to property acquisition, revegetation programs, and watershed plans.
2. Provide state and/or federal funding for the restoration of the Salton Sea.
3. Provide federal and/or state funding to implement actions that address the ecological and water supply management issues of the Lower Colorado River from Lee's Ferry to the southerly international border with Mexico.
4. Provide federal and/or state funding to implement actions that address the ecological and water supply management issues of the Sacramento-San Joaquin River Delta.

### **The Water Authority's policy principles oppose initiatives that:**

1. Provide for after-the-fact reduction in quantity or quality of a public water supply due to new restrictions on the operation or use of water supply facilities unless funding for alternate sources of water is provided.
2. Impose a "utility user fee" or "surcharge" on water for the purposes of financing open space/habitat preservation, restoration, or creation.

## Species & Habitats

### **The Water Authority's policy principles support initiatives that:**

1. Incorporate an emergency exemption for "take" of a listed species listed under the state or federal Endangered Species Acts when necessary to mitigate or prevent loss of or damage to life, health, property, or essential public services.
2. Encourage species listings, critical habitat designation, and recovery plans developed pursuant to the state or federal Endangered Species Acts to be consistent with existing interstate compacts, tribal treaties, and other state and federal agreements.
3. Facilitate implementation of the Conserved Water Transfer Agreement with the Imperial Irrigation District and other Quantification Settlement Agreement programs with impacts or potential impacts to species and habitat along the lower Colorado River and at the Salton Sea.

4. Designate feral pigs as a noxious invasive animal species in the San Diego region, or authorizes actions, including eradication, to protect the region's waters and natural landscapes from damage by feral pigs.

**The Water Authority's policy principles oppose initiatives that:**

1. Impose endangered species or habitat conservation requirements that restrict the operation, maintenance, or repair of public water supply, conveyance, treatment, or storage facilities.

# Drought Response

**Policy Category: Drought Response**

## Drought Response

The Water Authority and its member agencies have made significant investments in supply, storage and infrastructure to avoid or minimize water shortages during drought periods and ensure a reliable supply of water for the residents and businesses of San Diego County. The Water Authority generally supports emergency drought regulations that ensure the Water Authority and its member agencies receive the water supply benefits of the investments made in reliability. The Water Authority generally supports drought regulations that recognize variations among communities, regions, and counties with respect to their abilities to withstand the impacts and effects of drought. The Water Authority generally opposes initiatives that create a disincentive to water agencies to invest in drought-resilient supplies and creates a “one-size-fits-all” approach to emergency drought declarations.

### Drought Response

#### **The Water Authority’s policy principles support initiatives that:**

1. Ensure the Water Authority and its member agencies receive the water supply benefits of its investment in local water supply sources.
2. Allow local agencies to achieve compliance with emergency or non-emergency drought regulations or objectives through a combination of water conservation measures and development and implementation of local water supply sources that are not derived from the Delta.
3. Allow for local agencies to account for all water supplies available during droughts and other events when calculating the water supply shortage level.
4. Create a process for development and implementation of emergency drought declarations and regulations that recognizes variations among communities, regions, and counties with respect to their abilities to withstand the impacts and effects of drought.
5. Recognize variations among communities, regions, and counties with respect to their abilities to withstand the impacts and effects of droughts, and ensure that any temporary or permanent statutory or regulatory direction for improving water use efficiency to meet statutory or regulatory goals or standards is focused on regional achievement of objectives rather than a one-size-fits-all approach.

#### **The Water Authority’s policy principles oppose initiatives that:**

1. Disincentivize or impede water agencies from making investments to maximize the potential for recycled water, potable reuse, desalination and other drought-resilient local water supplies.

2. Create a “one-size-fits-all” approach to emergency drought declarations and regulations that ignores variations among communities, regions, and counties with respect to their ability to withstand the impacts and effects of drought.

# Energy

**Policy Category:** Energy

Energy Costs

Energy Independence

## Energy

Electricity for treating and delivering water is a major cost to the Water Authority. Generally, the Water Authority supports initiatives that help to lower the cost of electricity. The Water Authority has some capacity to generate electricity and has acquired federal preferential power, and therefore supports legislation that helps it to utilize or market the electricity it produces and acquires for its own operations and for the benefits of its member agencies. The Water Authority also supports actions related to energy creation that will reduce the overall cost of water. The Water Authority's goal is to ensure existing and planned facilities are built and operated in a manner that is environmentally sensitive, reliable, and energy efficient. This section outlines the Water Authority's policies toward initiatives affecting renewable energy, energy consumption, and efficiency and conservation related to existing or planned facilities.

The Water Authority generally supports initiatives that will facilitate the development of renewable and alternative energy sources. The Water Authority also supports initiatives that will provide funding for projects to increase energy efficiency, reliability, and reduce peak demands.

The Water Authority generally opposes legislation that would increase the cost of its power supply. The Water Authority also opposes initiatives that would interfere with its ability to produce electricity, buy or sell, and deliver electrical power or natural gas.

### Energy Costs

#### **The Water Authority's policy principles support initiatives that:**

1. Provide opportunities for reduced energy rates under tariff schedules for the Water Authority and its member agencies.
2. Provide protection to water agencies in San Diego County from energy rate increases and provides rate relief for the Water Authority and its member agencies.
3. Provide funding, including state and federal grants, for in-line hydro-electric, solar, wind, battery storage, biogas cogeneration, nanogrids, microgrids, closed-loop pumped storage facilities and other renewable energy generation or storage technology as a means of reducing greenhouse gas emissions and energy costs.
4. Promote funding for use of renewable energy in the operation of water agency facilities in San Diego County.
5. Prohibit investor-owned utilities from implementing rate changes that undercut the financial viability of renewable energy facilities obligated under long-term Power Purchase Agreements.

**The Water Authority's policy principles oppose initiatives that:**

1. Adversely affect the cost of energy needed to operate MWD's facilities, State Water Project facilities, or the facilities of the Water Authority and its member agencies.
2. Impose greenhouse gas reduction obligations on a public water agency for electricity purchased or produced for the sole purpose of operating its system.

**Energy Independence**

**The Water Authority's policy principles support initiatives that:**

1. Provide greater flexibility in the utilization of Water Authority and its member agencies' facilities for generation and acquisition of electrical and natural gas power.
2. Provide the Water Authority and its member agencies with greater flexibility in the licensing, permitting, interconnection, construction, and operation of its existing and potential in-line hydroelectric, solar, wind, battery, nanogrid, microgrid, closed-loop pumped energy-storage projects, and other renewable energy generation or storage technology.
3. Make SWP power available for all water projects.
4. Promote the classification of electricity generated by in-line hydroelectric and closed-loop pumped energy storage facilities as environmentally sound,.
5. Promote the expansion of closed-loop pumped energy storage facilities to provide a clean and environmentally sound energy resource, that provides electric grid reliability and resiliency; especially during times of potential blackouts.
6. Promote the expansion of in-line hydroelectric energy recovery systems at treatment facility discharge systems and where feasible on the Water Authority's aqueduct.
7. Promote the production, purchase, delivery, and use of alternative sources of energy on a wholesale basis.
8. Facilitate the Water Authority's opportunities to exercise the authorities granted by the County Water Authority Act, Section 45-5.1.
9. Provide clear statutory, regulatory, or administrative authority for the Water Authority to wheel acquired or produced power to itself, its member agencies, or

entities with which the Water Authority is under contract for the purchase, treatment, transport, or production of water.

10. Recognize all grid services that energy storage provides, and support fair compensation in the wholesale energy market for such services.
11. Provides timely, efficient, and cost-effective interconnection of new energy resources such as solar, inline hydroelectric, pumped energy storage, and other renewable energy generation or storage technologies to the electric distribution and transmission grid.
12. Recognize the value of large-scale hydropower and pumped energy storage facilities in assisting the state to meet its renewable and zero-carbon emission goals of 100 percent by 2045.

**The Water Authority's policy principles oppose initiatives that:**

1. Adversely affect the ability of the Water Authority or its member agencies to own, operate, and/or construct work for supplying its member public agencies, or its own facilities with natural gas and electricity.
2. Impede the Water Authority's or its members agencies' ability to contract for, deliver, and use the purchase of natural gas and electricity from the United States, the State of California, and any other public agency or private entity and sell the gas and electricity to any public agency or private entity engaged in retail sales of electricity and gas.
3. Reduce the Water Authority or its member agencies' ability to maintain high operational efficiency at all times.
4. Restrict the Water Authority or its member agencies' ability to expand or improve infrastructure or facilities.
5. Restrict or caps future energy demands needed for possible expansion of recycled water, potable reuse, and desalination projects.
6. Adversely affect the Water Authority or its member agencies' ability to expand cogeneration or polygeneration at planned or existing facilities.
7. Inhibit the scientific advancement of energy and water efficient/conserving technologies that may be implemented at Water Authority and member agency facilities.
8. Prevent the Water Authority and its member agencies from enhancing energy reliability and independence for their facilities.

9. Do not count or credit qualified renewable energy projects toward accomplishment and satisfaction of the California Renewables Portfolio Standard objectives.
10. Prohibit the Water Authority from wheeling – or securing statutory, regulatory, or administrative authority necessary to wheel – acquired or produced power to itself, its member agencies, or entities with which the Water Authority is under contract for the purchase, treatment, transport, or production of water.
11. Result in a lengthy, more complicated, or more costly interconnection of new energy resources, such as solar, inline hydroelectric, pumped storage, and other renewable energy generation or storage technologies to the electric distribution and transmission grid.

# Financial Issues

**Policy Category:** Fiscal Policy and Water Rates  
Fees, Taxes, and Charges  
Financial Management  
Funding  
Rates

**Policy Category:** Water Bonds

## Fiscal Policy and Water Rates

The Water Authority generally supports initiatives that improve the Water Authority's ability to obtain cost-effective financing for the construction, operation, and maintenance of public facilities. The Water Authority supports initiatives that are consistent with the Board's policy principles adopted in 2006, regarding user fees and statewide water infrastructure funds. The Water Authority supports initiatives that promote local control over water rates, but ensure that rate-making is undertaken pursuant to a clearly defined cost-of-service basis and foundation.

The Water Authority generally opposes unfunded federal or state mandates that are not accompanied by subventions. The Water Authority opposes initiatives that reallocate the Water Authority's revenues or reserves to statewide purposes. The Water Authority opposes imposition by the state of a "public goods charge," or excise tax on water for statewide purposes. The Water Authority opposes state-imposed user fees on water imposed by the state unless the fee is restricted to paying for specific projects and programs with identified costs and clearly identified benefits. The Water Authority opposes the imposition of a state water user fee to pay the interest or principal on a statewide water bond. The Water Authority opposes initiatives that would interfere with public agencies' ability to set their own rates and manage their own finances.

### Fees, Taxes & Charges

**The Water Authority's policy principles oppose initiatives that:**

1. Impose mandated costs or regulatory constraints on local governments without providing subventions to reimburse local governments for such costs.
2. Pre-empt the Water Authority's or its member agencies' ability to impose or change rates, charges, fees, or assessments.
3. Weaken the protections afforded the Water Authority or its member agencies under California's Proposition 1A (November 2, 2004).
4. Impose a water user fee on water agencies or water users that does not provide a commensurate and directly linked benefit in the local area or region from which the water user fee is collected.
5. Impose a water user fee for statewide projects or programs, for which the projects or programs are not clearly defined, the beneficiaries identified, and the reasonable costs identified.
6. Impose a water user fee in order to create a state fund that can be used to finance undefined future projects and programs.

7. Allow the state to retain more than five percent of water user fees for administrative costs.
8. Do not restrict the use of water user fees to only the specific purposes for which they are imposed, without any possibility of diversion to meet other fiscal needs of the state.
9. Impose a “public goods charge” or “water tax” on public water agencies or their ratepayers.
10. Impose a fee on water users to repay the principal and interest on a statewide general obligation bond.
11. Establish regulatory or permit fees that lack a nexus to the costs of oversight.
12. Establish a broad-based user fee that does not support a specific program activity; any fee must provide a clear nexus to the benefit the fee would provide.

### **Financial Management**

#### **The Water Authority’s policy principles oppose initiatives that:**

1. Are inconsistent with the Water Authority’s and its member agencies’ current investment policies and practices.
2. Make any unilateral reallocation of Water Authority or its member agencies’ revenues by the state unless the state takes compensatory measures to restore those funds.
3. Reduce the Water Authority’s or its member agencies’ revenues without giving the Water Authority and its member agencies a commensurate public benefit that is clearly identifiable and separate from a general statewide benefit.
4. Restructure the Water Authority’s or its member agencies’ responsibilities without also providing the commensurate restructuring of revenues.
5. Require the expenditure of Water Authority or member agency funds to accomplish federal water supply commitments such as may be required in national treaties.
6. Reduce or eliminate the tax-exempt status on municipal financings.

### **Funding**

#### **The Water Authority’s policy principles support initiatives that:**

1. Require the federal and state governments to provide subvention to reimburse local governments for all mandated costs or regulatory actions.

2. Provide the Water Authority and its member agencies with additional forms of cost-effective financing for public facilities.
3. Revitalize the Title XVI federal funding program by converting new authorizations to a competitive grant program with congressional oversight while protecting existing Title XVI authorizations for the San Diego region.
4. Provide the Water Authority and its member agencies with grant funding for public facilities.
5. Provide the Water Authority, its member agencies, and water ratepayers with post-COVID financial relief through a variety of means, including but not limited to, direct financial assistance and flexibility in debt management, to assist water ratepayers and water suppliers.

**The Water Authority's policy principles oppose initiatives that:**

1. Impose additional administrative requirements and/or restrict the Water Authority's or its member agencies' ability to finance public facilities through the issuance of long-term debt.
2. Interfere with the responsibility of a region, operating under an Integrated Regional Water Management Plan, for setting priorities and generating projects to be paid from any IRWM accounts and grants.
3. Interfere with the control exercised by the San Diego funding subregion over the use and expenditure of any water user fee revenues that may be dedicated to the region.

**Rates**

**The Water Authority's policy principles support initiatives that:**

1. Maintain the authority of water agencies to establish water rates locally, consistent with cost-of-service requirements of the law.
2. Maximize the ability of water agencies to design rate structures to meet local water supply goals and that conform to cost-of-service requirements of the law.

**The Water Authority's policy principles oppose initiatives that:**

1. Impair the Water Authority's or its member agencies' ability to provide reliable service at reasonable costs to member agencies or to charge all member agencies the same or similar rate for each class of service consistent with cost-of-service requirements of the law.

2. Undermine or weaken cost-of-service rate-making requirements in existing law.
3. Impair the Water Authority's or its member agencies' ability to maintain reasonable reserve funds and obtain and retain reasonable rates of return on its reserve accounts.
4. Mandate a specific rate structure for retail water agencies.
5. Prescribe mandatory conservation-based rate structures that override the authority of the boards of directors of local water agencies to set rate structures according to the specific needs of the water agencies.

## Water Bonds

The Water Authority generally supports water bond legislation that provides an equitable share to the San Diego region, focuses on statewide priorities that achieve the coequal goals of improving water supply reliability and restoring ecosystems in the Delta. The Water Authority also supports bond legislation that ensures the grant application is not unduly burdensome and is open and transparent.

However, the Water Authority generally opposes water bond legislation that does not provide equitable funding for the San Diego region. The Water Authority also opposes water bond legislation that does not result in real improvements in water supply and water supply reliability and resolve statewide conflicts over water supply.

### **It shall be the Water Authority's policy to support water bond legislation or an initiative that:**

1. Provides an equitable share of funding to San Diego County, with major funding categories being divided by county and funded on a per-capita basis to ensure bond proceeds are distributed throughout the state in proportion to taxpayers' payments on the bonds.
2. Focuses on statewide priorities, including restoration of fish and wildlife habitat, construction of an improved method of conveyance of water through or around the Delta that provides water supply reliability to Delta water users, promotion of greater regional and local self-sufficiency, surface storage, and promotion of water use efficiency.
3. Provides the states' share of funding for projects that advance the achievement of the co-equal goals of water supply reliability and Delta ecosystem restoration.
4. Provides funding for water infrastructure that resolves conflicts in the state's water system and provides long-term benefits to water supply, water supply reliability, water quality, and ecosystem restoration.
5. Defines the "San Diego sub-region" and "San Diego county watersheds" as "those portions of the westward-flowing watershed of the South Coast hydrologic region situated within the boundaries of San Diego County."
6. Includes within IRWM funding money that a region may use over time to develop and refine its plan and to develop institutional structures necessary to establish and implement the plan.
7. Gives primary consideration to funding priorities established by local and regional entities through their IRWM planning process.
8. Ensures that the application process for funding is not unnecessarily burdensome and costly, with an emphasis on streamlining the process.

9. Limits state overhead to no more than five percent of bond funding amounts.
10. Places as much emphasis and provides at least as much funding for surface storage as for groundwater storage.
11. Funds emergency and carryover storage projects such as the San Vicente dam raise project.
12. Consolidates administration of all voter-approved water-related bond funding in one place, preserves existing expertise within the state bureaucracy to manage bond funding processes, and provides consistent application and evaluation of bond funding applications.

**It shall be the Water Authority's policy to oppose water bond legislation or an initiative that:**

1. Does not provide an equitable share of funding to San Diego County, based on San Diego County taxpayers' proportional contribution to repayment of the bond.
2. Does not provide funding for infrastructure that resolves statewide or regional conflicts over water supplies.
3. Does not provide funding that results in net increases in real water supply and water supply reliability.
4. Commits a significant portion of its funding to projects that do not result in net increases in real water supply or water supply reliability.

# Imported Water Issues

**Policy Category:** Bay-Delta  
Co-Equal Goals  
Bay-Delta Conveyance Project

**Policy Category:** Metropolitan Water District

**Policy Category:** Imported\_Water Supply  
Colorado River  
State Water Project  
Water Transfers

## Bay-Delta

Generally, the Water Authority has supported an implementable and affordable solution to the conflicts between water supply exports and Delta ecosystem protection. These long-standing Delta conflicts have made water supply less reliable. Irrespective of whether a proposed Delta fix is the California WaterFix, or some other conveyance-related proposal, the Water Authority is also interested in ensuring that the solution to Delta conflicts be cost-effective, and that the water contractors who finance the solution be capable of financing and maintaining improvements to the Delta. The Water Authority supports Delta solution costs being shared equitably among beneficiaries of the improvements, and that the costs are apportioned fairly and equitably to all users. These policy principles reflect the Board's multi-year engagement on issues related to the Bay-Delta Conservation Plan, California WaterFix, and other Delta fix and Delta conveyance project proposals.

### Co-Equal Goals

#### **The Water Authority's policy principles support initiatives that:**

1. Require the Delta Stewardship Council or DWR to provide periodic analyses of the cost of proposed Delta improvements to the Legislature and the public.
2. Provide conveyance and storage facilities that are cost-effective for the San Diego region's ratepayers, improve the reliability and quality of the San Diego region's water supplies, and protect the Bay-Delta's ecosystem.
3. Continue to support the co-equal goals of water supply reliability and environmental restoration embodied in the 2009 Delta bill package.
4. Improve the ability of water-users to divert water from the Delta during wet periods, when impacts on fish and the ecosystem are lower and water quality is higher.
5. Encourage the development of a statewide water transfer market that will improve water management and allow more efficient use of available resources.
6. Support improved coordination of Central Valley Project and State Water Project (SWP) operations and implementation of voluntary agreements that are fair to users of both projects and do not unfairly shift costs to SWP contractors.
7. Support continued state ownership and operation of the SWP, including project facilities, as a public resource.
8. Authorize and appropriate the federal share of funding for the long-term Bay-Delta solution, including for the EcoRestore Program.
9. Provide the ongoing state share of funding for the EcoRestore Program.

10. Provide state funding for aquatic toxicity monitoring in the Bay-Delta. Such legislation should not place a surcharge on water supply exports nor should it substantively reduce funding for other measures that protect the environment and public health.

**The Water Authority’s policy principles oppose initiatives that:**

1. Impose water user fees to fund ecosystem restoration and other public purpose, non-water-supply improvements in the Delta that benefit the public at large.
2. Transfer operational control of the SWP or any of its facilities to MWD, the State Water Project Contractors, Central Valley Project Contractors, the State and Federal Contractors Water Agency, any entity comprised of MWD or other water project contractors, or any other special interest group.

**Bay-Delta Conveyance Project**

**The Water Authority’s policy principles support initiatives that:**

1. Are consistent with the Water Authority Board of Directors’ July 25, 2019 adopted Bay-Delta and project policy principles, including the following:
  - a. On April 29, 2019, Governor Newsom signed Executive Order N-10-19, directing the preparation of a water resilience portfolio approach that meets the needs of California’s communities, economy, and environment through the 21<sup>st</sup> century, including consideration of multi-benefit approaches that meet multiple needs at once, and a single-tunnel Bay-Delta project.
  - b. The Water Authority Board of Directors supports Governor Newsom’s Executive Order N-10-19 and directs staff to inform the Newsom Administration that its support for a single-tunnel Bay-Delta project is expressly conditioned upon the project costs being characterized by the Department of Water Resources (DWR) as conservation, or supply charges, as similar facilities historically have been defined in the Metropolitan Water District of Southern California’s (MWD) State Water Project (SWP) contract with DWR.
  - c. As reflected in Table 2 of DWR’s Appendix B to Bulletin 132-17, Data and Computation Used to Determine Water Charges, and for which costs are recovered in Article 22(a) of Delta Water Charge of MWD’s SWP Contract; allow for the exemption of north-of-Delta SWP contractors.
2. Support establishment of an independent and transparent oversight function to monitor and provide regular updates on project implementation progress, including expenditure tracking, construction progress, project participants’ contributions, and all other relevant activities and developments.

3. Allow access to all SWP facilities, including project facilities, to facilitate water transfers.

## **Metropolitan Water District**

The Water Authority supports initiatives that require MWD to treat its member agencies equitably in proportion to their financial contributions. The Water Authority supports the protection of the Water Authority's preferential rights at MWD, and supports initiatives requiring MWD to be open and transparent in its governance, and implement policies that ensure its long-term fiscal sustainability.

### **The Water Authority's policy principles support initiatives that:**

1. Provide an appropriate level of accountability and cost control over MWD spending.
2. Protect and safeguard the Water Authority's Preferential Rights in the Metropolitan Water District Act.
3. Require MWD to refund or credit to its member agencies revenues collected from them that result in reserve balances greater than the maximum reserve levels established pursuant to state legislation.
4. Require MWD to implement actions that advance and support its long-term financial stability, fiscal sustainability, and that moderate fluctuations in rates and charges for its member agencies from year to year, in a publicly transparent manner.
5. Amend the Metropolitan Water District Act to change voting allocation on its Board of Directors based on a member agency's total financial contribution to MWD, and in a manner similar to the voting allocation method of the County Water Authority Act.

## Imported Water Supply

The Water Authority relies on imported water from the Sacramento-San Joaquin Delta and from the Colorado River for a significant portion of its water supply. This section details the Water Authority's policies toward initiatives that affect the imported water supply. Policies specifically relating to the Sacramento-San Joaquin Delta are listed in the section entitled "Bay-Delta."

The Water Authority supports funding and other incentives for ecosystem restoration and other improvements to the Colorado River that improve water supply and water supply reliability. The Water Authority also supports a robust and effective means of transferring water from one part of the state to another as needed, either year-by-year or longer term.

The Water Authority opposes initiatives that would transfer control of the State Water Project from the state to MWD, the State Water Contractors, the Central Valley Project Contractors, the State and Federal Water Contractors Authority, or to any entity comprised of MWD and other water contractors. The Water Authority also opposes initiatives that would jeopardize its independent Colorado River water supplies derived through the IID/Water Authority transfer or canal lining projects.

### Colorado River

#### **The Water Authority's policy principles support initiatives that:**

1. Supports implementation and funding of the California Colorado River Water Use Plan, including the Lower Colorado River Multi-Species Conservation Program.
2. Provide funding for Colorado River salinity control projects and other water quality management efforts.
3. Provide for state and federal authorizations and appropriations of non-fee-based funds to implement Salton Sea mitigation and the State's phased approach to restoration in the form of the Salton Sea Management Program, consistent with its obligations under Chapters 611, 612, and 613 of the Statutes of 2003.
4. Limit the Quantification Settlement Agreement mitigation costs imposed on the funding parties to the amount committed in accordance with the original QSA legislation.
5. Provide a governing structure and/or specified managing office over the state's Salton Sea Management Program to provide guidance and oversight of restoration activities.
6. Support the sustainability of the Colorado River and provide operational flexibility through the development of storage, including in Lake Mead, and through the renegotiation of the new interim shortage guidelines for the continued operation

of the River.

7. Allow for the option to create an alternate conveyance route, when technically and financially feasible, for reliable delivery of the Water Authority's independent Colorado River water supplies and integration of compatible partnership projects along the proposed conveyance routes as a model of the Governor's Water Resilience Portfolio approach to water management.

8. Support the State's Salton Sea Management Program under the guidelines of the Revised Water Order (Stipulated Order) adopted by the State Water Resources Control Board in November 2017.

**The Water Authority's policy principles oppose initiatives that:**

1. Impose additional mitigation costs or obligations for the Salton Sea on the non-state parties to the Quantification Settlement Agreement.

**State Water Project**

**The Water Authority's policy principles support initiatives that:**

1. Provide for development of a comprehensive state water plan that balances California's competing water needs and results in a reliable and affordable supply of high-quality water for the San Diego region.

**The Water Authority's policy principles oppose initiatives that:**

1. Make urban water supplies less reliable or substantially increases the cost of imported water without also improving the reliability and/or quality of the water.
2. Revise the Central Valley Project Improvement Act to jeopardize the Act's environmental integrity, compromise State Water Project supply reliability and/or limit the ability of urban agencies to transfer and/or bank CVP water for use both within and outside the CVP service area.
3. Transfer operational control of the State Water Project or any of its facilities to MWD, the State Water Project contractors, Central Valley Project contractors, the State and Federal Contractors Water Agency, any entity comprised of MWD or other water project contractors, or any other special interest group.

**Water Transfers**

**The Water Authority's policy principles support initiatives that:**

1. Encourage and facilitate voluntary water transfers consistent with other Water

Authority policies and agreements.

2. Provide appropriate protection or mitigation for the environment, groundwater basins, water-rights holders and third-party impacts within the district transferring water.
3. Create a water transfer clearinghouse that serves as a neutral information resource that focuses on the collection, assembly and dissemination of information on water transfers.
4. Streamline the permitting and approval process for implementing transfers that will improve water management consistent with other Water Authority policies and agreements.
5. Encourage efficient use of existing facilities to advance voluntary transfers of water consistent with other Water Authority policies and agreements.
6. Provide that any water transfer between users within counties, watersheds or other areas of origin shall be deemed not to operate to the injury of any use of water with a point of diversion that is not located within the same hydrologic area as the transferor of the water.
7. Allow for the storage of the Water Authority's Colorado River water supplies to provide enhanced flexibility with annual transfer volumes, support drought contingency planning, and align with the Governor's Water Resilience Portfolio approach to water management.

**The Water Authority's policy principles oppose initiatives that:**

1. Adversely affect water management efforts by granting property rights status for the right to use or receive water and requires compensation for federal actions that impact users of water from federal projects.
2. Create a water transfer clearinghouse that is anything other than a neutral information resource.
3. Increase regulatory or procedural impediments to water transfers at the local or state level.

# Local Autonomy

**Policy Category: Local Autonomy**

## **Local Autonomy**

The Water Authority generally opposes initiatives that interfere with the Water Authority's Board of Directors' ability to govern the Water Authority's affairs or govern relations with its employees, or that would similarly impede the ability of the Water Authority's member agencies to exercise local authority

### **The Water Authority's policy principles oppose initiatives that:**

1. Diminish the power of the Water Authority Board of Directors to govern the Water Authority's affairs.
2. Modify the committee or board voting structure or member agency board representation unless such changes have been expressly authorized by the Water Authority Board of Directors.
3. Diminish the power or rights of the Water Authority to govern relations with its employees.
4. Diminish the power or rights of the Water Authority's member agency governing bodies to govern their own affairs.

# Local Water Resources

**Policy Category:** Local Water Resources

Alternative Sources

Desalination

Funding

Water Recycling & Potable Reuse

## Local Water Resources

In recent years, the Water Authority and its member agencies have made great progress in diversifying and improving the reliability of the region's water supply and developing local water resources to reduce reliance on increasingly unreliable imported water supplies. This section details the Water Authority's policies toward initiatives that affect local water resources.

Generally, the Water Authority supports initiatives that provide funding for the development of local water supplies. The Water Authority supports initiatives that fund, promote, or facilitate the development of groundwater, potable reuse, recycling, and seawater desalination facilities. The Water Authority supports initiatives that provide local agencies with regulatory flexibility with respect to local water supplies that may raise water quality concerns, such as recycled water, potable reuse, graywater, and storm water runoff.

The Water Authority supports initiatives that provide local decision-making authority for potable reuse, stormwater, conservation, recycling, seawater desalination, and other alternative sources of water. The Water Authority has been very active in shaping state laws that promote water conservation, both indoor and landscape.

The Water Authority generally opposes initiatives that impose unreasonable regulations on local water supplies, or that interfere with the authority of local agencies to regulate the discharge of contaminants into local water sources. The Water Authority opposes initiatives that restrict the ability of local water agencies to capture and manage stormwater runoff, or diminish the water rights of downstream water users through the capture or management of stormwater runoff upstream.

### Alternative Sources

#### **The Water Authority's policy principles support initiatives that:**

1. Facilitate and encourage the use of rainwater-capture systems (e.g. rain barrels and cisterns) and alternative water sources (e.g. air conditioner condensate) for use in irrigation.
2. Ensure that decision-making with regard to stormwater management and recapture is kept at the local or regional level through local water agencies, stormwater districts, cities, counties, and regional water management groups.
3. Promote and encourage the use of stormwater management to reduce pollutant loading, increase local municipal water supplies, and improve water quality through low-impact development and watershed-based stormwater treatment systems.
4. Provide incentives for the local or regional use of stormwater management, nutrient management, and recapture.

5. Reduce or remove regulatory hurdles that hinder the use of stormwater management and recapture.
6. Encourage land use practices that promote efficient landscape design, groundwater recharge, and reduce runoff of pollutants into local water supplies.
7. Provide broad local autonomy and flexibility—within the existing Sustainable Groundwater Management Act framework—for local entities to manage and utilize local groundwater resources for local and regional needs.

**The Water Authority’s policy principles oppose initiatives that:**

1. Restrict the ability of the Water Authority or its member agencies to manage, store, or distribute water supplies through actions to manage or recapture stormwater.
2. Diminish the water rights or legal historical uses of downstream water users through actions to manage or recapture stormwater.

**Desalination**

**The Water Authority’s policy principles support initiatives that:**

1. Provide funding for seawater and brackish groundwater desalination studies and facilities, including concentrate disposal facilities.
2. Recognize and support the development of seawater desalination as a critical new water supply for the state, including San Diego County.
3. Streamline permitting of desalination facilities.
4. Preserve and protects potential seawater desalination sites and existing coastal facilities including intake and discharge infrastructure that could be used or reused by a seawater desalination facility.
5. Ensure that desalination intake and discharge regulations are science-based, considering site-specific conditions and recognizing that not all technologies or mitigation strategies are feasible or cost-effective at every site.

**Funding**

**The Water Authority’s policy principles support initiatives that:**

1. Provide funding or other incentives for conservation, peak management programs, water recycling, potable reuse, groundwater recovery and recharge, surface water development and management projects, including reservoir

management, source water protection and watershed planning studies and facilities that sustain long-term reliable water resources.

2. Provide financial incentives to assist in the disposal of concentrate, sludge, and other byproducts created in the water treatment process.
3. Provide for the interchangeability of funding for groundwater and surface water enhancements to best fit the hydrogeologic attributes of a particular region.
4. Authorize, promote, and provide incentives or credits for development of local drought-resilient water supply projects such as desalination, non-potable recycling and potable reuse projects.
5. Provide funding for potable reuse demonstration projects and studies.

### **Water Recycling & Potable Reuse**

#### **The Water Authority's policy principles support initiatives that:**

1. Recognize and support the development of potable reuse as a critical new water supply for the State and especially San Diego County.
2. Authorize and facilitate expanded use of local water resources including water recycling, potable reuse, graywater, and rainwater harvesting (e.g., cisterns and rain barrels), and brackish groundwater.
3. Authorize local governmental agencies to regulate the discharge of contaminants to the sewer collection system that may adversely affect water recycling and reuse.
4. Encourage dual plumbing in new development where non-potable recycled water is likely to be available to enable utilization of recycled water.
5. Encourage the use of recycled water in commercial, industrial, institutional, and residential settings.
6. Promote uniform regulatory interpretation of state recycled water system standards.
7. Support beneficial revisions to the California Plumbing Code that facilitate recycled water systems.
8. Streamline regulatory processes and requirements to encourage and support the development of potable reuse and non-potable reuse as a municipal water supply.
9. Define purified recycled water as a source of water supply, and not as a waste.

10. Recognize the entire interconnected urban water cycle, as well as public health and safety, must be taken into consideration in long-term water use efficiency policies, particularly including the unintended consequences of declining flows on water, wastewater, potable reuse and recycled water systems.

**The Water Authority's policy principles oppose initiatives that:**

1. Limit the ability of local governmental agencies to regulate the discharge of contaminants to the sewer collection system that may adversely affect water recycling and reuse.
2. Establish unreasonable regulatory requirements or fees relative to the safe use of recycled water which may unreasonably impede or create a disincentive to its further development.
3. Mandate the reduction of wastewater discharges to the ocean absent inclusion of funding to offset the significant costs of implementation.

# Right of Way and Property

**Policy Category: Right of Way and Property**

## **Right of Way and Property**

The Water Authority generally supports initiatives that improve its ability to maintain and protect its property, rights of way, easements, pipelines, and other facilities. The Water Authority generally opposes initiatives that interfere with or increase the cost of obtaining, maintaining, and protecting property and rights of way.

### **The Water Authority's policy principles support initiatives that:**

1. Improve the Water Authority's and its member agencies' efforts to maintain and protect its property, rights of way, easements, pipelines, and related facilities and minimizes liability to the Water Authority.
2. Protect the Water Authority's and its member agencies' properties from restrictions when surrounding properties are incorporated into preservation areas.

### **The Water Authority's policy principles oppose initiatives that:**

1. Impair the Water Authority's or its member agencies' efforts to acquire property or property interests required for essential capital improvement projects or acquisition of property to meet pipeline water drain-down needs for existing facilities.
2. Increase the cost of property and right of way acquisition.
3. Restrict the Water Authority's or its member agencies' use of public rights of way or increases the cost of using public rights of way.
4. Restrict the transfer of property acquired for purposes of environmental mitigation or environmental mitigation credits to other public or private entities for long-term management.

# **State Administrative and Regulatory Agencies**

**Policy Category: State Administrative and Regulatory Agencies**

## **State Administrative and Regulatory Agencies**

In recent years, there has been considerable discussion of reorganizing the state government. One proposal that keeps recurring is the elimination of the Colorado River Board. The board is funded entirely by the California public agencies that take water from the river, and it is important because it serves as a liaison to other states and the federal government. The Water Authority generally supports initiatives that preserve the Colorado River Board.

The Water Authority supports initiatives that make the Regional Water Quality Control Boards more consistent in their application of state water quality laws. The Water Authority also supports initiatives that allow non-state water contractors to access the SWP system to convey transferred water.

The Water Authority generally opposes initiatives that would eliminate the Colorado River Board or the regional water quality control boards without creating other bodies that carry out their functions.

### **The Water Authority's policy principles support initiatives that:**

1. Preserve the California Colorado River Board.
2. Ensure the interests of the members of the California Colorado River Board continue to be addressed in any state government reorganization.
3. Ensure consistent application of the law by the State Water Resources Control Board and the nine Regional Water Quality Control boards.
4. Ensure that any reorganization of the State Water Project, including operations and management, preserves the ability for non-State Water Project contractors to access the facility for transportation of water to a non-State Water Project contractor.
5. Ensure an open and transparent process for adoption of regulations, policies, and guidelines.

### **The Water Authority's policy principles oppose initiatives that:**

1. Eliminate the California Colorado River Board without providing a comparable structure or forum that ensures the Water Authority's interests in the Colorado River are preserved.
2. Eliminate the State Water Resources Control Board and/or the nine Regional Water Quality Control boards without ensuring that the functions and expertise of the boards is maintained in any reorganized entity.

# Water Facilities and Facility Operations

**Policy Category:** Water Facilities and Facility Operations  
Construction and Asset Management  
Funding  
Public Safety Power Shutoffs  
Water System Operations  
Workforce Development

## Water Facilities and Facility Operations

The planning, design, construction, maintenance, and operation of water facilities is an essential activity of the Water Authority. Portions of the Water Authority's and its member agencies' water delivery systems are more than 70 years old. As components of these water systems naturally age, it is critical to actively monitor, repair, or replace the assets, which includes pipes, valves, facilities, equipment, and other infrastructure. This section details the Water Authority's policies toward initiatives that affect water facilities and facility improvement.

Generally, the Water Authority supports initiatives that provide state and federal funding for water storage, watershed protection, treatment and delivery facilities, groundwater recharge, canal lining, and other water infrastructure development, security, asset management, maintenance, and rehabilitation. The Water Authority also supports initiatives that prevent the spread of dreissenid mussels and other non-native aquatic species. The Water Authority supports the protection of habitats and cultural resources connected with water facilities or water facility improvements.

The Water Authority generally opposes initiatives that restrict local control and discretion over water facilities, asset management, and facility operations. The Water Authority also generally opposes initiatives that shift the risks of legal liability from contractors to public agencies. The Water Authority opposes initiatives that restrict the Water Authority from using its own employees on construction projects, and initiatives that interfere with public agencies' ability to respond to emergencies that would disrupt water service.

The Water Authority generally supports initiatives that provide broad discretion for local government entities' response to de-energization or public safety power shutoff events, and general oppose initiatives that restrict a local government entity's ability to operate alternative power sources, such as natural gas generators, during public safety power shutoff events.

The Water Authority generally supports initiatives that lower employment barriers for military veterans and transitioning military and that sustain vital water and wastewater services for the next generation.

### Construction and Asset Management

**The Water Authority's policy principles support initiatives that:**

1. Provide incentives that encourage contractors to recycle or reduce waste associated with the construction of water facilities.
2. Encourage the use of current and emerging technologies for monitoring and assessing the condition of large diameter pipelines.

3. Encourage water suppliers to develop and execute asset management programs that include visual inspections, internal/external inspections, asset condition assessments, corrosion mitigation, and risk analysis in a manner that recognizes the individuality and uniqueness of each water supplier and its systems.

**The Water Authority's policy principles oppose initiatives that:**

1. Limit the Water Authority's and/or its member agencies' sole jurisdiction over the planning, design, routing, approval, construction, operation, or maintenance of water facilities.
2. Limit the discretion of the Water Authority and/or its member agencies from protecting the security and privacy of comprehensive inventories of all assets, which includes infrastructure location, condition, performance and useful life.
3. Shift the risks of indemnity for damages and defense of claims from contractors to the Water Authority and/or its member agencies.
4. Impair the Water Authority's and/or its member agencies' ability to execute the planning, design, and construction of projects using its own employees.
5. Prohibit the use of alternative contract procurement methods that can be utilized in the construction of water facilities.
6. Limit the autonomy or discretion of water suppliers to develop and execute asset management inspection programs that include visual inspections, internal/external inspections, asset condition assessments, and corrosion mitigation in a manner that recognizes the individuality and uniqueness of each water supplier and its systems.

**Funding**

**The Water Authority's policy principles support initiatives that:**

1. Fund or otherwise facilitate planning, design, construction and/or maintenance of public water storage, watershed areas, and treatment and delivery facilities and facilitates maintenance and/or enhancement of groundwater recharge spreading areas and groundwater basin rehabilitation that benefit San Diego County.
2. Fund or otherwise facilitate the operation and maintenance of canal lining projects that enhance water supplies.
3. Provide funding for water infrastructure development, infrastructure security, and infrastructure rehabilitation and replacement projects that benefit San Diego County.
4. Fund enhancements to water treatment, recycling, and potable reuse facilities to meet increased regulations.

5. Fund improvements to water treatment facilities that allow greater use of State Water Project water.
6. Provide funding for the preservation of cultural resources affected by construction or operation of water conveyance and storage facilities.
7. Provide funding for habitat preservation programs that address impacts resulting from construction or operation of water system facilities.
8. Provide funding for projects that enhance security against terrorist acts or other criminal threats to water operations, facilities, or supplies.
9. Provide funding for the control, prevention, or eradication of non-indigenous aquatic species, including dreissenid mussels.
10. Provide incentives that encourage the optimization, expansion, and cooperative use of existing surface reservoirs.
11. Provide funding for projects that improve the security of the facilities and operations of the Water Authority and its member agencies.
12. Provide funding to water agencies for the voluntary retrofit of facilities for on-site generation of chlorine.
13. Permit the use of grant funding for projects implemented under public-private partnerships where the grant provides funding for a public benefit.
14. Provide funding for water supplier asset management programs that involve the active monitoring, repair, or replacement of physical assets and infrastructure, which includes pipes, valves, facilities, equipment, and other infrastructure.

#### Public Safety Power Shutoffs

##### **The Water Authority's policy principles support initiatives that:**

1. Provide for restrictions on price gouging during public safety power shutoff events and for at least 72 hours following restoration of power.
2. Provide that de-energization or public safety power shutoff events may be included as a condition constituting a state of emergency or local emergency.
3. Provide a tax exemption for the sale of, or the storage, use, or consumption of, a backup electrical resource, that is purchased for exclusive use by a city, county, special district, or other entity of local government during a de-energization or

public safety power shutoff event.

4. State that the use of alternative power sources (such as generators) by essential public services during de-energization or public safety power shutoff events shall not be limited by any state or local regulations or rules.

**The Water Authority's policy principles oppose initiatives that:**

1. Authorize air quality management districts or other regulatory bodies to adopt or maintain rules that would limit or prohibit a local government entity's use of a state and/or federally compliant natural gas-powered generator during a de-energization or public safety power shutoff event.

**Water System Operations**

**The Water Authority's policy principles support initiatives that:**

1. Recognize water agencies as emergency responders in the event of a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent and mitigate the loss or impairment of life, health, property or essential public services due to natural disasters (e.g., wildfires, earthquakes), power outages as well as terrorist and other criminal activities.
2. Authorize state and federal wildlife agencies to provide assistance to local water agencies in the control, prevention, and eradication of non-indigenous aquatic species, including dreissenid mussels.
3. Exempt owners and operators of water supply facilities from criminal and civil liabilities associated with dreissenid mussel infestations if due diligence requirements are being met.
4. Require mandatory inspections of boats for evidence of potential dreissenid mussel infestation before allowing boat launching in reservoirs.

**The Water Authority's policy principles oppose initiatives that:**

1. Impose or mandate recreational activities on drinking water reservoirs and reservoir property where such activities have been determined to be inappropriate by the reservoirs' owners and operators.
2. Impair the Water Authority's and/or its member agencies' ability to provide and operate the necessary facilities for a safe, reliable, and operationally flexible water system.

3. Restrict the Water Authority's and/or its member agencies' ability to respond swiftly and decisively to an emergency that threatens to disrupt water deliveries or restricts the draining of pipelines or other facilities in emergencies or for repairs or preventive maintenance.
4. Authorize state and federal wildlife agencies to control, prevent, or eradicate invasive species in a way that excessively interferes with the operations or water supplies of local water agencies.
5. Prohibit or in any way limit the ability of the Water Authority or its member agencies from making full beneficial use of any water, wastewater, or recycling facility and resource investments.
6. Establish prescriptive leak loss control requirements for the operation, maintenance, and asset management of water conveyance and distribution systems, that fail to consider full life-cycle costing.
7. Establish meter testing requirements for water meters that fail to consider industry standards and cost-effectiveness.

#### Workforce Development

##### **The Water Authority's policy principles support initiatives that:**

1. Provide a pathway for military veterans to apply their advanced skills and experience toward state and industry-supplied certifications in the water and wastewater treatment and distribution operator fields.
2. Ensure advanced water treatment operators and distribution system operators of potable reuse and recycled water facilities have a career advancement path as certified water and/or wastewater treatment plant operators.

# Water Planning

**Policy Category:** Climate Change

Funding

Local Planning

**Policy Category:** Integrated Regional Water Management Planning

San Diego County IRWM

Statewide IRWM

Funding

**Policy Category:** Land Use and Water Management

Local Conditions

Use of Public Lands

Water Supply Planning

## Climate Change

The potential effects of climate change are an important concern in water management planning. The Water Authority generally supports initiatives that incorporate considerations of climate change into water management planning, as long as the climate change information is developed and provided by the state. The Water Authority also supports initiatives that allow water agencies to partner with energy providers to improve energy efficiency in the conveyance and use of water. The Water Authority supports initiatives that encourage innovation in developing responses to climate change, with maximum control at the local level.

The Water Authority generally opposes initiatives that do not allow local control over responses to climate change. The Water Authority also opposes initiatives that may prohibit water agencies from entering into the carbon credits market.

### Funding

#### **The Water Authority's policy principles support initiatives that:**

1. Incorporate state provided climate change information into statewide, regional, and local water management planning, and provide funding for projects that assist in adapting to effects of climate change on the water supply portfolios across the state.
2. Provide financial support to local projects designed to mitigate or adapt to potential negative impacts of climate change on water supply reliability.
3. Encourage water agencies to partner with energy providers to help fund water conservation and other programs that result in reduction of greenhouse gas emissions and/or provides opportunities and incentives for voluntary implementation of local water and renewable energy projects that directly or indirectly reduce greenhouse gas emissions.
4. Provides incentive, funding, and assistance to water agencies so that they can comply with AB 32 (2006) requirements, and updated statutory requirements imposed pursuant to SB 32 (2016) and SB 100 (2018).
5. Investigate and provides financial support to projects designed to mitigate potential negative impacts of climate change on water supply reliability.

#### **The Water Authority's policy principles oppose initiatives that:**

1. Do not allow water agency participation in the carbon credits market.

## Local Planning

### **The Water Authority's policy principles support initiatives that:**

1. Promote public-private partnerships, encourages innovation, and focuses on quantifiable performance goals as opposed to top-down, "one size fits all" mandates.
2. Promote continued development and deployment of more sophisticated and integrated hydrological, water quality, and meteorological water monitoring for the purpose of assessing water supply conditions resulting from climate change.
3. Promote the coordination and integration of local, state and federal climate change policies and practices to the greatest extent feasible.

### **The Water Authority's policy principles oppose initiatives that:**

1. Require incorporation of climate change considerations into regional and local water management planning that does not provide flexibility to the local and regional water agencies in determining the climate change impact and identification of adaptation and mitigation measures.
2. Impose top-down, "one size fits all" climate change mandates that fail to account for hydrological, meteorological, economic, and social variation across the state and/or that fail to incorporate local and regional planning and implementation priorities and protocols.
3. Establish a "loading order" for the development of local water supplies based on embedded energy or other factors.

## **Integrated Regional Water Management Planning**

The Water Authority, along with the City of San Diego and the County of San Diego, developed the San Diego Integrated Regional Water Management Plan. The Water Authority generally supports initiatives that provide equitable funding for IRWM plans, based on population, and that allow the regions to set their own priorities for funding. The Water Authority also supports initiatives that allow for binational funding for projects along the border.

The Water Authority generally opposes initiatives that establish state criteria and mandate for IRWM plans. The Water Authority also opposes initiatives that exclude or reduce participation by water agencies in local IRWM plans.

### **San Diego County IRWM**

**The Water Authority’s policy principles support initiatives that:**

1. Define the “San Diego sub-region” and “San Diego county watersheds” as “those portions of the westward-flowing watersheds of the South Coast hydrologic region situated within the boundaries of San Diego County.”
2. Allow for creation of sub-area plans that enhance, but do not duplicate or replace, a larger recognized integrated regional water management plan.
3. Require the state to rely on the local process for selection and ranking of projects included in an approved integrated regional water management plan.

### **Statewide IRWM**

**The Water Authority’s policy principles support initiatives that:**

1. Require the state agencies responsible for preparing the integrated regional water management grant program guidelines to conduct a comprehensive public outreach process that ensures stakeholders have an opportunity to provide adequate input on preparation of the guidelines and that the state agencies consider and respond to comments received through the outreach process.
2. Establish a task force to provide recommendations to the state on improving the integrated regional water management planning process in California.
3. Ensure discretion for Regional Water Management Groups to determine the composition and structure of their organization, rather than through the imposition of a “one size fits all” mandated structure applied statewide.

**The Water Authority’s policy principles oppose initiatives that:**

1. Mandate a specific composition and management structure of the regional water management group that oversees integrated regional water management

planning efforts within a region.

2. Preclude water wholesalers from serving on a regional water management group.
3. Dilute public water agency participation on the regional water management group.

## **Funding**

### **The Water Authority's policy principles support initiatives that:**

1. Provide for population-based distribution of funds to ensure adequate distribution of grant funding throughout the state.
2. Provide for the use of state grant funds for binational projects where the projects benefit water supply or water quality in the San Diego region.
3. Improve and streamline the state's reimbursement process to ensure timely remittance of IRWM funds.
4. Promote the ability of the Regional Water Management Group to more directly administer state grant funds specifically identified for IRWM Programs.

### **The Water Authority's policy principles oppose initiatives that:**

1. Establish funding criteria that limits local discretion in project selection.

## Land Use and Water Management Planning

The Water Authority generally supports initiatives that coordinate land use planning with water management planning. The Water Authority also supports initiatives that protect flood plains and water recharge basins.

The Water Authority generally opposes initiatives that interfere with the Water Authority's ability to forecast demand and plan for water management.

### Local Conditions

#### **The Water Authority's policy principles support initiatives that:**

1. Promote enhanced coordination and linkage of general plans and water management plans.
2. Recognize regional efforts to coordinate land use planning and water management planning in a manner consistent with the goals and objectives established by regional growth management strategies, affordable housing mandates, and local general plans.
3. Discourage piecemeal or uncoordinated land use and water management planning.
4. Require that projected population and other demographic factors utilized in forecasting future water demands in accordance with the Urban Water Management Planning Act, SB 610, and SB 221, be consistent with the regional growth management plans and general plans applicable to the territory within the service area of the supplier.
5. Provide funding for, or otherwise facilitate, development of groundwater management plans pursuant to AB 3030 and groundwater sustainability efforts under the Sustainable Groundwater Management Act.
6. Encourage consolidation of small non-viable and non-complying water systems without shifting the financial burden to the customers of the agency receiving the consolidation.

#### **The Water Authority's policy principles oppose initiatives that:**

1. Restrict or limit the effectiveness of the Water Authority or its member agencies in their continuing efforts to meet their obligations under SANDAG's Regional Comprehensive Plan and in their efforts to develop demand forecasts based on SANDAG regional growth forecasts and general plan information.

## Use of Public Lands

### **The Water Authority's policy principles support initiatives that:**

1. Allow and fund land exchanges between local public agencies and federal or state agencies when mutually beneficial to all agencies and enhances water resources for the region.
2. Designate public lands that are tributary to drinking source water reservoirs as wilderness, habitat preserve, open space, or other protected status, provided such designation does not impede current or reasonable future use of those water resources.
3. Protect floodplains and lands over prime groundwater recharge zones for stormwater catchment and bioremediation.

### **The Water Authority's policy principles oppose initiatives that:**

1. Impose land use designations that preclude the use of such lands for public water infrastructure determined necessary to ensure a cost-effective, safe, and reliable water supply.

## Water Supply Planning

### **The Water Authority's policy principles support initiatives that:**

1. Considers the multiple local variables and priorities that are associated with water supply planning and selection of water resources for implementation.
2. Preserve the local water agency's ability to establish local priorities for water resources planning decisions.

### **The Water Authority's policy principles oppose initiatives that:**

1. Restrict the Water Authority's or its member agencies' ability to utilize a demand forecasting methodology that is best suited for the region.
2. Require the use of specific evaluation criteria in water supply planning and selection of potential water supply projects that fails to take into account or conflicts with existing local and regional planning policies and implementation priorities.
3. Impose mandates requiring specific water resources be developed by water agencies that fail to take into account local factors, such as water reliability, hydrologic and geographic characteristics, and the economic, political, public acceptance, and social environment, which can influence selection of resources and/or fails to take into account or conflicts with existing local and regional planning policies and implementation priorities.

4. Limit the local water agency's ability to establish local priorities for water resources planning decisions.

# Water Quality Issues

**Policy Category:** Water Quality Issues

Contaminants

Funding

Source Water Protection

## Water Quality Issues

Water quality is a major concern of the Water Authority. The Water Authority generally supports initiatives that assist in providing high-quality water to the San Diego region through cleanup and remediation of contaminants and protection of water sources.

The Water Authority generally opposes initiatives that regulate the conveyance, storage, and distribution of water supplies under the Clean Water Act.

### Contaminants

#### **The Water Authority's policy principles support initiatives that:**

1. Assure cost-effective remediation and cleanup of contaminants of concern that have impacted groundwater and surface water.
2. Incorporate sound scientific principles in adopting drinking water standards for drinking water contaminants.
3. Exempt the conveyance, storage, or release of water supplies from regulation as a discharge under the Clean Water Act and other water quality control laws.
4. Revise NPDES standards and procedures to facilitate inland discharge and use of recycled water.
5. Establish appropriate quality standards, testing procedures, and treatment processes for emerging contaminants.
6. Alter the definition of "lead free" to reduce the permissible amount of lead in fixtures, plumbing, and pipe fittings to be installed for the delivery of drinking water.
7. Exempt purified wastewater from regulation as a discharge under the Clean Water Act.
8. Protect child public health by requiring schools to undertake lead testing in school drinking water systems.
9. Implement source control for management and prevention of contamination by constituents of emerging concern.

#### **The Water Authority's policy principles oppose initiatives that:**

1. Regulate the conveyance, storage, or release of water supplies as a discharge under the Clean Water Act and other water quality control laws.

2. Make water suppliers financially and legally responsible for mitigation of pollution contamination by third parties.
3. Make water suppliers financially and legally responsible for testing or correction of any water quality-related issues associated with private property or on-site plumbing systems.

## Funding

### **The Water Authority's policy principles support initiatives that:**

1. Provide the necessary funding for research on the occurrence, treatment, health effects, and environmental clean-up related to contamination of drinking water sources.
2. Implement and fund the San Diego Regional Water Quality Control Board's triennial review of water quality standards.
3. Provide funding and support for Colorado River salinity control projects and other water quality management efforts.

## Source Water Protection

### **The Water Authority's policy principles support initiatives that:**

1. Assist in achieving a year-round blend of imported water supplies from MWD that achieve Board-adopted water quality objectives to help member agencies comply with drinking water standards and to help the region maximize development of recycled water and reduce financial costs to the customer due to high levels of total dissolved solids in imported water supplies.
2. Provide for the protection of source water such as reservoirs and groundwater basins so that the waters can be beneficially used for consumptive purposes.
3. Appropriately protect drinking source water reservoirs as special-purpose, man-made water bodies different in character than natural waterways, rivers, lakes, and coastal waters, while allowing maximum flexibility for operations as part of a managed water supply system.
4. Exempt terminal reservoirs with no significant nexus to the watershed from regulation under the federal Clean Water Act.
5. Direct the state's participation or assistance in water quality issues related to or threatening the Colorado River water source.

6. Provide for watershed planning, watershed signage, and actions to protect source water - including reservoirs - such as land acquisition around reservoirs, limited land use, and increased buffer areas.
7. Reduce the water quality impacts caused by runoff into local reservoirs using a watershed based approach.
8. Streamline permitting of facilities constructed for the purpose of improving water quality.

**The Water Authority's policy principles oppose initiatives that:**

1. Contribute to the degradation of source water quality around reservoirs and groundwater basins.

# Water Use Efficiency

**Policy Category:** Water Use Efficiency

Fixtures

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Irrigation

Long-Term Water Use Efficiency

Reporting

## Water Use Efficiency

The Water Authority has been a statewide leader in sponsoring legislation to improve water use efficiency. The Water Authority championed statewide requirements for ultra-low-flow toilets, high-efficiency clothes washers, water meters, and sponsored legislation that created a statewide task force on outdoor landscape water use efficiency. The Water Authority's legacy as a leader in advancing statewide water use efficiency initiatives has continued through today, as the Water Authority has sponsored legislation in recent years to improve demand management measure reporting in urban water management plans, allow for installation of synthetic grass in common interest developments, and require the state to undertake regular updates of the model water efficient landscape ordinance.

The Water Authority generally supports water saving measures, such as graywater use, rainwater capture, submetering, plumbing retrofits, and others. The Water Authority has supported implementation and coordination of Best Management Practices as defined by the California Urban Water Conservation Council and Demand Management Measures under the Urban Water Management Planning Act.

The Water Authority generally opposes statewide requirements for conservation-based water rates that override the rate-setting authority of local agencies. The Water Authority also opposes the promulgation of conservation practices or standards that override the authority of local agencies.

### Fixtures

#### **The Water Authority's policy principles support initiatives that:**

1. Encourage the use of graywater where it complies with local guidelines and regulations and is cost-effective.
2. Establish standards for the utilization of high-efficiency commercial coin-operated and residential clothes washers.
3. Require submetering connections to be built in new construction of multiple unit commercial or residential buildings.
4. Encourage plumbing fixture retrofit upon real property resale.
5. Restrict Property Owner Associations from forbidding retrofits of multiple unit facilities for the purpose of submetering, if feasible.
6. Ensure plumbing codes and standards that facilitate the installation and/or retrofit of water efficient devices.

**The Water Authority’s policy principles oppose initiatives that:**

1. Repeal cost-effective efficiency standards for water-using devices.

**Funding**

**The Water Authority’s policy principles support initiatives that:**

1. Provide loans and grants to fund incentives for water efficient devices, practices, and demonstration projects and studies.
2. Provide incentives, funding, and other assistance where needed to facilitate market transformation and gain wider implementation of water-efficient indoor and outdoor technologies and practices.
3. Provide incentives, funding, and assistance to water agencies so that they can meet the water demand management measure requirements in the Urban Water Management Planning Act.
4. Provide incentives, funding, and other assistance to facilitate water use efficiency partnerships with the energy efficiency sector.
5. Provide for federal tax exempt status for water use efficiency rebates, consistent with income tax treatment at the state level.

**Irrigation**

**The Water Authority’s policy principles support initiatives that:**

1. Encourage implementation of effective water management practices for urban landscape and agricultural irrigation.
2. Encourage stakeholders to implement statewide landscape water conservation standards and regulations.
3. Restrict Property Owner Associations from forbidding the use of California native plants, other low water use plants, or artificial turf in well-maintained landscapes.

**Long-Term Water Use Efficiency**

**The Water Authority’s policy principles support initiatives that:**

1. Recognize local control in determining water use efficiency criteria, such as impact of recycled water salinity on irrigation use and efficiency for the application of non-potable recycled water.
2. Recognize local control in determining how to meet an overall efficient water use goal, based on the combined efficient indoor use, outdoor use, and leak loss, as established under the criteria provided for in statute.

**The Water Authority’s policy principles oppose initiatives that:**

1. Create stranded assets by establishing long-term demand management water use efficiency and water supply requirements that are inconsistent with the Urban Water Management Planning Act.
2. Prescribe statewide mandatory urban and agricultural water use efficiency practices, including, but not limited to, methods, measures, programs, budget allocation, and designation of staff dedicated to water conservation programs, that override the authority of the boards of directors of local water agencies to adopt management practices that are most appropriate for the specific needs of their water agencies.
3. Mandate regulation of the CII Sector in a manner that is discriminatory, sets unachievable Best Management Practices or compliance targets, or would otherwise impair economic activity or the viability of the CII sector.

**Reporting**

**The Water Authority’s policy principles support initiatives that:**

1. Further the statewide goal of a 20 percent reduction in per capita water use by 2020 as set forth in SBX7-7, enacted in November 2009, and preserves water agency discretion and options for achieving this objective.
2. Ensure accurate and meaningful reporting of implementation of water conservation measures.
3. Encourage reasonable tracking of water use and improved efficiency in the Commercial, Industrial, and Institutional (CII) sector.
4. Promote statewide implementation of water use efficiency best management practices and demand management measures as defined in the Urban Water Management Planning Act.

**The Water Authority’s policy principles oppose initiatives that:**

1. Mandate that water agencies include an embedded energy calculation for their water supply sources in the Urban Water Management Plan or any other water resource planning or master planning document.