



A Meeting of the  
**BOARD OF DIRECTORS  
OF THE  
CENTRAL COAST WATER AUTHORITY**

will be held at 9:00 a.m., on Thursday, October 26, 2023  
at 255 Industrial Way, Buellton, California 93427

Members of the public may participate by video call or telephone via  
URL: <https://meetings.ringcentral.com/j/1470508474>  
or by dialing (623)404-9000 and entering access Code/Meeting ID: 147 050 8474 #

Please note: public participation by video call or telephone is for convenience only and is not required by law. If technical interruptions to the video call/telephone occur, the chair has the discretion to continue the meeting and participants are invited to take advantage of the other participation options above.

Public Comment on agenda items may occur via video call or telephonically, or by submission to the Board Secretary via email at [lfw@ccwa.com](mailto:lfw@ccwa.com) no later than 8:00 a.m. on the day of the meeting. In your email, please specify (1) the meeting date and agenda item (number and title) on which you are providing a comment and (2) that you would like your comment read into the record during the meeting. If you would like your comment read into the record during the meeting (as either general public comment or on a specific agenda item), please limit your comments to no more than 250 words.

Every effort will be made to read comments into the record, but some comments may not be read due to time limitations. Please also note that if you submit a written comment and do not specify that you would like this comment read into the record during the meeting, your comment will be forwarded to Board members for their consideration.

Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available on the CCWA internet web site, accessible at <https://www.ccwa.com>.

Eric Friedman  
Chairman

Jeff Clay  
Vice Chairman

Ray A. Stokes  
Executive Director

Brownstein Hyatt  
Farber Schreck  
General Counsel

*Member Agencies*

City of Buellton

Carpinteria Valley  
Water District

City of Guadalupe

City of Santa Barbara

City of Santa Maria

Goleta Water District

Montecito Water District

Santa Ynez River Water  
Conservation District,  
Improvement District #1

*Associate Member*

La Cumbre Mutual  
Water Company

**I. Call to Order and Roll Call**

**II. Closed Session**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Initiation of litigation pursuant to Government Code section 54956.9(d) (4): 1 case
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Government Code section 54956.9(d) (1)  
Name of case: Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al. (Case No. 21CV02432)

**III. Return to Open Session**

**IV. Public Comment – (Any member of the public may address the Board relating to any matter within the Board’s jurisdiction. Individual Speakers may be limited to five minutes; all speakers to a total of fifteen minutes.)**

**V. Consent Calendar**

- \* A. Minutes of the September 28, 2023 Regular Meeting
  - \* B. Bills
  - \* C. Controller’s Report
  - \* D. Operations Report
- Staff Recommendation: Approve the Consent Calendar*

255 Industrial Way  
Buellton, CA 93427  
(805) 688-2292  
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[www.ccwa.com](http://www.ccwa.com)

Continued

**VI. Executive Director's Report**

- A. Water Supply Situation Report  
*Staff Recommendation:* Informational item only.
- \* B. Emergency Bypass of Devil's Den Pumping Plant Due To Unplanned Outage and Associated Agreements  
*Staff Recommendation:* Adopt Resolution No. 23-08 Approving Letter Agreement with the Department of Water Resources and Berranda Mesa Water District re. the Devil's Den Pumping Plant Emergency Outage Bypass
- C. Administrative Procedures for Transfers and Exchanges, Including Implementation of Right of First Refusal Rule for Transfers Outside the County of Santa Barbara  
*Staff Recommendation:* Informational item only.
- \* D. Adoption of Resolution 23-09 Amending the CCWA Rules and Regulations Governing the Policy and Procedures for the Purchase of Services, Supplies or Equipment  
*Staff Recommendation:* Adopt Resolution No. 23-09 Amending the Rules and Regulations Governing the Policy and Procedures for the Purchase of Services, Supplies or Equipment
- \* E. DWR Calendar Year 2024 Statement of Charges Rebill  
*Staff Recommendation:* Informational item only.
- \* F. FY 2023/24 First Quarter Investment Report  
*Staff Recommendation:* Accept report.
- G. State Water Contractors Report  
*Staff Recommendation:* Informational item only.
- \* H. Legislative Report  
*Staff Recommendation:* Informational item only.

**VII. Reports from Board Members for Information Only**

**VIII. Items for Next Regular Meeting Agenda**

- IX. **Date of Next Regular Meeting: January 25, 2024**  
(Consider canceling the November and December regular meetings)
- X. **Adjournment**

**MINUTES OF THE  
CENTRAL COAST WATER AUTHORITY  
BOARD OF DIRECTORS**

**September 28, 2023**

**I. Call to Order and Roll Call**

Chairman Friedman called the September 28, 2023 Central Coast Water Authority (CCWA) Board of Directors meeting to order at 9:00 AM.

CCWA member agencies with voting privileges were represented by:

<u>Representative</u>	<u>Agency/City</u>	<u>Voting %</u>
Jeff Clay	Santa Ynez River Water Conservation District, ID #1	7.64%
Ken Coates	Montecito Water District	9.50%
Mike Cordero	City of Santa Maria	43.19%
Eric Friedman	City of Santa Barbara	11.47%
Shirley Johnson	Carpinteria Valley Water District	7.64%
John Sanchez	City of Buellton	2.21%
Kathleen Werner	Goleta Water District	17.20%

**II. Closed Session**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): 1 case
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Initiation of litigation pursuant to Government Code section 54956.9(d) (4): 1 case
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Government Code section 54956.9(d) (1)  
Name of case: Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al. (Case No. 21CV02432)

The Board went to closed session at 9:01 AM

**III. Return to Open Session**

The Board returned to open session at 10:05 AM.

Ms. Hastings stated there were no reportable actions as a result of closed session.

**IV. Public Comment**

There was no public comment related to items not on the agenda.

**V. Consent Calendar**

- A. Minutes of the July 27, 2023 Regular Meeting
- B. Minutes of the August 24, 2023 Special Meeting
- C. Bills
- D. Controller's Report
- E. Operations Report

Upon a motion by Director Coates, seconded by Director Sanchez and carried with Directors, Clay, Coates, Cordero, Friedman, Johnson, Sanchez and Werner in favor and none opposed the Board approved the Consent Calendar.

## **VI. Executive Director's Report**

### **A. Introduction of New CCWA Staff Member**

Mr. Ray Stokes, CCWA Executive Director, introduced CCWA's new Safety Officer, Brenda McGuire, who provided information on her background.

### **B. DWR Energy Presentation**

Mr. Jonathan Young, Energy Manager with State Water Contractors, provided a general overview of energy issues affecting California, including the energy profile of the State Water Project (SWP) which both generates and uses electrical energy. Projections of energy costs, transmission needs, and potential changes to minimize the carbon footprint of water transmission within California were discussed.

### **C. Water Supply Situation Report**

Mr. Stokes reviewed the water availability report and noted total availability of 50,570 AF for CCWA project participants in 2023. Some CCWA participants had expressed interest in a transaction to exchange water, but that potential transaction has not progressed. San Luis Reservoir may fill and spill again in 2023, based on current DWR projections which could impact CCWA carryover water, but Mr. Stokes noted that Article 21 water amounts were higher than the carryover water lost in the San Luis Reservoir spill earlier in 2023.

### **D. DWR Devil's Den Pumping Plant Outage Update**

Mr. John Brady, CCWA Deputy Director, Operations and Engineering, provided an update on the DWR operated Devil's Den Pumping Plant, which experienced an equipment explosion and failure in August. He provided an overview of the temporary bypass to allow continued transmission of water to CCWA's Polonio Pass Water Treatment Plant and information related to restoration of the facility, the ongoing investigation, and mitigation of future risks. Testing of similar facilities will be conducted. Current estimates indicate the plant operations will restart on October 10, 2023.

### **E. Carryover of Project Funds from FY 2022/23 to FY 2023/24 - \$1,595,605.80**

CCWA FY 2022/23 budget includes multiple projects that were not completed during the fiscal year for various reasons. Mr. Brady reviewed a list of the projects, and requested carryover of the funds for those projects to the current fiscal year. The total carryover amount requested for both capital and non-capitalized projects is \$1,595,605.80.

Upon a motion by Director Sanchez, seconded by Director Werner and carried with Directors Clay, Coates, Cordero, Friedman, Johnson, Sanchez and Werner in favor and none opposed the Board approved the carryover of \$1,595,605.80 project funds from FY 22/23 to FY 23/24.

F. Environmental Review (CEQA and NEPA) of Warren Act Renewal Project

The temporary extension of the Warren Act Contract will expire in 2024 and a new long term contract for the storage and transmission of water in Lake Cachuma must be negotiated. Ms. Stephanie Hastings, CCWA General Counsel, explained a Request for Qualifications (“RFQ”) will be issued seeking CEQA and NEPA professional services for the Environmental Document Preparation for the Renewal Project. At this point it has not been determined that both CEQA and NEPA will be necessary. CCWA’s RFQ procedure for the Renewal Project will be conducted pursuant to CCWA’s Rules and Regulations for the Purchase of Services, Supplies or Equipment and applicable state law (Government Code section 4525 et seq.).

G. State Water Contractors Report

Mr. Stokes provided a brief update on State Water Contractors activities. He stated the staff of the State Water Resources Control Board (SWRCB) have released a staff report stating they will consider the voluntary agreements, which will potentially benefit all users of the State Water Project and Central Valley Project.

H. Legislative Report

The report was included in the meeting materials for the information of the Board.

**VII. Reports from Board Members for Information Only**

There were no reports from Board members.

**VIII. Items for Next Regular Meeting Agenda**

**IX. Date of Next Regular Meeting: October 26, 2023**

**X. Adjournment**

The meeting was adjourned at 11:35 AM.

Respectfully submitted,

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Elizabeth Watkins  
Secretary to the Board



## CENTRAL COAST WATER AUTHORITY

### Normal and Recurring Costs

Bills for Ratification - September 2023

VENDOR	INVOICE AMOUNT	DESCRIPTION
<b>GENERAL &amp; ADMINISTRATIVE EXPENSES</b>		
Bank of America Business Card	139.50	Publications, subscriptions, postage
Bank of America Business Card	398.30	Travel and Meetings
Bank of America Business Card	617.07	Emergency Binders
Bank of America Business Card	1,056.96	Training
California Rural Water Association	240.00	Membership FY 2023-2024
Cardmember Service	16.00	Publications, subscriptions, postage
Cardmember Service	1,070.55	Travel and Meetings
EHS International, Inc	5,305.00	Confined Space Training
Federal Express	424.05	Express shipping
Ultrex Business Products	306.20	Printing Emergency Binders Expenses
United Parcel Service	48.16	Express shipping
US Bank	334.10	Training
US Bank	636.00	Dues and Memberships
US Bank	1,031.45	Travel and Meetings
	<b>\$ 11,623.34</b>	<b>Total General &amp; Administrative</b>
<b>MONITORING EXPENSES</b>		
Aramark	93.25	Lab supplies
Culligan Industries Water Systems	85.50	Lab supplies
Eurofins Eaton Analytical	1,110.00	Lab testing
Hach Company	1,380.95	Lab supplies
Linde Gas & Equipment	195.73	Lab testing
Mettler-Toledo Inc.	1,476.86	Water Analysis Tests
Shimadzu Scientific Instrument	641.54	Lab supplies
US Bank	1,019.83	Lab supplies
VWR International	923.45	Lab supplies
	<b>\$ 6,927.11</b>	<b>Total Monitoring Expenses</b>
<b>OFFICE EXPENSES</b>		
Bank of America Business Card	312.01	Office and kitchen supplies
Office Depot	340.42	Office, janitorial & kitchen supplies
Solvang Bakery	38.20	Board and Committee meeting pastries
Ultrex Business Products	15.00	Office supplies
US Bank	205.07	Office and kitchen supplies
	<b>\$ 910.70</b>	<b>Total Office Expenses</b>
<b>OTHER EXPENSES</b>		
Comcast	361.40	Internet Service
CompuVision	995.00	Datto Cloud Backup
CompuVision	1,022.23	Miscellaneous Software Updates
CompuVision	2,164.75	EndPoint Detection
CompuVision	6,695.00	Replace Management Server & Windows 2012 R2 Operating Sys
CompuVision	6,850.00	Managed Service Agreement
De Lage Landen Financial Services	482.89	Copier Lease - BAO and WTP
Environmental Safety Solutions	838.94	Equipment Rental
Frontier Communications	64.99	Internet Service
iManage, LLC	4,686.49	Desksite Annual Maintenance Renewal
Marborg Industries	547.27	Tank 5/Tank 7/Tank 2/ EDV
Pitney Bowes Credit Corp	147.35	Postage Meter Lease



# CENTRAL COAST WATER AUTHORITY

## Normal and Recurring Costs

Bills for Ratification - September 2023

VENDOR	INVOICE AMOUNT	DESCRIPTION
Provost & Pritchard Consulting	453.40	SWPP General Expenses
Rain for Rent	5,480.00	Tank 5 - equipment rental (2 months)
US Bank	13.02	Miscellaneous Computer Equipment
US Bank	554.78	Tablet Accessories
Verizon Wireless	3,302.94	Tablets (6)
Wilson Creek Communications	155.00	Internet Service
	<b>\$ 34,815.45</b>	<b>Total Other Expenses</b>
<b>OTHER MISCELLANEOUS EXPENSES</b>		
Department of Water Resources	4,525,492.00	Variable OMP&R, Delta Water & Transport Charge
	<b>\$ 4,525,492.00</b>	<b>Total Other Miscellaneous Expenses</b>
<b>PERSONNEL EXPENSES</b>		
Agile Occupational Medicine	278.00	Pre-employment Physical/Drug Screening
CalPERS Health	42,593.37	Health Insurance
CalPERS Retirement	62,167.71	Pension Contributions
CCWA Payroll Wages/Taxes	445,781.58	Gross Payroll Wages/Taxes
Dental/Vision Payments	7,910.37	Dental/Vision Benefits
MetLife SBC Insurance	3,915.28	Life Insurance
Other Misc Employee Benefits	16,988.76	Vehicle, Uniform, Deferred Comp & Cafeteria Plan Benefits
Swift, Mark	135.00	Reimbursable expense - Class A License Physical
Standard Insurance Company	1,401.68	Disability Insurance
	<b>\$ 581,171.75</b>	<b>Total Personnel Expenses</b>
<b>PROFESSIONAL SERVICES</b>		
Brownstein Hyatt Farber	154,172.22	Legal Services
Compliance Partners, LLC	18,037.50	Safety Consultant
Elecsys International LLC	150.00	Monitor Rectifiers
Ernst & Young LLP	3,250.00	Accounting Services
Foster & Foster Actuaries and Consultants	4,100.00	OPEB Valuation Accounting Report
HDR Engineering Inc	731.50	Engineering Services
R. Bruce Coggin	3,519.11	Safety Consultant
Safety Kleen System, Inc	442.38	Washer Service
Samba Holdings, Inc.	175.58	DMV driver reports
Securitas Technology Corp.	1,415.33	Security Service BAO/SYPS
Sentry Alarm Systems	450.00	Security Service WTP
Stantec Consulting, Inc.	5,271.03	Environmental Consulting
Stradling Yocca Carlson Rauth	3,376.00	Legal - Employee Matters/General Matters
Underground Service Alert	41.50	New USA tickets
Widroe, Thomas	9,250.00	Professional Staff Recruiter
	<b>\$ 204,382.15</b>	<b>Total Professional Services</b>
<b>CIP PROJECTS - MATERIALS &amp; OVERHEAD</b>		
CompuVision	29,925.80	Expansion of the Nutronics Hyperconverge System
HDR Engineering Inc	9,237.25	Repair of Corroded Risers of Air Vacuum/Air Release-Phase 3
	<b>\$ 39,163.05</b>	<b>Total CIP Project - Materials and Overhead</b>



# CENTRAL COAST WATER AUTHORITY

## Normal and Recurring Costs

Bills for Ratification - September 2023

VENDOR	INVOICE AMOUNT	DESCRIPTION
<b>REPAIRS &amp; MAINTENANCE</b>		
Aramark	251.64	Building maintenance supplies
Bank of America Business Card	183.02	Vehicles repairs and maintenance
Bank of America Business Card	394.66	Equipment repairs and maintenance
Big Brand Tire & Service	1,595.87	Vehicle maintenance
Carquest Auto Parts	197.07	Auto parts and supplies
CDW Government, Inc	1,568.34	Equipment repairs and maintenance
Cisco Air Systems, Inc.	4,277.39	Equipment repairs and maintenance
City of Buellton	96.89	Landscape maintenance - water
Consolidated Electrical Distributors	379.50	Parts, repairs and maintenance
Coverall North America, Inc	1,402.00	Janitorial service - BAO/SYPS
Grainger Inc.	75.75	Building maintenance
Grainger Inc.	448.23	Parts, repairs and maintenance
Hach Company	452.60	Parts, repairs and maintenance
IFM Efector Inc.	83.98	Equipment Repair
Jiffy Lube	142.30	Vehicle repairs and maintenance
Lowe's	41.25	Equipment repairs and maintenance
Office Depot	115.83	Janitorial supplies
PAPE Material Handling	213.01	Equipment repair
Powder Coating USA	456.75	Equipment repairs and maintenance
Procare Janitorial Supply	730.00	Janitorial supplies - WTP
PRW Steel Supply, Inc.	11,413.31	Equipment repairs and maintenance
Quinn Company	1,378.51	Equipment repairs and maintenance
Rio Vista Chevrolet	282.70	Vehicle repairs and maintenance
RS Americas, Inc.	749.95	Equipment parts and repairs
Star Janitorial	1,550.00	Janitorial Service - WTP
Steven Engineering	1,535.35	Equipment repairs and maintenance
Transcat	832.83	Equipment repairs and maintenance
Ultrex Business Products	213.29	Copier maintenance
US Bank	336.95	Equipment repairs and maintenance
US Bank	349.88	Vehicle repairs and maintenance
Vreeland Ford	4,461.46	Vehicle repairs and maintenance
Western Exterminator Co	255.35	Pest control spraying - BAO and SYPS
Zaca Creek Landscapes, Inc	450.00	Landscape Maintenance BAO/SYPS
	<b>\$ 36,915.66</b>	<b>Total Repairs &amp; Maintenance</b>
<b>SUPPLIES &amp; EQUIPMENT</b>		
Aramark	1,008.45	Uniform expenses
Bank of America Business Card	185.91	Safety supplies
Bank of America Business Card	159.29	Minor tools
Cabot Norit Americas Inc	23,760.00	Chemicals - WTP/Powdered Activated Carbon system
Chemtrade Chemicals US, LLC	13,887.64	Chemicals - WTP
Environmental Safety Solutions	1,618.34	Safety supplies
Grainger Inc.	240.23	Minor tools, equipment & maintenance supplies, safety supplies
Harrison Hardware	45.58	Maintenance supplies and hardware
Hill Brothers Chemical Company	7,360.20	Chemicals - WTP
Hilti, Inc.	1,015.24	Small tools, maintenance supplies
Home Depot	54.34	Minor tools, equipment & maintenance supplies





# CENTRAL COAST WATER AUTHORITY

## Normal and Recurring Costs

Bills for Ratification - September 2023

VENDOR	INVOICE AMOUNT	DESCRIPTION
Lowe's	788.13	Maintenance supplies and hardware
State of California	89.67	Discovery Copies
Univar Solutions USA, Inc.	31,292.40	Chemicals - WTP
US Bank	540.37	Maintenance supplies, Minor Tools, Safety Supplies
WEX Bank - Wright Express	7,826.71	Fuel - Autos
	<b>\$ 89,872.50</b>	<b>Total Supplies &amp; Equipment</b>
<b>UTILITIES</b>		
City of Buellton	203.72	Water - BAO
Delta Liquid Energy	849.95	Propane gas
First Choice Technology	13.02	Phone - Long distance carrier, 800#
Frontier	312.07	Telephone charges
Marborg Industries	366.39	Waste Disposal - BAO/Trash roll off
Pacific Gas & Electric	40,573.58	Utilities - BAO/SYPS/WTP
RingCentral Inc.	310.58	Additional Phone Lines
San Miguel Garbage Company	266.44	Waste Disposal - WTP
Santa Ynez River Water Conservation	358.67	Water - SYPS
SoCalGas	5.18	Natural Gas - BAO
Surfnet Communications, Inc.	75.00	Wireless Internet - Chorro
Verizon Wireless	923.73	Cell phone charges
WM Coporate Services, Inc	366.67	Waste Disposal - SYPS
	<b>\$ 44,625.00</b>	<b>Total Utilities</b>
<b>Subtotal - Bills for Ratification</b>	<b>\$ 5,575,898.71</b>	



# CENTRAL COAST WATER AUTHORITY

## Bills for Approval

<b>VENDOR</b>	<b>INVOICE AMOUNT</b>	<b>DESCRIPTION</b>
State of California DWR	\$ 1,913,563.00	Capital Cost and Minimum OMP&R Charges Oct '23
<b>Subtotal - Bills for Approval</b>	<b>\$ 1,913,563.00</b>	
<b>Total Ratification and Approval Bills</b>	<b><u>\$ 7,489,461.71</u></b>	



## Statements of Net Position

### ASSETS

	<u>September 30, 2023</u>	<u>August 31, 2023</u>
<b><u>Current Assets</u></b>		
Cash and investments	\$ 14,362,283	\$ 15,207,103
Accounts Receivable (Note 1)	427	427
Accrued interest receivable	423,495	324,449
Other assets	2,247,746	2,280,010
<b>Total Current Assets</b>	<u>17,033,951</u>	<u>17,811,989</u>
<b><u>Restricted Assets</u></b>		
Operations and Maintenance Reserve Fund (Note 2)	2,027,470	2,022,156
DWR Reserve Fund (Note 3)	5,978,203	5,962,534
Rate Coverage Reserve Fund (Note 4)	9,618,772	9,593,562
Department of Water Resources (Note 5a)	22,470,595	26,538,190
CCWA and DWR Variable Fund (Note 5b)	3,244,567	3,031,381
Credits Payable (Note 6)	55,604	55,459
Escrow Deposits (Note 7)	523,595	522,223
<b>Total Restricted Assets</b>	<u>43,918,805</u>	<u>47,725,504</u>
<b><u>Property, Plant and Equipment</u></b>		
Construction in progress (Note 8)	1,075,061	1,035,898
Fixed assets (net of accumulated depreciation)	85,609,128	85,831,981
<b>Total Property, Plant and Equipment</b>	<u>86,684,188</u>	<u>86,867,879</u>
 <b>Total Assets</b>	 <u>\$ 147,636,944</u>	 <u>\$ 152,405,372</u>



## Statements of Net Position

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### **LIABILITIES AND FUND EQUITY**

	<b><u>September 30, 2023</u></b>	<b><u>August 31, 2023</u></b>
<b><u>Current Liabilities</u></b>		
Accounts Payable	\$ 99,050	\$ 100,217
DWR and Warren Act Charge Deposits (Note 5a)	22,470,595	26,538,190
CCWA & DWR Variable Charge Deposits (Note 5b)	3,244,567	3,031,381
Other liabilities	2,321,035	2,312,807
DWR Reserve Fund	5,978,203	5,962,534
Rate Coverage Reserve Fund	9,618,772	9,593,562
Unearned Revenue	143,037	103,589
Credits Payable to Project Participants	282,473	242,581
<b>Total Current Liabilities</b>	<b><u>44,157,730</u></b>	<b><u>47,884,861</u></b>
<b><u>Non-Current Liabilities</u></b>		
OPEB Liability	1,152,944	1,152,944
Escrow Deposits	523,595	522,223
Net Pension Liability	1,604,954	1,604,954
<b>Total Non-Current Liabilities</b>	<b><u>3,281,493</u></b>	<b><u>3,280,121</u></b>
<b><u>Commitments and Uncertainties</u></b>		
<b><u>Net Assets</u></b>		
Contributed capital, net (Note 9)	22,562,433	22,562,433
Retained earnings	77,635,288	78,677,957
<b>Total Net Assets</b>	<b><u>100,197,721</u></b>	<b><u>101,240,390</u></b>
<b>Total Liabilities and Net Assets</b>	<b><u>\$ 147,636,944</u></b>	<b><u>\$ 152,405,372</u></b>



## Statements of Revenues, Expenses and Changes in Net Position

	September 30, 2023	August 31, 2023
<b><u>Operating Revenues</u></b>		
Operating reimbursements from project participants	\$ 15,464,428	\$ 15,343,483
Other revenues	7,960	3,818
<b>Total Operating Revenues</b>	15,472,388	15,347,301
<b><u>Operating Expenses</u></b>		
Personnel expenses	1,662,456	1,070,932
Office expenses	3,442	2,531
General and administrative	60,773	38,257
Professional Services	355,861	151,366
Supplies and equipment	289,241	198,883
Monitoring expenses	19,830	12,902
Repairs and maintenance	74,523	37,607
Utilities	144,739	100,241
Depreciation and amortization	668,836	445,982
Other expenses	203,332	157,526
<b>Total Operating Expenses</b>	3,483,031	2,216,229
<b>Operating Income</b>	11,989,357	13,131,072
<b><u>Non-Operating Revenues</u></b>		
Investment income	758,237	490,342
Gain on sale of fixed assets	8,540	8,540
<b>Total Non-Operating Revenues</b>	766,777	498,882
<b><u>Non-Operating Expenses</u></b>		
Current year credits payable	334,741	165,893
<b>Total Non-Operating Expenses</b>	334,741	165,893
<b>Net Income</b>	12,421,392	13,464,061
<b><u>Retained Earnings</u></b>		
Retained earnings at beginning of period	65,213,896	65,213,896
Retained earnings at end of period	\$ 77,635,288	\$ 78,677,957



# Budget and Actual All Reaches

	September 30, 2023		
	Budget	Actual	Percent Expended <sup>(1)</sup>
<b>Revenues</b>			
Fixed operating assessments <sup>(2)</sup>	\$ 14,944,972	\$ 14,944,972	
Variable operating assessments	1,787,950	519,456	29.05%
Miscellaneous income	-	7,960	
Investment income	-	150,582	
<b>Total Revenues</b>	<u>16,732,922</u>	<u>15,622,970</u>	<u>93.37%</u>
<b>Expenses <sup>(2)</sup></b>			
Personnel expenses	6,309,960	1,662,456	26.35%
Office expenses	21,800	3,442	15.79%
General and administrative	298,802	60,773	20.34%
Professional Services	2,126,169	355,861	16.74%
Supplies and equipment	1,622,928	289,241	17.82%
Monitoring expenses	130,332	19,830	15.21%
Repairs and maintenance	326,140	74,523	22.85%
Utilities	640,818	144,739	22.59%
Other expenses	828,377	179,249	21.64%
Capital and Non-Capital Expenditures	2,806,978	1,099,143	39.16%
<b>Total Expenses</b>	<u>15,112,304</u>	<u>3,889,257</u>	<u>25.74%</u>
<b>Operating Income</b>	<u>1,620,618</u>	<u>11,733,713</u>	
<b>Net Income (Loss)</b>	<u>\$ 1,620,618</u>	<u>\$ 11,733,713</u>	

(1) Percent of year expended 25%

(2) Includes revenues and expenses for Turnouts and adjusted for carryover revenues from FY 2022/23 to FY 2023/24

Central Coast Water Authority  
**Notes to Financial Statements**  
September 30, 2023

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**Note 1: Accounts Receivable**

Accounts receivable consists of amounts payable by the State Water Project contractors and other miscellaneous receivables.

**Note 2: O&M Reserve Fund**

The O&M reserve fund represents cash reserves for emergency uses. The funding requirement is \$2,000,000 allocated on an entitlement basis for the Santa Barbara County project participants. Investment earnings on O&M reserve fund balances are credited against CCWA O&M assessments.

<u>Project Participant</u>	<u>Amount</u>
City of Guadalupe	\$ 28,507
City of Santa Maria	839,649
Golden State Water Company	26,089
Vandenberg SFB	285,084
City of Buellton	29,957
Santa Ynez ID #1 (Solvang)	77,745
Santa Ynez ID #1	25,915
Goleta Water District	233,237
Morehart Land Co.	10,366
La Cumbre Mutual Water Company	52,172
Raytheon Systems Company	2,591
City of Santa Barbara	156,534
Montecito Water District	155,965
Carpinteria Valley Water District	103,660
TOTAL:	<u>\$ 2,027,470</u>

Central Coast Water Authority  
**Notes to Financial Statements**  
September 30, 2023

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**Note 3: DWR Reserve Fund**

The DWR Reserve Fund was established to provide a funding source for payments to the State of California Department of Water Resources (DWR) when there is a difference between estimates used to prepare the DWR portion of the annual CCWA budget and the actual amounts billed to the Authority by DWR. Contributions to the DWR Reserve Fund are voluntary. Funding of each participating Project Participant's share of the DWR Reserve Fund will come from a combination of (1) CCWA Operating Expense budget surpluses, if any (2) Interest earnings on funds held in all other accounts on behalf of the participating Project Participant and (3) excess amounts, if any, from any of the DWR Statement of Charges cost components until the funding Target Amount is reached. The Target Amount will be equal to the participating Project Participant's proportional share of a \$10 million allocation of DWR Transportation Minimum OMP&R charges. The following schedule shows the current fund balance of the participating Project Participants.

Project Participant	Amount
City of Guadalupe	\$ 143,178
City of Santa Maria	4,271,499
Golden State Water Company	103,261
City of Buellton	150,469
Santa Ynez ID #1 (Solvang)	390,442
Santa Ynez ID #1	183,901
Morehart Land Co.	50,700
La Cumbre Mutual Water Company	191,430
Raytheon Systems Co.	12,518
City of Santa Barbara	480,806
TOTAL:	\$ 5,978,203

**Note 4: Rate Coverage Reserve Fund Cash Deposits**

The rate coverage reserve fund was established to provide CCWA project participants a mechanism to satisfy a portion of their obligation under Section 20(a) of the Water Supply Agreement to impose rates and charges sufficient to collect 125% of their contract payments. The following schedule shows the current balances plus accrued interest receivable in the rate coverage reserve fund.

Project Participant	Amount
City of Guadalupe	\$ 193,441
City of Santa Maria	5,232,311
City of Buellton	278,350
Santa Ynez ID #1 (Solvang)	640,131
Santa Ynez ID #1	466,798
La Cumbre Mutual Water Company	408,162
Montecito Water District	1,512,955
Carpinteria Valley Water District	870,714
Shandon	15,909
TOTAL:	\$ 9,618,772



Central Coast Water Authority  
**Notes to Financial Statements**  
September 30, 2023

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**Note 5a: Cash and Investments Payment to DWR**

Cash deposits for DWR payments.

<u>Project Participant</u>	<u>Amount</u>
City of Guadalupe	\$ 304,885
City of Santa Maria	8,720,080
Golden State Water Company	280,921
Vandenberg SFB	4,179,358
City of Buellton	306,332
Santa Ynez ID #1 (Solvang)	787,192
Santa Ynez ID #1	30,097
Goleta Water District	2,770,176
Morehart Land Co.	106,026
La Cumbre Mutual Water Company	556,229
Raytheon Systems Co.	29,127
City of Santa Barbara	1,668,206
Montecito Water District	1,637,820
Carpinteria Valley Water District	1,094,147
TOTAL:	<u>\$ 22,470,595</u>

**Note 5b: Cash Payments for CCWA, Warren Act and DWR Variable Charges**

Cash deposits for payments to CCWA, Warren Act and DWR for Variable Assessments.

<u>Project Participant</u>	<u>Amount</u>
City of Guadalupe	\$ 47,264
City of Santa Maria	1,007,984
Golden State Water Company	12,324
Vandenberg SFB	316,787
City of Buellton	27,289
Santa Ynez ID #1 (Solvang)	85,262
Santa Ynez ID #1	78,153
Goleta Water District	547,839
Morehart Land Co.	26,250
La Cumbre Mutual Water Company	143,931
Raytheon Systems Co.	7,224
City of Santa Barbara	369,559
Montecito Water District	341,254
Carpinteria Valley Water District	233,446
TOTAL:	<u>\$ 3,244,567</u>

Central Coast Water Authority  
**Notes to Financial Statements**  
September 30, 2023

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**Note 6: Credits Payable**

Credits payable to, or (due from) CCWA project participants for investment earnings and O&M assessment credits.

Project Participant	Amount
City of Guadalupe	\$ 15
City of Santa Maria	43,023
Golden State Water Company	58
Vandenberg SFB	1,672
City of Buellton	32
Santa Ynez ID #1 (Solvang)	31
Santa Ynez ID #1	1,933
Goleta Water District	55
Morehart Land Co.	2
La Cumbre Mutual Water Company	11
Raytheon Systems Co.	0
City of Santa Barbara	8
Montecito Water District	5,486
Carpinteria Valley Water District	3,073
Shandon	42
Lopez Turnout	84
Chorro Turnout	79
TOTAL:	\$ 55,604

**Note 7: Escrow Deposits**

Cash deposits from certain project participants as required under the Water Supply Agreements.

Project Participant	Amount
Morehart Land Company	\$ 413,244
Raytheon Systems Company	110,351
TOTAL:	\$ 523,595

Central Coast Water Authority  
**Notes to Financial Statements**  
September 30, 2023

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**Note 8: Construction in Progress**

Amounts in construction in progress represent expenditures incurred during FY 2023/24 and amounts retained in construction in progress at September 30, 2023. The following schedule shows the CIP expenditures for CCWA projects.

Financial Reach	Amount
Labor	\$ 22,837
Materials	41,778
Overhead	1,010,446
Project CIP Total:	\$ 1,075,061

**Note 9: Contributed Capital**

Certain project participants elected to pay their share of CCWA project construction costs in cash. The amounts listed below show the capital contributions by project participant less the cost of local facilities and refunds to the project participants.

Project Participant	Amount
Avila Valley Water Company	\$ 15,979
City of Guadalupe	81,119
San Luis Schools	5,608
San Miguelito Water Company	233,605
Golden State Water Company	866,277
City of Santa Maria	13,498,802
Vandenberg SFB	7,861,043
TOTAL:	\$ 22,562,433

**MONTHLY SUMMARY OF MINERAL AND PHYSICAL ANALYSIS  
RAW WATER (RW) AND SETTLED WATER (SW)**

Agenda Item V.D.  
Board of Directors  
October 26, 2023

System Name: Central Coast Water Authority  
Treatment Plant Name: Polonio Pass Water Treatment Plant

System Number: 4210030  
**September 2023**

Date:	RW pH (SU)	RW Turbidity (NTU)	SW Turbidity (NTU)	RW Odor (TON)	RW Total Coliform (MPN)	RW E. Coli (MPN)	RW Cl- (mg/L)	RW Alkalinity (mg/L)		RW Hardness (mg/L)		RW E.C. (uS/cm)	RW TOC (mg/L)
								Total	Phenol	Total	Ca		
1	8.43	1.65	0.64	1.0			33	52	4	59	33		
2	8.34	1.68	0.56	1.0			34	55	1	59	33		
3	8.30	1.58	0.60	1.0			34	54	1	60	34		
4	8.25	1.65	0.84	1.0	411	<1	32	52	0	66	35		
5	8.03	1.67	0.78	1.0			32	51	0	65	31	234	
6	8.00	1.57	0.83	1.0			34	55	0	59	32		3.4
7	8.02	1.67	0.75	1.0			35	54	0	63	34		
8	8.08	1.75	0.83	1.0			38	56	1	72	35		
9	8.24	1.53	0.84	1.0			38	58	0	71	38		
10	8.26	1.63	0.74	1.0			38	56	0	72	36		
11	8.07	1.47	0.68	1.0	236	<1	38	54	0	72	32	268	
12	8.08	1.77	0.75	1.0			37	56	0	66	36		
13	8.18	2.05	0.58	1.0			41	60	0	71	39		
14	8.22	1.60	0.51	1.0			42	58	0	81	41		
15	8.21	1.75	0.59	1.0			45	60	0	77	41		
16	8.18	1.87	0.51	1.0			46	60	0	78	43		
17	8.26	1.95	0.50	1.0			48	63	0	81	46		
18	8.23	2.37	0.51	1.0	261	<1	53	60	0	79	44	333	
19	8.25	2.32	0.51	1.0			50	67	0	77	35		
20	8.28	1.87	0.45	1.0			50	65	0	75	40		
21	8.31	2.37	0.55	1.0			54	68	0	77	24		
22	8.32	2.88	0.60	1.0			55	72	0	86	39		
23	8.30	2.83	0.69	1.0			53	69	0	89	42		
24	8.24	2.75	0.70	1.0			53	67	0	81	42		
25	8.15	4.27	0.76	1.0	980	<1	51	67	0	81	37	318	
26	8.04	3.02	0.88	1.0			48	61	0	82	38		
27	7.93	2.83	0.86	1.0			47	62	0	80	39		
28	7.88	3.20	1.02	1.0			48	62	0	75	41		
29	7.85	3.87	1.02	1.0			45	61	0	78	38		
30	7.87	4.48	0.87	1.0			42	62	0	79	37		
<b>Avg</b>	<b>8.16</b>	<b>2.26</b>	<b>0.70</b>	<b>1.0</b>	<b>472</b>	<b>&lt;1</b>	<b>43</b>	<b>60</b>	<b>0</b>	<b>74</b>	<b>37</b>	<b>288</b>	<b>3.4</b>

**MONTHLY SUMMARY OF MINERAL AND PHYSICAL ANALYSIS  
TREATED WATER (TW) & CLEARWELL (CW)**

System Name: Central Coast Water Authority

System Number: 4210030

Treatment Plant Name: Polonio Pass Water Treatment Plant

September 2023

Date:	TW pH (SU)	TW Turbidity (NTU)	Filter Rate (gpm/ft <sup>2</sup> )	CW Odor (TON)	TW Total Coliform	CW Cl- (mg/L)	CW Total Alk (mg/L)	CW Hardness (mg/L)		TW Chlorine (mg/L)		CCB3 Chlorine Free (mg/L)	TW NH3-N (mg/L)		(CCB3 Cl2 Free) / (TW NH3-N Total)	CW E.C. (uS/cm)	TW TOC (mg/L)
								Total	Ca	Total	Free		Total	Free			
1	8.35	0.07	4.05	0.0	ABSENT	36	49	57	32	3.72	0.00	3.69	0.72	0.00	5.1		
2	8.48	0.07	4.05	0.0	ABSENT	38	50	60	34	3.70	0.00	3.73	0.73	0.00	5.1		
3	8.38	0.07	4.05	0.0	ABSENT	38	51	61	36	3.58	0.00	3.70	0.71	0.02	5.2		
4	8.39	0.06	4.05	0.0	ABSENT	36	50	64	34	3.67	0.00	3.72	0.72	0.00	5.2		
5	8.36	0.06	4.04	0.0	ABSENT	33	50	71	29	3.63	0.00	3.59	0.70	0.01	5.1	270	
6	8.46	0.06	3.93	0.0	ABSENT	36	53	63	31	3.53	0.00	3.69	0.69	0.01	5.3		1.9
7	8.36	0.07	3.75	0.0	ABSENT	35	51	62	29	3.84	0.00	3.88	0.75	0.01	5.2		
8	8.43	0.07	3.72	0.0	ABSENT	38	52	59	31	3.81	0.00	3.91	0.74	0.00	5.3		
9	8.39	0.07	3.92	0.0	ABSENT	38	51	63	34	3.87	0.00	3.90	0.75	0.01	5.2		
10	8.35	0.07	3.88	0.0	ABSENT	38	54	72	33	3.75	0.00	3.83	0.72	0.00	5.3		
11	8.28	0.07	3.88	0.0	ABSENT	38	55	65	32	3.78	0.00	3.93	0.74	0.00	5.3	297	
12	8.37	0.07	3.72	0.0	ABSENT	39	53	65	35	3.93	0.00	4.01	0.76	0.01	5.3		
13	8.43	0.06	3.56	0.0	ABSENT	38	56	68	36	3.94	0.00	4.02	0.76	0.00	5.3		
14	8.41	0.05	3.64	0.0	ABSENT	44	46	72	40	3.96	0.00	3.97	0.76	0.00	5.2		
15	8.47	0.04	3.80	0.0	ABSENT	48	57	76	38	3.93	0.00	3.98	0.75	0.00	5.3		
16	8.47	0.04	3.88	0.0	ABSENT	48	57	81	40	3.97	0.00	4.01	0.77	0.00	5.2		
17	8.47	0.04	3.88	0.0	ABSENT	50	59	83	41	3.93	0.00	4.00	0.78	0.00	5.1		
18	8.45	0.05	3.88	0.0	ABSENT	55	58	79	42	3.82	0.00	3.70	0.75	0.00	4.9	370	
19	8.41	0.04	3.67	0.0	ABSENT	54	69	78	33	3.90	0.00	3.87	0.75	0.00	5.2		
20	8.39	0.04	3.72	0.0	ABSENT	53	61	73	40	3.98	0.00	4.08	0.77	0.00	5.3		
21	8.38	0.04	3.88	0.0	ABSENT	57	65	77	19	4.03	0.00	4.11	0.76	0.00	5.4		
22	8.44	0.05	3.88	0.0	ABSENT	56	69	83	41	4.02	0.00	4.02	0.79	0.01	5.1		
23	8.51	0.04	3.88	0.0	ABSENT	57	69	86	43	3.89	0.00	4.12	0.79	0.01	5.2		
24	8.53	0.05	3.88	0.0	ABSENT	55	63	82	44	3.88	0.00	3.95	0.77	0.01	5.1		
25	8.48	0.06	3.67	0.0	ABSENT	54	64	79	39	3.92	0.00	4.03	0.78	0.01	5.2	383	
26	8.38	0.08	4.04	0.0	ABSENT	54	61	81	45	3.93	0.00	4.09	0.78	0.00	5.2		
27	8.40	0.08	3.88	0.0	ABSENT	49	62	82	43	4.02	0.00	4.02	0.79	0.00	5.1		
28	8.40	0.08	3.99	0.0	ABSENT	49	60	79	41	3.98	0.00	4.05	0.79	0.00	5.1		
29	8.35	0.08	3.67	0.0	ABSENT	48	61	76	42	3.88	0.00	3.95	0.76	0.00	5.2		
30	8.48	0.08	3.56	0.0	ABSENT	47	60	76	37	4.00	0.00	3.99	0.80	0.00	5.0		
<b>Avg</b>	<b>8.42</b>	<b>0.06</b>	<b>3.85</b>	<b>0.00</b>		<b>45</b>	<b>57</b>	<b>72</b>	<b>36</b>	<b>3.86</b>	<b>0.00</b>	<b>3.92</b>	<b>0.75</b>	<b>0.00</b>	<b>5.2</b>	<b>330</b>	<b>1.90</b>

Central Coast Water Authority  
**Calendar Year 2023 Actual and Requested Deliveries in Acre Feet**

Project Participant	Total Available AF Amounts <sup>(1)</sup>	ACTUALS										REQUESTED				Estimated Annual Delivery Total
		Jan.	Feb.	Mar.	Apr.	May	June	July	Aug	Sept	Subtotal	Oct.	Nov.	Dec.	Subtotal	
Guadalupe	820	4	43	35	50	67	63	58	31	53	404	58	56	58	172	576
Santa Maria	20,278	0	0	391	400	495	498	536	279	580	3,179	666	552	571	1,789	4,968
So. Cal. Water Co.	558	0	0	1	6	30	66	34	29	37	203	50	35	0	85	288
Vandenberg AFB	6,862	0	0	0	178	220	218	261	138	0	1,015	0	0	0	0	1,015
Buellton	692	4	2	11	17	21	22	34	16	31	158	0	0	0	0	158
Solvang (Billed to SY)	1,792	14	5	35	46	66	79	91	52	87	475	100	50	75	225	700
Santa Ynez ID#1	1,154	0	0	0	0	113	324	0	189	0	626	0	0	0	0	626
Goleta	7,426	0	0	0	0	0	0	176	0	0	176	126	0	0	126	302
Morehart Land Co.	237	7	0	0	0	0	0	0	7	10	24	8	8	8	24	48
La Cumbre	1,615	16	0	0	0	0	0	0	111	38	165	58	35	35	128	293
Raytheon	57	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Santa Barbara	2,593	0	0	0	0	0	0	117	0	0	117	84	0	0	84	201
Montecito	3,495	0	0	0	0	0	0	117	0	0	117	84	0	0	84	201
Carpinteria	2,991	0	0	0	0	0	0	79	0	0	79	56	0	0	56	135
<b>Subtotal Santa Barbara:</b>	<b>50,570</b>	<b>45</b>	<b>50</b>	<b>473</b>	<b>697</b>	<b>1,012</b>	<b>1,270</b>	<b>1,503</b>	<b>852</b>	<b>836</b>	<b>6,738</b>	<b>1,290</b>	<b>736</b>	<b>747</b>	<b>2,773</b>	<b>9,511</b>
Shandon		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Chorro Valley	7500	162	146	165	157	158	169	196	107	148	1,408	185	185	185	1,110	2,518
Lopez	7500	58	91	96	7	0	5	172	82	65	576	16	15	15	97	673
<b>Subtotal SLO County:</b>	<b>15,000</b>	<b>220</b>	<b>237</b>	<b>261</b>	<b>164</b>	<b>158</b>	<b>174</b>	<b>368</b>	<b>189</b>	<b>213</b>	<b>1,984</b>	<b>201</b>	<b>200</b>	<b>200</b>	<b>1,207</b>	<b>3,191</b>
<b>TOTAL ENTITLEMENT DELIVERIES</b>	<b>65,570</b>	<b>265</b>	<b>287</b>	<b>734</b>	<b>861</b>	<b>1,170</b>	<b>1,444</b>	<b>1,871</b>	<b>1,041</b>	<b>1,049</b>	<b>8,722</b>	<b>1,491</b>	<b>936</b>	<b>947</b>	<b>3,980</b>	<b>12,702</b>
<b>EXCHANGE DELIVERIES</b>																
Santa Ynez-Exchange		0	0	0	0	0	0	(489)	0	0	(489)	(350)	0	0	(350)	(839)
Goleta-Exchange		0	0	0	0	0	0	176	0	0	176	126	0	0	126	302
Santa Barbara-Exchange		0	0	0	0	0	0	117	0	0	117	84	0	0	84	201
Montecito-Exchange		0	0	0	0	0	0	117	0	0	117	84	0	0	84	201
Carpinteria-Exchange		0	0	0	0	0	0	79	0	0	79	56	0	0	56	135
<b>TOTAL EXCHANGE DELIVERIES</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Lake Deliveries only</b>		<b>23</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>489</b>	<b>118</b>	<b>48</b>		<b>416</b>	<b>43</b>	<b>43</b>		<b>1,180</b>

<sup>(1)</sup> Total AF of Table A allocation, carryover amounts, and water transfers



## CENTRAL COAST WATER AUTHORITY

### MEMORANDUM

October 18, 2023

**TO:** CCWA Board of Directors

**FROM:** Ray A. Stokes, Executive Director

**SUBJECT:** Emergency Bypass of Devil's Den Pumping Plant Due To Unplanned Outage and Associated Agreements

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#### SUMMARY

Staff proposes adoption of a resolution approving an emergency bypass of Devil's Den Pumping Plant through temporary facilities while damage to the pumping plant is remediated, and associated agreements.

#### RECOMMENDATION

Staff recommends that the Board of Directors:

1. Approve and adopt Resolution No. 23-08 Approving Emergency Bypass of Devil's Den Pumping Plant Due to Unplanned Outage and Associated Agreements; and
2. Find that since the activity qualifies for an exemption as an Emergency Project (Public Resources Code § 21080(b)(2)/(4) and 14 CCR §15269(b)(c)); that the activity is not a "project" under the California Environmental Quality Act (CEQA); or alternatively, if the activity were a project under CEQA, it is categorically exempt pursuant to CEQA Guidelines Sections 15301(b) (operation, repair, maintenance and minor alteration of existing facilities) and 15302(c) (replacement or reconstruction of existing structures and facilities), the Board's approval of Resolution No. 23-08 does not have a potential for causing a significant effect on the environment.

#### DISCUSSION

On August 11, 2023, Devil's Den Pumping Plant (DDPP) on the Coastal Branch of the California Aqueduct experienced an unplanned outage due to fire, preventing delivery of SWP water through DDPP.

In response to the outage, DWR coordinated with Berrenda Mesa Water District (Berrenda Mesa), Kern County Water Agency (KCWA), and CCWA to deliver SWP water on an emergency basis via Berrenda Mesa facilities by placement of temporary pumps and pipelines designed to deliver water back to the Coastal Branch. This will continue until adequate pumping capacity at DDPP is reestablished to meet CCWA's and San Luis Obispo County's water demands.

The Resolution presented to the Board approves the Emergency Bypass, approves the agreement with DWR and the participating SWP contractors (DWR Agreement), and authorizes

the Executive Director to execute an indemnification agreement between CCWA and Santa Barbara County Flood Control and Water Conservation District. The associated agreements are attached to the Resolution.

## **ENVIRONMENTAL REVIEW**

The Project qualifies for an exemption as an Emergency Project under PRC § 21080(b)(2)(4) and 14 CCR §15269(b)(c) because temporary facilities will be established to bypass Devil's Den Pumping Plant while it undergoes emergency repairs, and will ensure critical water demand deliveries that meet, and do not exceed, existing demand and uses of water in Santa Barbara and San Luis Obispo Counties pursuant to longstanding contracts. The temporary activity does not involve new development or a change of land use and will continue only until repairs to said pumping plant are complete.

The activity is not a project under the CEQA because it will not result in direct or indirect changes to the environment. The SWP contracts permit the delivery of SWP Water within the SWP place of use, which includes all of the affected counties, and the activity is a temporary solution to ensure uninterrupted delivery of water pursuant to those contracts while facilities are repaired. Accordingly, the activity is simply a change in water management operations using existing facilities.

In the alternative, and if the proposed action were a project under CEQA, the action is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15301(b) (operation, repair, maintenance or minor alteration of existing facilities [utilities]) and 15302(c) (replacement or reconstruction of existing facilities [existing utility systems and/or facilities involving negligible or no expansion of capacity]). The activity involves installation of temporary pumping facilities to bypass a single pumping plant while the plant undergoes repairs in order to ensure normal water delivery that meets existing demand and uses of water in Santa Barbara and San Luis Obispo Counties established by longstanding water supply contracts with DWR, and does not involve new development or a change of land use.

### **Attachments:**

Resolution No. 23-08 Approving an Emergency Bypass Agreement for the Delivery of State Water Project Water Through Berrenda Mesa Water District Facilities to Bypass Devil's Den Pumping Plant due to Unplanned Outage



## RESOLUTION NO. 23-08

### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CENTRAL COAST WATER AUTHORITY APPROVING EMERGENCY BYPASS OF DEVIL'S DEN PUMPING PLANT DUE TO UNPLANNED OUTAGE AND ASSOCIATED AGREEMENTS

#### RECITALS

- A. On August 11, 2023, Devil's Den Pumping Plant (DDPP) on the Coastal Branch of the California Aqueduct experienced an unplanned outage due to fire, preventing delivery of State Water Project (SWP) water to the Central Coast Water Authority (CCWA) in Santa Barbara County and the San Luis Obispo County Flood Control and Water Conservation District in San Luis Obispo County.
- B. Following the outage, DWR coordinated with Berrenda Mesa Water District (Berrenda Mesa), Kern County Water Agency (KCWA), and CCWA to deliver SWP water on an emergency basis via Berrenda Mesa facilities at KCWA's turnout(s) on Reach 31A of the Coastal Branch of the SWP via placement of temporary pumps and pipelines designed to deliver water back to the Coastal Branch (Emergency Bypass).
- C. The Emergency Bypass will continue until adequate pumping capacity at DDPP is reestablished to meet CCWA's and San Luis Obispo's water demands.
- D. All affected parties desire to memorialize their mutual understandings and DWR's approval of the Emergency Bypass in a letter agreement referred to as the "Emergency Bypass Agreement," a copy of which is attached hereto as **Attachment A**.
- E. Because the Santa Barbara County Flood Control and Water Conservation District (SBCFCWCD) remains the contracting party to the State Water Contract for Santa Barbara County, DWR requires SBCFCWCD's execution of the Emergency Bypass Agreement, on behalf of CCWA. To obtain the SBCFCWCD's execution of the Emergency Bypass Agreement, it is anticipated that SBCFCWCD will require CCWA to indemnify SBCFCWCD from all liabilities associated with the Emergency Bypass Agreement, as provided in the proposed Assignment, Assumption, Indemnification and Release Agreement (SBCFCWCD Agreement), a copy of which is attached hereto as **Attachment B**.

**NOW THEREFORE, THE BOARD OF DIRECTORS DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

**Section 2.** Approval of Emergency Bypass. The Board hereby approves the Emergency Bypass and agrees to be bound by the terms and conditions of the Emergency Bypass Agreement (Attachment A).

**Section 3.** Further Authorization. The Board of Directors authorizes the Executive Director to do and cause to be done any and all acts and things necessary or proper for carrying out this resolution, including but not limited to negotiating such non-substantive modifications to the Emergency Bypass Agreement as may be required to obtain DWR's approval of the Emergency Bypass. Further, the Board of Directors further authorizes the Executive Director to execute the SBCFCWCD Agreement (Attachment B) as may be required to obtain the District's execution of the Emergency Bypass Agreement on behalf of CCWA.

**Section 4.** CEQA Finding. The Emergency Bypass qualifies for an exemption as an emergency project under CCR §15269 (b)(c) (PRC 21080(b)(2)(4)). Alternatively, it is not a project under the California Environmental Quality Act (CEQA) because it will not result in a direct or indirect change to the environment (Pub. Res. Code § 21065; 14 Cal. Code Regs. §§ 15061(b)(2), 15378) and is categorically exempt from CEQA pursuant to CEQA Guidelines sections 15301(b) (operation, repair, maintenance and minor alteration of existing facilities) and 15302(c) (replacement or reconstruction of existing facilities) since the activity involves installation of temporary pumping facilities to bypass a single pumping plant while the plant undergoes emergency repairs in order to ensure normal delivery of water to Santa Barbara and San Luis Obispo Counties.

**Section 5.** Effective Date. This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** by the Board of Directors of the Central Coast Water Authority, this 26th day of October, 2023, by the following vote:

	VOTING PERCENTAGE	AYE	NAY	ABSTAIN	ABSENT
City of Buellton	2.21%	_____	_____	_____	_____
Carpinteria Valley Water District	7.64%	_____	_____	_____	_____
Goleta Water District	17.20%	_____	_____	_____	_____
City of Guadalupe	1.15%	_____	_____	_____	_____
Montecito Water District	9.50%	_____	_____	_____	_____
City of Santa Barbara	11.47%	_____	_____	_____	_____
City of Santa Maria	43.19%	_____	_____	_____	_____
Santa Ynez River Water Conservation District, Improvement District No. 1	7.64%	_____	_____	_____	_____

\_\_\_\_\_  
Eric Friedman,  
Chair of the Board

I hereby certify that the foregoing resolution was adopted at a regular meeting of the Central Coast Water Authority held on October 26, 2023.

ATTEST:

APPROVED AS TO FORM:  
Brownstein Hyatt Farber Schreck LLP

\_\_\_\_\_  
Elizabeth Watkins  
Secretary to the Board of Directors

\_\_\_\_\_  
Stephanie Osler Hastings

**Attachments:**

- A. Emergency Bypass Agreement
- B. Assignment, Assumption, Indemnification and Release Agreement

## PRELIMINARY - SUBJECT TO CHANGE

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

GAVIN NEWSOM, Governor

**DEPARTMENT OF WATER RESOURCES**

P.O. BOX 942836  
SACRAMENTO, CA 94236-0001  
(916) 653-5791



Draft No. 1  
October 18, 2023  
Prepared by: Jacqueline Hoang  
Reviewed by

- Jacqueline Hoang 9/22/2023
- Patrick Luzuriaga 9/26/2023
- Katerina Deaver 9/26/2023
- Marshall Gill 9/26/2023
- Anna Fock 9/27/2023

APPROVED FOR FINAL:

- John Leahigh Click or tap to enter a date.

Mr. Ray Stokes  
Executive Director  
Central Coast Water Authority  
255 Industrial Way  
Buellton, California 93427-9591

Ms. Kate Ballantyne  
Public Works Deputy Director  
San Luis Obispo County Flood Control  
and Water Conservation District Public Works Department  
County Government Center, Room 206 976 Osos Street  
San Luis Obispo, California 93408-1002

Mr. Matthew Young  
Water Agency Manager  
Santa Barbara County Flood Control  
and Water Conservation District  
130 East Victoria Street, Suite 200  
Santa Barbara, California 93101-2019

Ms. Lauren Bauer  
Water Resources Manager  
Kern County Water Agency  
3200 Rio Mirada Drive  
Bakersfield, California 93308-4944

Page 2

Mr. Mark Gilkey  
Executive Director  
Berrenda Mesa Water District  
5555 California Avenue, Suite 209  
Bakersfield, CA 93309

Subject: Emergency Delivery of Santa Barbara and San Luis Obispo's State Water Project Water through Berrenda Mesa Water District's Facilities to Bypass Devil's Den Pumping Plant due to Unplanned Outage

This Letter Agreement (Agreement) is in response to Central Coast Water Authority's (CCWA) request, on behalf of Santa Barbara County Flood Control and Water Conservation District (Santa Barbara) and San Luis Obispo Flood Control and Water Conservation District (San Luis Obispo), to the Department of Water Resources of the State of California (DWR) and Berrenda Mesa Water District (Berrenda Mesa) to temporarily deliver approximately 18 cubic feet per second (cfs) of State Water Project water (SWP Water) through Berrenda Mesa's facilities in order to temporarily bypass the Devil's Den Pumping Plant (DDPP) on the Coastal Branch of the California Aqueduct (Coastal Branch).

On August 11, 2023, DDPP experienced an unplanned outage due to fire, which caused its pumping operations to halt, preventing delivery of SWP Water through DDPP on the Coastal Branch. CCWA operates a portion of the Coastal Branch for DWR and delivers SWP Water to its customers on a wholesale basis, some of whom have inadequate local supplies, making those customers dependent on SWP Water deliveries from CCWA through the Coastal Branch to meet a portion of their critical water demands. Following the outage, DWR coordinated with Berrenda Mesa, Kern County Water Agency (KCWA), and CCWA to deliver SWP Water, on an emergency basis, via Berrenda Mesa facilities at KCWA's turnout(s) on Reach 31A of the California Branch. From the turnout, the SWP Water will be pumped by Berrenda Mesa through Berrenda Mesa's Pump Station A (Pump Station A) into Berrenda Mesa's afterbay and Canal. SWP Water will then be withdrawn from Berrenda Mesa's Canal by DWR's temporary pumping facilities for delivery back into the Coastal Branch.

During the week of August 20, 2023, at approximately milepost 14.83 of Berrenda Mesa's Canal, DWR installed mobile temporary pumps to withdraw SWP Water from Berrenda Mesa's Canal for delivery back into the Coastal Branch. Delivery is being accomplished through approximately 6,100 feet of temporary ground surface pipelines into a temporary connection into the Coastal Branch in a valve vault at approximately milepost 18.02 of the Coastal Branch, upstream of the Bluestone Pumping Plant, which remains operational. SWP Water delivered under this Agreement into the Coastal Branch will continue downstream to San Luis Obispo's and Santa Barbara's respective service areas via turnouts on the Coastal Branch. The emergency delivery of SWP Water through Berrenda Mesa's facilities and DWR's temporary facilities began on approximately August 20, 2023 and is expected to continue until early October 2023, or

until adequate pumping capacity at DDPP is reestablished to meet San Luis Obispo's and Santa Barbara's water demands.

DWR and San Luis Obispo have entered into a water supply contract, dated February 26, 1963, and subsequently amended, providing that DWR shall supply certain quantities of water to San Luis Obispo, providing that San Luis Obispo shall make certain payments to DWR, and setting forth the terms and conditions of such supply and payment (hereinafter "San Luis Obispo's Water Supply Contract").

DWR and Santa Barbara have entered into a water supply contract, dated February 26, 1963, and subsequently amended, providing that DWR shall supply certain quantities of water to Santa Barbara, providing that Santa Barbara shall make certain payments to DWR, and setting forth the terms and conditions of such supply and payment (hereinafter "Santa Barbara's Water Supply Contract").

DWR and KCWA have entered into a water supply contract, dated November 15, 1963, and subsequently amended, providing that DWR shall supply certain quantities of water to KCWA, providing that KCWA shall make certain payments to DWR, and setting forth the terms and conditions of such supply and payment (hereinafter "KCWA's Water Supply Contract").

This Agreement is made under the provisions of the California Water Resources Development Bond Act, and other applicable laws of the State of California among DWR, Berrenda Mesa, CCWA, KCWA, San Luis Obispo, and Santa Barbara, which may be referred to individually as "Party" or collectively as "Parties."

The Parties agree that execution of this Agreement will authorize the temporary delivery of Santa Barbara's and San Luis Obispo's SWP Water through Berrenda Mesa's facilities to bypass the DDPP outage and be delivered to San Luis Obispo's and Santa Barbara's respective service areas under the following terms and conditions:

#### **TERM**

1. This Agreement shall be effective on August 20, 2023 (Effective Date) and shall terminate upon final payments to DWR and Berrenda Mesa by any other Party of all costs attributable to this Agreement, whichever occurs later. However, the liability, hold harmless and indemnification obligations in this Agreement shall remain in effect until the expiration of the applicable statute of limitations, or until any claim or litigation concerning this Agreement asserted to any of the Parties within the applicable statute of limitations is finally resolved, whichever occurs later.

#### **UNIQUENESS OF AGREEMENT**

2. DWR's approval under this Agreement is unique and shall not be considered a precedent for future agreements or DWR activities.

**DELIVERY OF SAN LUIS OBISPO AND SANTA BARBARA'S SWP WATER**

3. Upon the Effective Date of this Agreement, and subject to available capacity in Berrenda Mesa's Pump Station A, San Luis Obispo's and Santa Barbara's SWP Water will be delivered to their respective service areas as follows:
  - a. DWR will deliver San Luis Obispo's and Santa Barbara's SWP Water to KCWA's turnout(s) on Reach 31A of the California Aqueduct.
  - b. Berrenda Mesa will deliver San Luis Obispo's and Santa Barbara's SWP Water from Reach 31A of the California Aqueduct through Berrenda Mesa's Pump Station A, its afterbay, and into its Canal, to DWR's temporary pumping facilities at milepost 14.83 of the Berrenda Mesa Canal.
  - c. DWR will deliver San Luis Obispo's and Santa Barbara's SWP Water from DWR's temporary pumping facilities at milepost 14.83 of the Berrenda Mesa Canal through DWR's temporary ground surface pipelines to approximately milepost 18.02 of the Coastal Branch.
4. Berrenda Mesa is solely responsible for operating Berrenda Mesa's facilities and for the delivery of water through Berrenda Mesa's facilities under this Agreement.
5. DWR is solely responsible for operating the SWP facilities and for delivery of water through the SWP facilities under this Agreement.
6. DWR will coordinate all field operations under this Agreement with Berrenda Mesa, including but not limited to: starting and stopping temporary withdrawals from Berrenda Mesa's Canal, rates of withdrawal, expected duration of the temporary operation, and any other logistical needs to accomplish water deliveries under this Agreement. Such coordination should be accomplished daily or as needed. Coordination should be made at least among the following points of contact:
  - a. Steve Bottoms  
Berrenda Mesa Water District  
Operations and Maintenance Superintendent  
SBottoms@westsidewa.org  
(661) 797-2671
  - b. Area Control Center  
Department of Water Resources  
(661) 858-5750  
Primary POC: John Kastner

### **WATER DELIVERY ACCOUNTING**

7. In coordination with KCWA, Berrenda Mesa will measure the volume of all water delivered through KCWA's turnout(s) in Reach 31A of the California Aqueduct into Pump Station A, and Berrenda Mesa will account for the volume of water being delivered to its customers downstream of Pump Station A.
8. DWR will measure and account for the volume of SWP Water withdrawn from the Berrenda Mesa Canal using the temporary pumping facilities installed at approximately milepost 14.83 of the Berrenda Mesa Canal.
9. It is expected that the volume of water being delivered to Berrenda Mesa's customers from Pump Station A should be approximately equal to the volume of water being delivered through KCWA's turnout(s) in Reach 31A minus the volume of SWP Water withdrawn from the Berrenda Mesa Canal by DWR's temporary pumping facilities.
10. If the mathematical calculation of SWP Water withdrawn from the Berrenda Mesa Canal, described in Paragraph 9, is more than 1 acre-foot different than DWR's measured volume withdrawn, described in Paragraph 8, the Parties shall meet and confer, in accordance with Paragraph 19, to mutually agree on the volume of water to be used for charges applied under this Agreement.

### **WATER DELIVERY RECORDS**

11. DWR, Berrenda Mesa, and KCWA will maintain adequate records accounting for the components necessary to determine the delivery of San Luis Obispo's and Santa Barbara's water under this Agreement.

### **CHARGES**

12. On behalf of San Luis Obispo and Santa Barbara, CCWA shall pay to Berrenda Mesa all charges associated with the delivery of each acre foot of SWP Water through Berrenda Mesa's facilities under this Agreement. Berrenda Mesa will invoice CCWA directly, and the charges under this paragraph will not be included in DWR's SWP Statements of Charges.
13. San Luis Obispo and Santa Barbara agree to pay to DWR any identified demonstrable increase in costs that would otherwise be borne by the SWP contractors not signatory to this Agreement or by DWR, as a result of activities under this Agreement. Payment terms shall be in accordance with San Luis Obispo's and Santa Barbara's respective Water Supply Contracts with DWR.
14. All payments under this Agreement not covered under San Luis Obispo's or Santa Barbara's Water Supply Contract with DWR shall be due to the biller 30 days after the date of the billing, and shall include interest if payments are delinquent by



more than 30 days at the rate of one percent per month from the due date to the date of payment.

#### **NO IMPACT**

15. This Agreement shall not be administered or interpreted in any way that would cause adverse impacts to Berrenda Mesa's water allocations, water deliveries, operations or facilities. San Luis Obispo and Santa Barbara shall be responsible, jointly and severally, as determined by Berrenda Mesa, for any adverse impacts that may result from the delivery of water under this Agreement.
16. This Agreement shall not be administered or interpreted in any way that would cause adverse impacts to SWP approved Table A water or to any other SWP approved water allocations, water deliveries, or SWP operations or facilities. This Agreement shall not impact the financial integrity of the SWP and shall not harm other SWP contractors not participating in this Agreement. San Luis Obispo and Santa Barbara shall be responsible, jointly and severally, as determined by DWR, for any adverse impacts that may result from the delivery of water under this Agreement.

#### **LIABILITY**

17. Santa Barbara and San Luis Obispo agree to defend and hold KCWA, Berrenda Mesa and DWR, their officers, directors, employees, and agents harmless from any direct or indirect loss, liability, lawsuits, cause of action, judgment or claim, and shall indemnify KCWA, Berrenda Mesa and DWR, their officers, directors, employees, and agents from all lawsuits, costs, damages, judgments, attorneys' fees, and liabilities that KCWA, Berrenda Mesa and/or DWR, its officers, directors employees and agents incur as a result of KCWA, Berrenda Mesa, and DWR approving this Agreement or providing services under this Agreement, except to the extent resulting from the sole negligence or willful misconduct of KCWA, Berrenda Mesa or DWR, or their officers, directors, employees, and agents.
18. If uncontrollable forces preclude KCWA, Berrenda Mesa, or DWR from delivering water under this Agreement, either partially or completely, then KCWA, Berrenda Mesa, and DWR are relieved from the obligation to deliver the water to the extent that KCWA, Berrenda Mesa, or DWR are reasonably unable to complete the obligation due to the uncontrollable forces. Uncontrollable forces shall include, but are not limited to, earthquakes, fires, tornadoes, floods, and other natural or human caused disasters. Santa Barbara and San Luis Obispo shall not be entitled to recover any administrative costs or other costs associated with delivery of water under this Agreement if uncontrollable forces preclude KCWA, Berrenda Mesa, or DWR from delivering the water.

## **DISPUTE RESOLUTION**

19. In the event of a dispute regarding interpretation or implementation of this Agreement, the Director of DWR and general managers of the Parties, or their authorized representatives, shall endeavor to resolve the dispute by meeting within 30 days after the request of a Party. If the dispute remains unresolved, the Parties shall use the service of a mutually acceptable consultant in an effort to resolve the dispute. Parties involved in the dispute shall share the fees and expenses of the consultant equally. If a consultant cannot be agreed upon, or if the consultant's recommendations are not acceptable to the Parties, and unless the Parties otherwise agree, the matter may be resolved by litigation and any Party may, at its option, pursue any available legal remedy including, but not limited to, injunctive and other equitable relief.

## **EXECUTION**

20. The signatories represent that they have been appropriately authorized to enter into this Agreement on behalf of the Party for whom they sign.
21. The Parties agree that this Agreement will be executed using DocuSign by electronic signature, which shall be considered an original signature for all purposes and shall have the same force and effect as an original signature.
22. All Parties will receive an executed copy of the Agreement via DocuSign after all Parties have signed.

Mr. Ray Stokes, et al

Emergency Bypass Agreement

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If the terms and conditions in the Agreement are acceptable, please sign and date using DocuSign.

Sincerely,

---

Ted Craddock  
Deputy Director  
State Water Project

ACCEPTED:

KERN COUNTY WATER AGENCY

SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

BERRENDA MESA WATER DISTRICT

SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

CENTRAL COAST WATER AUTHORITY

---

---

Name

---

Title

---

Date

**ASSIGNMENT, ASSUMPTION, INDEMNIFICATION AND RELEASE AGREEMENT**

## Emergency Bypass of Devil's Den Pumping Plant

**THIS ASSIGNMENT, ASSUMPTION, INDEMNIFICATION AND RELEASE AGREEMENT** (the "**Agreement**") made as of October 26, 2023, by and between Santa Barbara County Flood Control and Water Conservation District (the "**District**") and the Central Coast Water Authority ("**CCWA**") (each, a "**Party**" and collectively, the "**Parties**"), with reference to the following facts and intentions.

**RECITALS:**

- A. The District is party to a long-term water supply contract with the Department of Water Resources of the State of California ("**DWR**") (the "**Water Supply Contract**") that provides for the delivery of water from the State Water Project ("**SWP**") to Santa Barbara County.
- B. CCWA was formed by individual water providers located in the County of Santa Barbara pursuant to a joint exercise of powers agreement. In 1991, the District and CCWA entered into the Transfer of Financial Responsibility Agreement, which, among other things, obligates CCWA to accept responsibility for all financial obligations of the District under the Water Supply Contract. CCWA contracts with its member agencies and other water users (collectively, "**CCWA Participants**") for the delivery of SWP to the CCWA Participants.
- C. On August 11, 2023, Devil's Den Pumping Plant (DDPP) on the Coastal Branch of the California Aqueduct experienced an unplanned outage due to fire, preventing delivery of SWP water through DDPP. DWR has proposed, and Berrenda Mesa Water District has agreed to permit the temporarily delivering of SWP water through Berrenda Mesa Water District's facilities at Kern County Water Agency turnouts to bypass the DDPP ("**Emergency Bypass**"), thereby allowing uninterrupted delivery of SWP water to meet critical water demand in Santa Barbara and San Luis Obispo counties until adequate pumping capacity at DDPP is reestablished.
- D. The terms and conditions of the proposed Emergency Bypass are described in the "Emergency Bypass Agreement" between the affected parties that contract with DWR for the delivery of SWP water and DWR and which agreement provide(s) DWR's approval of the Emergency Bypass (collectively, "**DWR Agreement**"), a true and correct copy of which is attached hereto as **Exhibit A** and incorporated herein by this reference.
- E. On October 26, 2023, CCWA's Board of Directors adopted Resolution No. 23-08 approving the Emergency Bypass and agreeing to be bound by the DWR Agreement, a true and correct copy of which is attached hereto as **Exhibit B** and incorporated herein by this reference.

- F. The Emergency Bypass is exempt from the California Environmental Quality Act (“**CEQA**”) because it is an emergency project. (14 Cal. Code Regs. § 15269(b)(c); Pub. Res. Code § 21080(b)(2)(4)). Alternatively, it is not a project under the CEQA because it will not result in a direct or indirect change to the environment (Pub. Res. Code § 21065; 14 Cal. Code Regs. §§ 15061(b)(2), 15378) and is categorically exempt from pursuant to 14 Cal. Code Regs. § 15301(b) (operation, repair, maintenance and minor alteration of existing facilities) and § 15302(c) (replacement or reconstruction of existing facilities) since the activity involves installation of temporary pumping facilities to bypass a single pumping plant while the plant undergoes emergency repairs and does not involve new development or a change of land use.
- G. CCWA has requested that the District enter into the DWR Agreement “on behalf of CCWA.”
- H. The Parties desire to enter into this Agreement to set forth the rights, responsibilities and obligations of the Parties as it relates to the DWR Agreement.

## **AGREEMENT**

**NOW, THEREFORE,** in consideration of the foregoing recitals which are incorporated into the operative provisions of this Agreement by this reference, and for other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. **Assignment.** Effective as of the effective date of the DWR Agreement, the District does hereby assign, transfer, and set over to CCWA, without recourse and without representation or warranty of any kind, all of the District’s right, title and interest in, to and under the DWR Agreement and all liabilities and obligations of the District arising from or under the DWR Agreement.
2. **Assumption.** Effective as of the effective date of the DWR Agreement, CCWA accepts such assignment without recourse and without representation or warranty of any kind, and assumes all of the liabilities and obligations of the District arising from or under the DWR Agreement, including any and all obligations to make payments, indemnifications or reimbursements thereunder, and agrees to be bound by and to keep, perform and observe the terms, covenants and conditions placed on the District under the DWR Agreement. CCWA agrees to be bound by said DWR Agreement to the same extent as if it had been an original party to said instrument and accepts and agrees to perform all of the obligations of the District therein.
3. **Indemnification and Release.** CCWA hereby releases and forever acquits, discharges and holds harmless and shall indemnify the District from and against any and all liabilities (at law or in equity), obligations, liens, claims, orders, rulings, losses, damages, assessments, fines, penalties, injuries, demands, actions, judgments, suits, costs, expenses or disbursements of any kind (including reasonable attorneys’

fees and costs) which may at any time be imposed on, incurred by or asserted against the District by CCWA, any of its affiliates or any third party, based on, resulting from, in any way relating to, in connection with or arising out of the DWR Agreement, excluding any such loss or damage to the extent caused by the District's gross negligence, sole negligence, or willful misconduct.

4. **Governing Law and Jurisdiction.** The validity and interpretation of this Agreement shall be governed by the laws of the State of California.
5. **Waiver.** Any waiver or failure to declare a breach as a result of the violation of any term of this Agreement shall not constitute a waiver of that term or condition and shall not provide the basis for a claim of estoppel or waiver by any Party to that term or condition.
6. **Counterparts.** The Parties may execute this Agreement in counterpart. The Parties agree to accept electronic signatures as original signatures.
7. **Authorization.** Each signatory represents and warrants that he or she has the appropriate authorization to enter into this Agreement on behalf of the Party for whom he or she signs.
8. **Notices.** All communications or notices in connection with this Agreement shall be in writing and sent by electronic mail to the Parties as follows:

Santa Barbara County Flood Control and Water Conservation District Matthew Young, Water Agency Manager 130 East Victoria Street, Suite 200 Santa Barbara, CA 93101-2019 Tel: (805) 568-3542 wateragency@cosbpw.net	Central Coast Water Authority Ray Stokes, Executive Director 255 Industrial Way Buellton, CA 93427-9565 Tel: (805) 697-5214 ras@ccwa.com
---	---
9. **Construction and Interpretation.** The Parties agree and acknowledge that the terms of this Agreement have been negotiated by the Parties and the language used in this Agreement shall be deemed to be the language chosen by the Parties to express their mutual intent. The Agreement shall be construed without regard to any presumption or rule requiring construction against the party causing such instrument to be drafted, or in favor of the party receiving a particular benefit under this Agreement.
10. **Entire Agreement and Amendment.** This Agreement is the entire understanding of the Parties in respect of the subject matter hereof. There are no other promises, representations, agreements or warranties by any of the Parties. This Agreement may only be amended by a writing signed by all of the Parties. Each Party waives



its right to assert that this Agreement was affected by oral agreement, course of conduct, waiver or estoppel.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

*—Signatures follow on next page—*

DRAFT

**DISTRICT**

SANTA BARBARA COUNTY FLOOD  
CONTROL AND WATER CONSERVATION  
DISTRICT

\_\_\_\_\_  
Water Agency Manager

**APPROVED AS TO FORM:**  
County Counsel

By: \_\_\_\_\_  
County Counsel

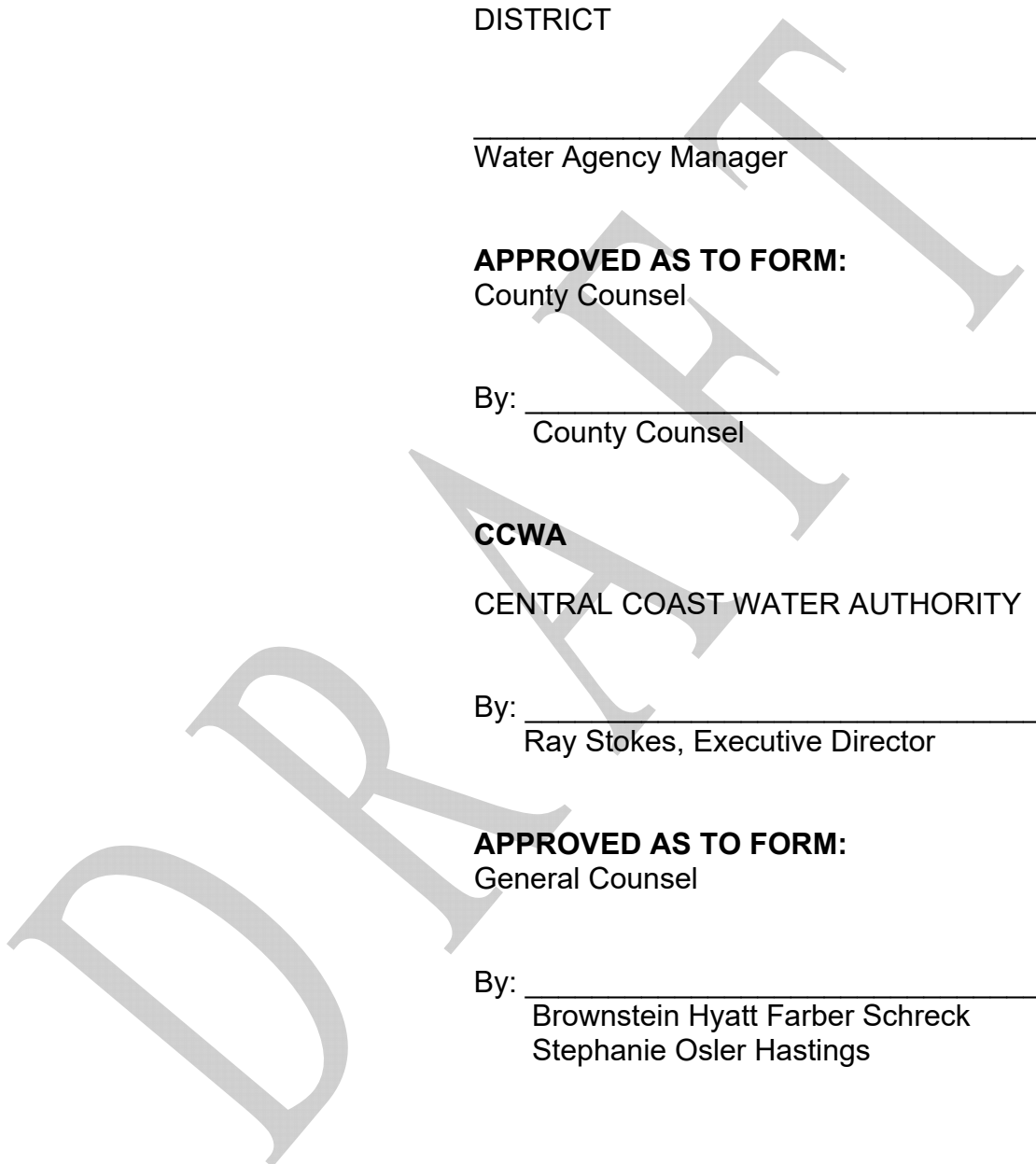
**CCWA**

CENTRAL COAST WATER AUTHORITY

By: \_\_\_\_\_  
Ray Stokes, Executive Director

**APPROVED AS TO FORM:**  
General Counsel

By: \_\_\_\_\_  
Brownstein Hyatt Farber Schreck  
Stephanie Osler Hastings



## **EXHIBIT A**

### **DWR Agreement**

DRAFT

## EXHIBIT B

CCWA Resolution No. 2023-          

DRAFT

DRAFT



## CENTRAL COAST WATER AUTHORITY

### MEMORANDUM

October 18, 2023

**TO:** CCWA Board of Directors

**FROM:** Ray A. Stokes, Executive Director

**SUBJECT:** Adoption of Resolution 23-09 Amending the CCWA Rules and Regulations Governing the Policy and Procedures for the Purchase of Services, Supplies or Equipment

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#### SUMMARY

Staff seeks Board approval of amendments to the CCWA Rules and Regulations Governing the Policy and Procedures for the Purchase of Services, Supplies or Equipment (the “**Purchasing Rules**”) to conform to state law and to facilitate the orderly purchase of services, supplies and equipment.

#### RECOMMENDATION

Staff recommends that the Board of Directors:

1. Approve and adopt Resolution No. 23-09 Amending the CCWA Rules and Regulations Governing the Policy and Procedures for the Purchase of Services, Supplies or Equipment (**Attachment A** to this Staff Report); and
2. Find that the Board’s approval of Resolution No. 23-09 does not have a potential for causing a significant effect on the environment pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (this activity is not a project as defined in section 15378).

#### DISCUSSION

##### Background:

Government Code sections 54201-54205 require local public agencies like CCWA to adopt policies and procedures, including bidding regulations, governing purchases of supplies and equipment by the local agency, but do not require such policies and procedures for the procurement of services. “Public projects,” as defined by as defined in Public Contract Code § 20161<sup>1</sup>, that are valued at more than \$5,000, must comply with the state’s competitive bidding requirements. (Pub Cont. Code §§ 20160-20162.)

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<sup>1</sup> Public Contracts Code § 20161: “(a) a project for the erection, improvement, painting or repair of public buildings and works; (b) work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow; (c) street or sewer work except maintenance or repair; (d) furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers.”

On October 18, 1991, the Authority's Board of Directors adopted Resolution 91-11 establishing Rules and Regulations Governing the Policy and Procedures for the Purchase of Services, Supplies or Equipment. Resolution 91-11 has since been amended several times, most recently by Resolution No. 19-01.

Prior to each fiscal year, commencing with July 1, CCWA's Board considers and approves a budget, which includes anticipated and current activities and their identified costs, for the next fiscal year. Thereafter, Staff collects monies from each CCWA Participant sufficient to fund the approved budget.

### **Current Rules and Regulations:**

The Purchasing Rules not apply to "public projects," and therefore the public bidding procedures in the Purchasing Rules do not apply to public projects.

The public bidding procedures contained in the Purchasing Rules apply to the procurement of services, which is not required by state law.

The Purchasing Rules authorize the Executive Director to make purchases of such items in an amount up to and including \$25,000, with spending above this amount requiring the prior approval of the Board. Purchases in excess of \$10,000 must be reported as separate line items in the "Bills for Ratification" report at the subsequent Board meeting. The current spending cap requires the Executive Director to seek Board approval for certain expenditures, even if they are within the approved budget.

### **Proposed Amendment to Rules and Regulations:**

Staff propose the following amendments to the Purchasing Rules to conform to state law and to facilitate the orderly business of CCWA by simplifying administration and reducing Board time.

1. Add additional clarification that the Purchasing Rules do not apply to any "public project" as defined in Public Contract Code § 20161.
2. Delete "services" from the public bidding requirements. Procurement of services may still require Board approval.
3. Authorizes the Executive Director to approve expenditures for any items of supplies or equipment that are identified within the Authority's approved fiscal year budget without first obtaining Board approval.<sup>2</sup>

The proposed changes are reflected in **Attachment B**.

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<sup>2</sup> The proposed amendment is consistent with Section 16(c) of the Joint Powers Agreement, which permits the Executive Director, "To authorize expenditures within the designations and limitations of the approved Budget". The proposed amendment is also in line with the authorities granted to other public agencies to spend within their approved budgets, including most recently authorization provided to sanitary districts in AB 759.

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202320240AB759](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB759) (accessed September 19, 2023)

## **ENVIRONMENTAL REVIEW**

California Environmental Quality Act (CEQA) only applies to “projects” that have the potential for causing a significant effect on the environment. A significant effect on the environment is defined as a substantial, or a potentially substantial, adverse change in the environment, and does not include an economic change by itself. (Pub. Resources Code, § 21068; Cal. Code Regs., tit. 14, § 15382.) Because this approval concerns spending authority only, and does not provide for any physical or operational changes, it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment and is exempt from CEQA under CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (this activity is not a project as defined in section 15378).

### **ATTACHMENTS:**

- A. Resolution No. 23-09 Amending the CCWA Rules and Regulations Governing the Policy and Procedures for the Purchase of Services, Supplies or Equipment
- B. Comparison of current CCWA Rules and Regulations Governing the Policy and Procedures for the Purchase of Services, Supplies or Equipment (as amended by Resolution No. 19-01) and as proposed by Resolution No. 23-09.



RESOLUTION NO. 23-09

RESOLUTION OF THE CENTRAL COAST WATER AUTHORITY  
AMENDING THE RULES AND REGULATIONS  
GOVERNING THE POLICY AND PROCEDURES FOR  
THE PURCHASE OF SERVICES, SUPPLIES OR EQUIPMENT

RECITALS

- A. California Government Code sections 54201 to 54204 require all local agencies to adopt rules and regulations governing the policies and procedures for the purchase of services, supplies or equipment.
- B. The Board of Directors of the Central Coast Water Authority (“**CCWA**”) approved Resolution 91-11 on October 18, 1991, establishing such rules and regulations and approved Resolution 93-51 on December 16, 1993, Resolution 03-07 on June 26, 2003, Resolution 16-01 on March 24, 2016, and Resolution 19-01 on October 24, 2019 amending such rules and regulations.
- C. The Board of Directors desire to further amend its rules and regulations to: (1) conform bidding procedures to state law and clarify application; (2) delete “services” from the public bidding requirements, and (3) authorize the Executive Director to make expenditures for services, supplies or equipment that are within the limits of the CCWA’s approved budget without Board approval, in addition to existing authorizations.

**NOW THEREFORE, THE BOARD OF DIRECTORS DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

**Section 2.** Approval of Amended Rules and Regulations. The Board approves the amended Rules and Regulations Governing the Policies and Procedures for the Purchase of Services, Supplies or Equipment attached hereto as **Exhibit A** and incorporated herein by this reference.

**Section 3.** CEQA Finding. The Board’s amendment of the Rules and Regulations Governing the Policies and Procedures for the Purchase of Services, Supplies or Equipment does not have a potential for causing a significant effect on the environment pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (this activity is not a project as defined in section 15378).

**Section 4.** Effective Date. This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** by the Board of Directors of the Central Coast Water Authority, this 26th day of October, 2023, by the following vote:

	VOTING PERCENTAGE	AYE	NAY	ABSTAIN	ABSENT
City of Buellton	2.21%	_____	_____	_____	_____
Carpinteria Valley Water District	7.64%	_____	_____	_____	_____
Goleta Water District	17.20%	_____	_____	_____	_____
City of Guadalupe	1.15%	_____	_____	_____	_____
Montecito Water District	9.50%	_____	_____	_____	_____
City of Santa Barbara	11.47%	_____	_____	_____	_____
City of Santa Maria	43.19%	_____	_____	_____	_____
Santa Ynez River Water Conservation District, Improvement District No. 1	7.64%	_____	_____	_____	_____

\_\_\_\_\_  
Eric Friedman,  
Chair of the Board

I hereby certify that the foregoing resolution was adopted at a regular meeting of the Central Coast Water Authority held on October 26, 2023.

ATTEST:

APPROVED AS TO FORM:  
Brownstein Hyatt Farber Schreck LLP

\_\_\_\_\_  
Elizabeth Watkins  
Secretary to the Board of Directors

\_\_\_\_\_  
Stephanie Osler Hastings

**Attachment:**

- A. Rules and Regulations Governing the Policies and Procedures for the Purchase of Services, Supplies or Equipment

**CENTRAL COAST WATER AUTHORITY  
RULES AND REGULATIONS  
GOVERNING THE POLICY AND PROCEDURES FOR THE  
PURCHASE OF SERVICES, SUPPLIES OR EQUIPMENT**

Pursuant to the provisions of Sections 54201 to 54204, inclusive, of the Government Code of the State of California, the following shall constitute the Rules and Regulations of the Central Coast Water Authority (“**CCWA**”) Governing the Policies and Procedures for the Purchase of Services, Supplies and Equipment (“**Rules and Regulations**”).

1. Application.

a. Every purchase of services, supplies or equipment to be used by CCWA shall be made pursuant to these Rules and Regulations.

b. These Rules and Regulations shall not apply to an expenditure for a “public project,” as defined in California Public Contracts Code section 20161. A “public project” includes: (a) a project for the erection, improvement, painting or repair of public buildings and works; (b) work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow; (c) street or sewer work except maintenance or repair; (d) furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers. Any expenditure for a “public project” shall abide by all required state law public bidding procedures.

2. Authorization to Executive Director.

a. The Executive Director is authorized to make purchases of items of services, supplies or equipment in an amount up to and including \$25,000.

b. The Executive Director is authorized to make purchases of items of services, supplies or equipment in an amount greater than \$25,000 if: (i) the item is included in the approved Budget for the fiscal year in which the purchase is made, (ii) the expenditure does not exceed the cost identified in the approved Budget, and (iii) CCWA has available funds for such item(s).

c. Expenditures for items of services, supplies or equipment in an amount greater than \$25,000 that are not included in the approved Budget may be purchased only with the prior approval of the Board of Directors.

3. Reporting. Purchases in excess of \$10,000 must be reported as separate line items in the Bills for Ratification report at the next subsequent Board of Directors meeting after such purchase.

4. Competitive Bidding.

a. Purchase of supplies or equipment requiring expenditure of \$10,000 or less may be made without the necessity of competitive bids.

b. Whenever the expenditure required for the purchase of any item of supplies or equipment exceeds \$10,000, the purchase shall be let by contract to the lowest responsible bidder in the manner prescribed in these Rules and Regulations.

c. The Board of Directors authorizes the Executive Director at his or her discretion, to procure bids for the purchase of supplies or equipment by either one of the following methods:

(i) By publication of a notice inviting bids at least once in a newspaper of general circulation printed and published in the County of Santa Barbara. Such notice shall state the time and place for the opening of bids and shall state the specifications for the supplies or equipment to be purchased. The publication must be made at least ten (10) days prior to the time set for the opening of bids. In addition to publication, the Executive Director may notify prospective bidders by letter or telephone that bids are being called for the purchase of supplies or equipment. At the time and place fixed for the opening of bids, the bids shall be opened before the Executive Director, the bids tabulated, and either: (i) if the lowest responsible bid is in the amount of \$25,000 or less, the Executive Director may award the contract to the lowest responsible bidder, or (ii) if the lowest responsible bid is less than or equal to the cost included in the approved Budget for the applicable supplies or equipment, then the Executive Director may award the contract to the lowest responsible bidder, or (iii) if the lowest responsible bid is not included in the approved Budget for the applicable supplies or equipment or is greater than the cost included in the approved Budget t, the contract of purchase shall be submitted to the Board of Directors for award to the lowest responsive bidder.

(ii) In lieu of publication, the Executive Director may submit specifications to at least three prospective bidders and to request that bids be submitted at least ten days after the request for bids. The Executive Director may request bids from more than three suppliers/contractors and shall furnish the necessary information to all suppliers/contractors who request such information. The Executive Director shall open the bids at the time and place set for such bid opening and the bids tabulated, and the contract of purchase shall be submitted to the Board of Directors for award to the lowest responsive bidder.

d. Notwithstanding anything to the contrary contained herein, the CCWA Board of Directors reserves the right to reject any and all bids and to authorize the Executive Director to purchase the necessary equipment and supplies on the open market.

5. Cooperative Purchasing Programs. Notwithstanding anything to the contrary contained herein, and in lieu of the bid requirements in Section 4 above, the CCWA may participate in cooperative purchasing arrangements and programs established by federal, state, or other public agencies. If the purchase price is in the amount of \$25,000 or less or within the approved Budget, the Executive Director may award the contract to the selected vendor, or (ii) if the purchase price is not in an amount within the approved Budget, the contract of purchase shall be submitted to the Board of Directors for award to the selected vendor.

6. Emergencies. If, in the judgment of the Executive Director, services, supplies and/or equipment are needed in order to make emergency repairs, construction or maintenance, which emergency will not allow the normal procedure of calling for bids or securing the approval of the Board of Directors, as required by these Rules and Regulations, the Executive Director may, with the approval of the Chair or Vice Chair of the Board, purchase all necessary services, supplies and equipment in the open market without Board approval or the necessity of calling for bids. The Executive Director shall make a complete report of the circumstances constituting the emergency to the Board of Directors at its next meeting following the purchase of said services, supplies and equipment.

**CENTRAL COAST WATER AUTHORITY  
RULES AND REGULATIONS  
GOVERNING THE POLICY AND PROCEDURES FOR THE  
PURCHASE OF SERVICES, SUPPLIES OR EQUIPMENT**

Pursuant to the provisions of Sections 54201 to 54204, inclusive, of the Government Code of the State of California, the following shall constitute the Rules and Regulations of the Central Coast Water Authority (“**CCWA**”) Governing the Policies and Procedures for the Purchase of Services, Supplies and Equipment (“**Rules and Regulations**”).

1. Application.

a. ~~1.~~ Every purchase of services, supplies or equipment to be used by ~~the~~ CCWA shall be made pursuant to these Rules and Regulations.

b. These Rules and Regulations shall not apply to an expenditure for a “public project,” as defined in California Public Contracts Code ~~see section~~ 20161. A “public project” includes: (a) a project for the erection, improvement, painting or repair of public buildings and works; (b) work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow; (c) street or sewer work except maintenance or repair; (d) furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers. Any expenditure for a “public project” shall abide by all required state law public bidding procedures.

2. Authorization to Executive Director.

a. ~~2.~~ The Executive Director is authorized to make purchases of items of services, supplies or equipment in an amount up to and including \$25,000. ~~Except as provided in these Rules and Regulations, no~~

b. The Executive Director is authorized to make purchases of items of services, supplies or equipment in an amount greater than \$25,000 if: (i) the item is included in the approved Budget for the fiscal year in which the purchase is made, (ii) the expenditure does not exceed the cost identified in the approved Budget, and (iii) CCWA has available funds for such item(s).

c. Expenditures for items of services, supplies or equipment in ~~excess of an amount greater than~~ \$25,000 that are not included in the approved Budget may be purchased ~~without~~ only with the prior approval of the Board of Directors.

3. Reporting. Purchases in excess of \$10,000 must be reported as separate line items in the Bills for Ratification report at the next subsequent Board of Directors meeting after such purchase.

4. Competitive Bidding.

a. ~~3.~~ Purchase of ~~services,~~ supplies or equipment requiring expenditure of \$10,000 or less may be made without the necessity of competitive bids.

b. ~~4.~~ Whenever the expenditure required for the purchase of any item of ~~services,~~ supplies or equipment exceeds \$10,000, the purchase shall be let by contract to the lowest responsible bidder in the manner prescribed in these Rules and Regulations.

c. ~~5.~~ The Board of Directors authorizes the Executive Director at his or her discretion, to procure bids for the purchase of ~~services,~~ supplies or equipment by either one of the following methods:

(i) ~~a.~~ By publication of a notice inviting bids at least once in a newspaper of general circulation printed and published in the County of Santa Barbara. Such notice shall state the time and place for the opening of bids and shall state the specifications for the ~~services,~~ supplies or equipment to be purchased. The publication must be made at least ten (10) days prior to the time set for the opening of bids. In addition to publication, the Executive Director may notify prospective bidders by letter or telephone that bids are being called for the purchase of ~~services,~~ supplies or equipment. At the time and place fixed for the opening of bids, the bids shall be opened before the Executive Director, the bids tabulated, and either: (i) if the lowest responsible bid is in the amount of \$25,000 or less, the Executive Director may award the contract to the lowest responsible bidder, or (ii) if the lowest responsible bid is ~~in the amount exceeding \$25,000~~ less than or equal to the cost included in the approved Budget for the applicable supplies or equipment, then the Executive Director may award the contract to the lowest responsible bidder, or (iii) if the lowest responsible bid is not included in the approved Budget for the applicable supplies or equipment or is greater than the cost included in the approved Budget t, the contract of purchase shall be submitted to the Board of Directors for award to the lowest ~~responsible~~ responsive bidder.

(ii) ~~b.~~ ~~The Executive Director, in~~ In lieu of publication, the Executive Director may submit specifications to at least three prospective bidders and to request that bids be submitted at least ten days after the request for bids. The Executive Director may request bids from more than three suppliers/contractors and shall furnish the necessary information to all suppliers/contractors who request such information. The Executive Director shall open the bids at the time and place set for such bid opening and the bids tabulated, and the contract of purchase shall be submitted to the Board of Directors for award to the lowest ~~responsible~~ responsive bidder.

d. ~~e.~~ Notwithstanding anything to the contrary ~~in these Rules and Regulations,~~ the Executive Director is authorized to award and execute any contract of purchase for chemical compounds and solutions or for other items specifically identified in the CCWA's budget without submitting such contract of purchase to the contained herein, the CCWA Board of Directors, ~~provided the cost for such chemicals does not exceed the available funds in the CCWA's approved budget for such chemicals or the cost for other items does not exceed the lesser of (i) \$75,000 or (ii) the available funds in the CCWA's approved budget for such items.~~ reserves the right to reject any and all bids and to authorize the Executive Director to purchase the necessary equipment and supplies on the open market.

5. ~~6.~~ Cooperative Purchasing Programs. Notwithstanding anything to the contrary contained herein, and in lieu of the bid requirements in ~~sections~~ Section 4 ~~and 5,~~ above, the CCWA may participate in cooperative purchasing arrangements and programs established by federal, state, or other public agencies. If the purchase price is in the amount of \$25,000

or less or within the approved Budget, the Executive Director may award the contract to the selected vendor, or (ii) if the purchase price is not in ~~the an~~ amount ~~exceeding \$25,000~~ within the approved Budget, the contract of purchase shall be submitted to the Board of Directors for award to the selected vendor.

~~7. Notwithstanding anything to the contrary contained herein, the CCWA Board of Directors reserves the right to reject any and all bids and to authorize the Executive Director to purchase the necessary equipment and supplies on the open market.~~

6. ~~8. Emergencies.~~ If, in the judgment of the Executive Director, services, supplies and/or equipment are needed in order to make emergency repairs, construction or maintenance, which emergency will not allow the normal procedure of calling for bids or securing the approval of the Board of Directors, as required by these Rules and Regulations, the Executive Director may, with the approval of the ~~Chairman~~ Chair or Vice ~~Chairman~~ Chair of the Board, purchase all necessary services, supplies and equipment in the open market without Board approval or the necessity of calling for bids. The Executive Director shall make a complete report of the circumstances constituting the



emergency to the Board of Directors at its next meeting following the purchase of said services, supplies and equipment.



## CENTRAL COAST WATER AUTHORITY

### MEMORANDUM

October 26, 2023

**TO:** CCWA Board of Directors

**FROM:** Dessi Mladenova  
Controller

**SUBJECT:** DWR Calendar Year 2024 Statement of Charges Rebill

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#### SUMMARY

DWR released the calendar year 2024 Statement of Charges (SOC) on July 1, 2023, as required under the water supply contract. On October 1<sup>st</sup>, 2023 DWR released the 2024 SOC Rebill. This report will discuss the revisions in the SOC Rebill and a comparison of the amounts used to prepare the FY 2023/24 CCWA Budget and the charges in the Rebill.

#### DISCUSSION

Full rate management credits of \$3,337,674 for Calendar year 2024 were restored. The credits which offset cost in the Transportation Conservation (Delta Water Charge A) and Transportation Capital were already accounted for in the presentation to the Board on July 27, 2023.

Delta Water Charge B rate per AF increased from \$51.42/AF to \$52.12/AF.

Transportation Minimum cost was reduced by \$ 598,314 for the fiscal year, mostly due to a decrease in the Over/Under true-up in CY 2024 from \$2,049,865 to \$972,059.

There were no changes in the Coastal Branch Extension and Water System Revenue Bond cost centers.

The updated summary table below is reflective of the changes in the 2024 SOC Rebill.

FY 2023/24 DWR Fixed costs reconciliation schedule							
Project Participant	Water System Revenue Bond Credits (Due)	Delta Water Charge Credits (Due)	Transportation Capital Credits (Due)	Coastal Branch Credits (Due)	Transportation Minimum Credits (Due)	Transportation Minimum & DWC Over allocated Budget Credits (Due)	FY 2023-24 Total Credits (Due)
Guadalupe	\$ (2,756)	\$ 4,543	\$ 819	\$ -	\$ (12,888)	\$ (7,134)	\$ (17,416)
Santa Maria	(81,597)	134,037	24,113	4,135	(386,808)	(394,618)	(700,737)
Golden State Water	(2,637)	4,090	744	242	(12,625)	(0)	(10,186)
Vandenberg AFB	(27,557)	45,434	8,187	4,012	(131,816)	(102,856)	(204,597)
Buellton	(2,924)	4,693	860	520	(13,435)	(15,079)	(25,364)
Solvang (Billed to SY)	(7,272)	11,611	1,855	947	(34,564)	(23,132)	(50,555)
Santa Ynez ID#1	(2,914)	(0)	1,122	181	(0)	(279,255)	(280,865)
Goleta	(27,600)	54,830	7,260	3,246	(117,293)	(18,371)	(97,928)
Morehart Land Co.	(837)	1,816	298	153	(5,336)	(4,275)	(8,181)
La Cumbre	(5,274)	8,179	1,488	766	(23,822)	(0)	(18,662)
Raytheon	(119)	454	74	(63)	(1,691)	(985)	(2,329)
Santa Barbara	(15,097)	24,987	4,465	1,895	(71,546)	(0)	(55,296)
Montecito	(15,097)	24,987	4,465	1,895	(71,546)	(29,073)	(84,369)
Carpinteria	(10,186)	16,358	2,977	1,532	(47,645)	(17,766)	(54,729)
<b>TOTAL:</b>	<b>\$ (201,866)</b>	<b>\$ 336,018</b>	<b>\$ 58,729</b>	<b>\$ 19,462</b>	<b>\$ (931,013)</b>	<b>\$ (892,545)</b>	<b>\$ (1,611,216)</b>

In total, the fixed cost charges are \$1.6 Million higher than the estimates used in the FY 2023/24 Budget. The additional charges due for FY 2023/24 fixed DWR costs will be invoiced in December 2023 and due by January 1st. Project participants can use their available DWR reserve fund balances to cover the shortfall or send a check or a wire payment instead. We will be contacting each of the project participants to determine their preference.

Additional payments by participant			
Project Participant	DWR Reserve Fund Balance As of 9/30/23	Total FY 2023/24 Credit (Due)	Payment due by participant after DWR fund transfer
Guadalupe	\$ 144,120	\$ (17,416)	no payment
Santa Maria	4,299,578	(700,737)	no payment
Golden State Water	103,940	(10,186)	no payment
<b>Vandenberg AFB</b>	0	(204,597)	(204,597)
Buellton	151,458	(25,364)	no payment
Solvang (Billed to SY)	393,009	(50,555)	no payment
<b>Santa Ynez ID#1</b>	185,110	(280,865)	(95,755)
<b>Goleta</b>	0	(97,928)	(97,928)
Morehart Land Co.	51,033	(8,181)	no payment
La Cumbre	192,688	(18,662)	no payment
Raytheon	12,600	(2,329)	no payment
Santa Barbara	483,966	(55,296)	no payment
<b>Montecito</b>	0	(84,369)	(84,369)
<b>Carpinteria</b>	0	(54,729)	(54,729)
<b>TOTAL:</b>	<b>\$ 6,017,502</b>	<b>\$ (1,611,216)</b>	<b>(537,378)</b>

Note\* VSFB,GWD,MWD and CVWD do not participate in the DWR reserve fund

DHM




## CENTRAL COAST WATER AUTHORITY

### MEMORANDUM

October 26, 2023

**TO:** CCWA Board of Directors

**FROM:** Ray A. Stokes  
Executive Director 

**SUBJECT:** FY 2023/24 First Quarter Investment Report

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#### SUMMARY

Attached is the first quarter FY 2023/24 investment report covering the three-month period of July to September 2023. In accordance with the CCWA Statement of Investment Policy, the quarterly report includes a statement of compliance of the portfolio with the investment policy and confirmation of the Authority's ability to meet expenditure requirements for the next six months.

#### DISCUSSION

As of September 30, 2023 the investment portfolio totaled \$58.1 million and had an effective rate of return of 5.13% on an average daily balance for the month of September 2023 of about \$61.6 million. The investments were comprised of Montecito Bank & Trust money market accounts (\$1.6 million), Charles Schwab market funds of \$34.9 million and Treasuries of \$21.6 million.

All investments during the quarter complied with the CCWA investment policy provisions.

#### CASH MANAGEMENT PRO FORMA PROJECTIONS

Current pro forma projections indicate that the Authority will have sufficient cash with which to operate for the next six months.

#### RECOMMENDATION

That the Board of Directors approve the first quarter FY 2023/24 investment report.

RAS  
Attachments



## Investment Portfolio Portfolio Management Portfolio Summary September 30, 2023

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Pool-Money Market Accounts	1,576,144.73	1,576,144.73	1,576,144.73	2.71	1	1	1.746	1.770
T-Bills	22,000,000.00	21,650,624.84	21,650,624.84	37.24	182	109	5.388	5.463
Treasury Money Market fund account	34,918,961.13	34,918,961.13	34,918,961.13	60.05	1	1	4.862	4.930
<b>Investments</b>	<b>58,495,105.86</b>	<b>58,145,730.70</b>	<b>58,145,730.70</b>	<b>100.00%</b>	<b>68</b>	<b>41</b>	<b>4.974</b>	<b>5.043</b>

Total Earnings	September 30 Month Ending	Fiscal Year To Date
Current Year	259,634.67	749,767.97
<b>Average Daily Balance</b>	<b>61,611,980.21</b>	
<b>Effective Rate of Return</b>	<b>5.13%</b>	

October 17, 2023

Ray A. Stokes, Executive Director/Treasurer



**Investment Pool  
Total Return  
Sorted by Fund - Investment Number  
September 1, 2023 - September 30, 2023  
Yield on Time Weighted Value**

CUSIP	Investment #	Fund	Investment Class	Beginning Invested Value	Time Weighted Invested Value	Ending Invested Value	Maturity Date	Current Rate	Total Return	Investment Income		
										Interest Earned	Adjustment in Value	Net Investment Income
<b>Fund: General Account</b>												
SYS10.0000	10.0000	0000	Amortized	14,655,367.06	13,759,546.42	13,994,514.08		5.314	5.314	60,092.69	0.00	60,092.69
<b>Subtotal</b>				<b>14,655,367.06</b>	<b>13,759,546.42</b>	<b>13,994,514.08</b>			<b>5.314</b>	<b>60,092.69</b>	<b>0.00</b>	<b>60,092.69</b>
<b>Fund: Credits Payable</b>												
SYS70.BUEL	70.BUEL	CREDIT	Amortized	32.21	32.21	32.29		5.288	5.288	0.14	0.00	0.14
SYS70.CARP	70.CARP	CREDIT	Amortized	3,065.36	3,065.63	3,073.42		5.315	5.314	13.39	0.00	13.39
SYS70.CHORRO	70.CHORRO	CREDIT	Amortized	78.55	78.56	78.74		5.266	5.266	0.34	0.00	0.34
SYS70.GOLETA	70.GOLETA	CREDIT	Amortized	54.38	54.38	54.52		5.370	5.369	0.24	0.00	0.24
SYS70.GUAD	70.GUAD	CREDIT	Amortized	15.10	15.10	15.14		5.640	5.640	0.07	0.00	0.07
SYS70.LACUMB	70.LACUMB	CREDIT	Amortized	10.76	10.76	10.79		5.654	5.653	0.05	0.00	0.05
SYS70.LOPEZ	70.LOPEZ	CREDIT	Amortized	83.92	83.93	84.12		5.364	5.364	0.37	0.00	0.37
SYS70.MONT	70.MONT	CREDIT	Amortized	5,471.33	5,471.81	5,485.71		5.315	5.314	23.90	0.00	23.90
SYS70.MORHRT	70.MORHRT	CREDIT	Amortized	2.01	2.01	2.02		6.053	6.052	0.01	0.00	0.01
SYS70.SBAR	70.SBAR	CREDIT	Amortized	8.18	8.18	8.20		5.949	5.949	0.04	0.00	0.04
SYS70.SBRC	70.SBRC	CREDIT	Amortized	0.48	0.48	0.48		2.867		0.00	0.00	0.00
SYS70.SHAN	70.SHAN	CREDIT	Amortized	41.48	41.48	41.59		5.280	5.279	0.18	0.00	0.18
SYS70.SLOC	70.SLOC	CREDIT	Amortized	-0.09	-0.09	-0.09		0.698		0.00	0.00	0.00
SYS70.SMARIA	70.SMARIA	CREDIT	Amortized	42,910.18	42,913.93	43,022.65		5.314	5.313	187.40	0.00	187.40
SYS70.SOCAL	70.SOCAL	CREDIT	Amortized	58.11	58.12	58.26		5.234	5.234	0.25	0.00	0.25
SYS70.SOLV	70.SOLV	CREDIT	Amortized	30.98	30.98	31.06		5.498	5.498	0.14	0.00	0.14
SYS70.SYNEZ	70.SYNEZ	CREDIT	Amortized	1,927.89	1,928.05	1,932.70		5.314	5.313	8.42	0.00	8.42
SYS70.VAFB	70.VAFB	CREDIT	Amortized	1,667.72	1,667.86	1,671.94		5.311	5.311	7.28	0.00	7.28
<b>Subtotal</b>				<b>55,458.55</b>	<b>55,463.38</b>	<b>55,603.54</b>			<b>5.313</b>	<b>242.22</b>	<b>0.00</b>	<b>242.22</b>
<b>Fund: DWR &amp; Warren Act Deposits</b>												
SYS60.BUEL	60.BUEL	DWR	Amortized	399,957.85	406,987.66	332,247.42		5.314	5.314	1,777.43	0.00	1,777.43
SYS60.CARP	60.CARP	DWR	Amortized	1,581,448.16	1,564,260.77	1,322,841.73		5.314	5.314	6,831.57	0.00	6,831.57
SYS60.GOLETA	60.GOLETA	DWR	Amortized	3,924,489.39	3,861,312.62	3,307,818.81		5.314	5.314	16,863.45	0.00	16,863.45
SYS60.GUAD	60.GUAD	DWR	Amortized	350,360.29	366,101.94	355,519.27		5.314	5.314	1,598.87	0.00	1,598.87
SYS60.LACUMB	60.LACUMB	DWR	Amortized	818,135.66	816,938.51	697,783.70		5.314	5.314	3,567.80	0.00	3,567.80
SYS60.MONT	60.MONT	DWR	Amortized	2,370,134.11	2,345,357.94	1,971,946.85		5.314	5.314	10,242.85	0.00	10,242.85

**Investment Pool**  
**Total Return**  
**Sorted by Fund - Investment Number**

CUSIP	Investment #	Fund	Investment Class	Beginning Invested Value	Time Weighted Invested Value	Ending Invested Value	Maturity Date	Current Rate	Total Return	Investment Income		
										Interest Earned	Adjustment in Value	Net Investment Income
<b>Fund: DWR &amp; Warren Act Deposits</b>												
SYS60.MORHRT	60.MORHRT	DWR	Amortized	158,977.33	156,179.93	131,801.08		5.314	5.314	682.08	0.00	682.08
SYS60.SBAR	60.SBAR	DWR	Amortized	2,451,657.30	2,409,085.85	2,030,638.24		5.314	5.314	10,521.17	0.00	10,521.17
SYS60.SBRC	60.SBRC	DWR	Amortized	198,218.73	197,571.79	192,102.98		5.314	5.314	862.86	0.00	862.86
SYS60.SMARIA	60.SMARIA	DWR	Amortized	10,608,890.57	10,622,460.62	9,618,746.87		5.314	5.314	46,391.22	0.00	46,391.22
SYS60.SOCAL	60.SOCAL	DWR	Amortized	333,028.73	335,910.73	294,682.50		5.314	5.314	1,467.01	0.00	1,467.01
SYS60.SOLV	60.SOLV	DWR	Amortized	1,090,055.55	1,067,810.86	868,796.28		5.314	5.314	4,663.42	0.00	4,663.42
SYS60.SYNEZ	60.SYNEZ	DWR	Amortized	172,981.28	166,348.97	107,156.73		5.314	5.313	726.46	0.00	726.46
SYS60.VAFB	60.VAFB	DWR	Amortized	5,111,235.96	5,107,487.86	4,483,079.11		5.314	5.314	22,305.90	0.00	22,305.90
<b>Subtotal</b>				<b>29,569,570.91</b>	<b>29,423,816.05</b>	<b>25,715,161.57</b>			<b>5.314</b>	<b>128,502.09</b>	<b>0.00</b>	<b>128,502.09</b>
<b>Fund: Escrow Deposits</b>												
SYS65.MORHRT	65.MORHRT	ESCROW	Amortized	412,160.52	412,196.62	413,243.60		5.314	5.314	1,800.20	0.00	1,800.20
SYS65.SBRC	65.SBRC	ESCROW	Amortized	110,062.05	110,071.69	110,351.27		5.314	5.314	480.72	0.00	480.72
<b>Subtotal</b>				<b>522,222.57</b>	<b>522,268.31</b>	<b>523,594.87</b>			<b>5.314</b>	<b>2,280.92</b>	<b>0.00</b>	<b>2,280.92</b>
<b>Fund: DWR Reserve Fund</b>												
SYS45.AVBCH	45.AVBCH	NARES	Amortized	0.00	0.00	0.00		3.364		0.00	0.00	0.00
SYS45.AVLWTR	45.AVLWTR	NARES	Amortized	0.00	0.00	0.00		3.576		0.00	0.00	0.00
SYS45.BUEL	45.BUEL	NARES	Amortized	150,074.48	150,087.63	150,468.85		5.314	5.314	655.48	0.00	655.48
SYS45.CAMC	45.CAMC	NARES	Amortized	0.00	0.00	0.00		3.349		0.00	0.00	0.00
SYS45.CARP	45.CARP	NARES	Amortized	0.00	0.00	0.00		3.359		0.00	0.00	0.00
SYS45.CUESTA	45.CUESTA	NARES	Amortized	0.00	0.00	0.00		3.300		0.00	0.00	0.00
SYS45.GOLETA	45.GOLETA	NARES	Amortized	0.00	0.00	0.00		3.359		0.00	0.00	0.00
SYS45.GUAD	45.GUAD	NARES	Amortized	142,803.15	142,815.66	143,178.41		5.314	5.314	623.72	0.00	623.72
SYS45.LACUMB	45.LACUMB	NARES	Amortized	190,927.77	190,944.49	191,429.50		5.314	5.314	833.92	0.00	833.92
SYS45.MONT	45.MONT	NARES	Amortized	0.00	0.00	0.00		3.359		0.00	0.00	0.00
SYS45.MORBAY	45.MORBAY	NARES	Amortized	0.00	0.00	0.00		3.359		0.00	0.00	0.00
SYS45.MORHRT	45.MORHRT	NARES	Amortized	50,566.83	50,571.26	50,699.71		5.314	5.314	220.86	0.00	220.86
SYS45.OCEANO	45.OCEANO	NARES	Amortized	0.00	0.00	0.00		3.352		0.00	0.00	0.00
SYS45.PISMO	45.PISMO	NARES	Amortized	0.00	0.00	0.00		3.365		0.00	0.00	0.00
SYS45.SBAR	45.SBAR	NARES	Amortized	479,545.50	479,587.51	480,805.66		5.314	5.314	2,094.52	0.00	2,094.52
SYS45.SBRC	45.SBRC	NARES	Amortized	12,484.71	12,485.80	12,517.52		5.314	5.314	54.53	0.00	54.53
SYS45.SHAN	45.SHAN	NARES	Amortized	0.00	0.00	0.00		3.305		0.00	0.00	0.00
SYS45.SLOC	45.SLOC	NARES	Amortized	0.00	0.00	0.00		3.347		0.00	0.00	0.00
SYS45.SLSCHL	45.SLSCHL	NARES	Amortized	0.00	0.00	0.00		2.931		0.00	0.00	0.00
SYS45.SMARIA	45.SMARIA	NARES	Amortized	4,260,303.26	4,260,676.44	4,271,498.59		5.314	5.314	18,607.77	0.00	18,607.77

**Investment Pool**  
**Total Return**  
**Sorted by Fund - Investment Number**

CUSIP	Investment #	Fund	Investment Class	Beginning Invested Value	Time Weighted Invested Value	Ending Invested Value	Maturity Date	Current Rate	Total Return	Investment Income		
										Interest Earned	Adjustment in Value	Net Investment Income
<b>Fund: DWR Reserve Fund</b>												
SYS45.SMGLTO	45.SMGLTO	NARES	Amortized	0.00	0.00	0.00		3.322		0.00	0.00	0.00
SYS45.SOCAL	45.SOCAL	NARES	Amortized	102,991.22	103,000.24	103,261.86		5.314	5.314	449.84	0.00	449.84
SYS45.SOLV	45.SOLV	NARES	Amortized	389,418.63	389,452.74	390,441.96		5.314	5.314	1,700.87	0.00	1,700.87
SYS45.SYNEZ	45.SYNEZ	NARES	Amortized	183,419.31	183,435.38	183,901.30		5.314	5.314	801.12	0.00	801.12
SYS45.VAFB	45.VAFB	NARES	Amortized	0.00	0.00	0.00		3.359		0.00	0.00	0.00
<b>Subtotal</b>				<b>5,962,534.86</b>	<b>5,963,057.15</b>	<b>5,978,203.36</b>			<b>5.314</b>	<b>26,042.63</b>	<b>0.00</b>	<b>26,042.63</b>
<b>Fund: O&amp;M Reserve Fund</b>												
35.BUEL	35.BUEL	O&M	Amortized	29,878.75	29,881.37	29,957.27		5.314	5.314	130.50	0.00	130.50
35.CARP	35.CARP	O&M	Amortized	103,388.16	103,397.22	103,659.84		5.314	5.314	451.57	0.00	451.57
35.GOLETA	35.GOLETA	O&M	Amortized	232,625.31	232,645.69	233,236.61		5.314	5.314	1,016.04	0.00	1,016.04
35.GUAD	35.GUAD	O&M	Amortized	28,431.91	28,434.40	28,506.62		5.314	5.313	124.18	0.00	124.18
35.LACUMB	35.LACUMB	O&M	Amortized	52,035.19	52,039.75	52,171.93		5.314	5.313	227.27	0.00	227.27
35.MONT	35.MONT	O&M	Amortized	155,556.40	155,570.03	155,965.18		5.314	5.314	679.43	0.00	679.43
35.MORHRT	35.MORHRT	O&M	Amortized	10,338.53	10,339.44	10,365.70		5.315	5.314	45.16	0.00	45.16
35.SBAR	35.SBAR	O&M	Amortized	156,123.40	156,137.08	156,533.67		5.314	5.314	681.90	0.00	681.90
35.SBRC	35.SBRC	O&M	Amortized	2,584.68	2,584.91	2,591.47		5.314	5.314	11.29	0.00	11.29
35.SMARIA	35.SMARIA	O&M	Amortized	837,448.83	837,522.19	839,649.48		5.314	5.314	3,657.73	0.00	3,657.73
35.SOCAL	35.SOCAL	O&M	Amortized	26,020.57	26,022.85	26,088.95		5.314	5.314	113.65	0.00	113.65
35.SOLV	35.SOLV	O&M	Amortized	77,541.02	77,547.81	77,744.78		5.314	5.314	338.68	0.00	338.68
35.SYNEZ	35.SYNEZ	O&M	Amortized	25,847.01	25,849.27	25,914.93		5.314	5.313	112.89	0.00	112.89
35.VAFB	35.VAFB	O&M	Amortized	284,336.61	284,361.52	285,083.79		5.314	5.314	1,241.90	0.00	1,241.90
<b>Subtotal</b>				<b>2,022,156.37</b>	<b>2,022,333.53</b>	<b>2,027,470.22</b>			<b>5.314</b>	<b>8,832.19</b>	<b>0.00</b>	<b>8,832.19</b>
<b>Fund: Rate Coverage Reserve Fund</b>												
40.BUEL	40.BUEL	RATE	Amortized	277,620.23	277,644.55	278,349.76		5.314	5.314	1,212.56	0.00	1,212.56
40.CARP	40.CARP	RATE	Amortized	868,432.03	868,508.10	870,714.11		5.314	5.314	3,793.06	0.00	3,793.06
40.GUAD	40.GUAD	RATE	Amortized	192,934.25	192,951.15	193,441.24		5.314	5.314	842.68	0.00	842.68
40.LACUMB	40.LACUMB	RATE	Amortized	407,092.64	407,128.30	408,162.41		5.314	5.314	1,778.06	0.00	1,778.06
40.MONT	40.MONT	RATE	Amortized	1,508,989.88	1,509,122.06	1,512,955.22		5.314	5.314	6,590.83	0.00	6,590.83
40.OCEANO	40.OCEANO	RATE	Amortized	-0.02	-0.02	-0.02		0.631		0.00	0.00	0.00
40.SHAN	40.SHAN	RATE	Amortized	15,866.94	15,868.33	15,908.63		5.314	5.313	69.30	0.00	69.30
40.SMARIA	40.SMARIA	RATE	Amortized	5,218,597.62	5,219,054.74	5,232,311.11		5.314	5.314	22,793.32	0.00	22,793.32
40.SOLV	40.SOLV	RATE	Amortized	638,453.41	638,509.33	640,131.15		5.314	5.314	2,788.58	0.00	2,788.58
40.SYNEZ	40.SYNEZ	RATE	Amortized	465,574.56	465,615.34	466,798.00		5.314	5.314	2,033.49	0.00	2,033.49
<b>Subtotal</b>				<b>9,593,561.54</b>	<b>9,594,401.88</b>	<b>9,618,771.61</b>			<b>5.314</b>	<b>41,901.88</b>	<b>0.00</b>	<b>41,901.88</b>



**Investment Pool  
Total Return  
Sorted by Fund - Investment Number**

CUSIP	Investment #	Fund	Investment Class	Beginning Invested Value	Time Weighted Invested Value	Ending Invested Value	Maturity Date	Current Rate	Total Return	Investment Income		
										Interest Earned	Adjustment in Value	Net Investment Income
			Total	62,380,871.86	61,340,886.72	57,913,319.25			5.314	267,894.62	0.00	267,894.62
							Components of Return:	Interest:	5.314			
								Amortization:				
								Market Value:				

# State Water Contractors - Priority 1 10/12/2023

Agenda Item VI.H.  
Board of Directors  
October 26, 2023

**[AB 30](#)**

**(Ward D) Atmospheric rivers: research: reservoir operations.**

**Current Text:** Chaptered: 9/1/2023 [html](#) [pdf](#)

**Introduced:** 12/5/2022

**Last Amend:** 6/26/2023

**Status:** 9/1/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 134, Statutes of 2023.

**Location:** 9/1/2023-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	<b>Chaptered</b>
1st House				2nd House							

**Summary:** Current law establishes the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program in the Department of Water Resources. Current law requires the department, upon an appropriation for purposes of the program, to research climate forecasting and the causes and impacts that climate change has on atmospheric rivers, to operate reservoirs in a manner that improves flood protection, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. This bill would rename that program the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency (AR/FIRO) Program. The bill would require the department to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - S	Priority 1	ACWA - S	CMUA - F

**[AB 277](#)**

**(Rodriguez D) Extreme Weather Forecast and Threat Intelligence Integration Center.**

**Current Text:** Amended: 7/3/2023 [html](#) [pdf](#)

**Introduced:** 1/23/2023

**Last Amend:** 7/3/2023

**Status:** 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/21/2023)(May be acted upon Jan 2024)

**Location:** 9/1/2023-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	<b>2 year</b>	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law establishes the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program within the department to, upon appropriation of special fund moneys, research climate forecasting and the causes and impacts that climate change has on atmospheric rivers, to operate reservoirs in a manner that improves flood protection in the state, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. This bill would establish the State-Federal Flood Operations Center within the Department of Water Resources and would authorize the department to administer the center in the department's divisions, offices, or programs. The bill would provide that the purpose of the center is to function as the focal point for gathering, analyzing, and disseminating flood and water-related information to stakeholders and would authorize the center to take specified actions for that purpose, including to function during emergency situations to enable the department to centrally coordinate statewide emergency responses.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1	ACWA - F	CMUA - W

**[AB 305](#)**

**(Villapudua D) California Flood Protection Bond Act of 2024.**

**Current Text:** Amended: 4/25/2023 [html](#) [pdf](#)

**Introduced:** 1/26/2023

**Last Amend:** 4/25/2023

**Status:** 6/14/2023-Referred to Coms. on N.R. & W. and GOV. & F.

**Location:** 6/14/2023-S. N.R. & W.

Desk	Policy	Fiscal	Floor	Desk	<b>Policy</b>	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would enact the California Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$4,500,000,000 pursuant to the State General Obligation Bond Law for flood protection projects, as specified. The bill would provide for the submission of these provisions to the voters at the November 5, 2024, statewide general election.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		
			ACWA - F/A	

**AB 345 (Wilson D) Habitat restoration: flood control: advance payments.**

**Current Text:** Chaptered: 10/10/2023 [html](#) [pdf](#)

**Introduced:** 1/31/2023

**Last Amend:** 6/26/2023

**Status:** 10/10/2023-Signed by the Governor

**Location:** 10/10/2023-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Existing law authorizes the Department of Water Resources to make examinations of lands subject to inundation and overflow by floodwaters and of the waters causing the inundation or overflow and to make plans and estimates of the cost of works to regulate and control the floodwaters. Existing law also vests in the department charge of all expenditures unless otherwise provided by law for all public works relating to general river and harbor improvements, including reclamation and drainage of lands. Existing law authorizes the department to cooperate and contract with any agency of the state or of the United States in order to carry out its powers and purposes. This bill would authorize the department or the board to provide advance payments, as defined, to local agencies for projects that restore habitat for threatened and endangered species under state or federal law or improve flood protection, as provided. The bill would prohibit the amount of funds advanced by the department or the board to the local agency at any one time from exceeding 25% of the entire amount authorized to be provided under the funding agreement. The bill would require the project proponent to demonstrate a need for an advance payment and that the project proponent is sufficiently qualified to manage the project and the project's finances. The bill would require the funds to be spent within 6 months and would require the recipient to provide an accountability report to the department or the board on a quarterly basis, as specified.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		

**AB 356 (Mathis R) California Environmental Quality Act: aesthetic impacts.**

**Current Text:** Chaptered: 7/27/2023 [html](#) [pdf](#)

**Introduced:** 1/31/2023

**Last Amend:** 4/18/2023

**Status:** 7/27/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 116, Statutes of 2023.

**Location:** 7/27/2023-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. Current law, until January 1, 2024, specifies that, except as provided, a lead agency is not required to evaluate the aesthetic effects of a project and aesthetic effects are not considered significant effects on the environment if the project involves the refurbishment, conversion, repurposing, or replacement of an existing building that meets certain requirements. This bill would extend the operation of the above provision to January 1, 2029. The bill would require the lead agency to file a notice with the Office of Planning and Research and the county clerk of the county in which the project is located if the lead agency determines that it is not required to evaluate the aesthetic effects of a project and determines to approve or carry out that project. By imposing additional duties on lead agencies, the bill would impose a state-mandated local program.

Organization	Position	Priority	Misc1	Misc2
State Water	SWC - W	Priority 1		

**AB 400 (Rubio, Blanca D) Local agency design-build projects: authorization.**

**Current Text:** Chaptered: 9/22/2023 [html](#) [pdf](#)

**Introduced:** 2/2/2023

**Last Amend:** 6/13/2023

**Status:** 9/22/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 201, Statutes of 2023.

**Location:** 9/22/2023-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law authorizes a local agency, as defined, with approval of its governing body, to procure design-build contracts for public works projects in excess of \$1,000,000, awarding the contract either to the lowest bid or the best value. "Local agency" is defined, in part, for this purpose to include specified local and regional agencies responsible for the construction of transit projects, including any joint powers authority formed to provide transit service. Current law, among other requirements for the design-build procurement process, requires specified information submitted by a design-build entity to be certified under penalty of perjury. These provisions authorizing the use of the design-build procurement process are repealed on January 1, 2025. This bill would delete from the definition of "local agency" any joint powers authority formed to provide transit services, and would instead expand that definition to include any joint powers authority responsible for the construction of transit projects, thereby authorizing additional joint powers authorities to use the above-described design-build procurement process. The bill would extend the repeal date to January 1, 2031.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		

**AB 408 (Wilson D) Climate-resilient Farms, Sustainable Healthy Food Access, and Farmworker Protection Bond Act of 2024.**

**Current Text:** Amended: 8/14/2023 [html](#) [pdf](#)

**Introduced:** 2/2/2023

**Last Amend:** 8/14/2023

**Status:** 9/1/2023-In committee: Held under submission.

**Location:** 8/21/2023-S. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would enact the Climate-resilient Farms, Sustainable Healthy Food Access, and Farmworker Protection Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$3,650,000,000 pursuant to the State General Obligation Bond Law, to finance programs related to, among other things, agricultural lands, food and fiber infrastructure, climate resilience, agricultural professionals, including farmers, ranchers, and farmworkers, workforce development and training, air quality, tribes, disadvantaged communities, nutrition, food aid, meat processing facilities, and fishing facilities.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		

**AB 460 (Bauer-Kahan D) State Water Resources Control Board: water rights and usage: interim relief: procedures.**

**Current Text:** Amended: 5/18/2023 [html](#) [pdf](#)

**Introduced:** 2/6/2023

**Last Amend:** 5/18/2023

**Status:** 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/7/2023)(May be acted upon Jan 2024)

**Location:** 7/14/2023-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law authorizes the State Water Resources Control Board to investigate all streams, stream systems, lakes, or other bodies of water, take testimony relating to the rights to water or the

use of water, and ascertain whether water filed upon or attempted to be appropriated is appropriated under the laws of the state. Current law requires the board to take appropriate actions to prevent waste or the unreasonable use of water. This bill would authorize the board, in conducting specified investigations or proceedings to inspect the property or facilities of a person or entity, as specified. The bill would authorize the board, if consent is denied for an inspection, to obtain an inspection warrant, as specified, or in the event of an emergency affecting public health and safety, to conduct an inspection without consent or a warrant.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - O	Priority 1	ACWA - O	CMUA - O

**AB 560 (Bennett D) Sustainable Groundwater Management Act: groundwater adjudication.**

**Current Text:** Amended: 6/26/2023 [html](#) [pdf](#)

**Introduced:** 2/8/2023

**Last Amend:** 6/26/2023

**Status:** 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/14/2023)(May be acted upon Jan 2024)

**Location:** 9/1/2023-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law prohibits a court from approving entry of judgment in certain adjudication actions for a basin required to have a groundwater sustainability plan under the Sustainable Groundwater Management Act, unless the court finds that the judgment would not substantially impair the ability of a groundwater sustainability agency, the State Water Resources Control Board, or the Department of Water Resources to comply with the act and to achieve sustainable groundwater management. This bill would require the parties to an adjudication action to submit a proposed settlement agreement determining rights to water to the board for a nonbinding advisory determination as to whether the proposed settlement agreement will substantially impair the ability of a groundwater sustainability agency, the board, or the department to achieve sustainable groundwater management before filing the proposed settlement agreement with the court. The bill would require the board to provide its nonbinding advisory determination to the parties no later than 120 days after the proposed settlement agreement was submitted, and would require the parties to include the board's nonbinding advisory determination in the court filing, as provided.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1	ACWA - NF	

**AB 585 (Rivas, Robert D) Climate change: infrastructure and clean energy projects: assessments.**

**Current Text:** Chaptered: 10/9/2023 [html](#) [pdf](#)

**Introduced:** 2/9/2023

**Last Amend:** 9/1/2023

**Status:** 10/7/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 336, Statutes of 2023.

**Location:** 10/7/2023-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The California Global Warming Solutions Act of 2006 designates the State Air Resources Board (state board) as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. Existing law vests the Public Utilities Commission (PUC) with regulatory jurisdiction over public utilities, including electrical corporations, as provided. Existing law requires the PUC and the State Energy Resources Conservation and Development Commission (Energy Commission) to undertake specified actions to advance the state's clean energy and pollution reduction objectives. This bill would request the CCST, in its discretion, every 3 years, to assess the infrastructure project types, scale, and pace necessary to achieve the state's energy, climate change, and air quality goals, as specified. The bill would also require GO-Biz, in consultation with the Energy Commission, the PUC, and the state board, to prepare an assessment of the barriers, challenges, and impediments limiting the deployment and development of clean energy projects, as specified. The bill would require GO-Biz to submit this assessment to the Legislature on or before January 1, 2026. The bill would also require the assessment to be considered and incorporated into the work carried out by the Infrastructure Strike Team convened by the Governor. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		

**AB 676** (Bennett D) Water: general state policy.

**Current Text:** Vetoes: 10/8/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amend:** 8/21/2023

**Status:** 10/8/2023-Vetoed by Governor.

**Location:** 10/8/2023-A. VETOED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would specify that the use of water for domestic purposes includes water use for human consumption, cooking, sanitary purposes, care of household livestock, animals, and gardens, fire suppression and other safety purposes, and a purpose determined to be a domestic purpose as established by the common law.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		
			ACWA - O	CMUA - O

**AB 753** (Papan D) State Water Pollution Cleanup and Abatement Account: annual proceeds transfers.

**Current Text:** Vetoes: 10/9/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amend:** 8/14/2023

**Status:** 10/8/2023-Vetoed by Governor.

**Location:** 10/8/2023-A. VETOED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law requires each regional water board to formulate and adopt water quality control plans for all areas within the region, as provided. Current law authorizes the imposition of civil penalties for violations of certain waste discharge requirements and requires that penalties imposed pursuant to these provisions be deposited into the Waste Discharge Permit Fund, to be expended by the State Water Resources Control Board, upon appropriation by the Legislature, for specified purposes related to water quality. For violations of certain other waste discharge requirements, including the violation of a waste discharge requirement effluent limitation, current law imposes specified civil penalties, the proceeds of which are deposited into the continuously appropriated State Water Pollution Cleanup and Abatement Account, which is established in the State Water Quality Control Fund. This bill would create the Waterway Recovery Account within the Waste Discharge Permit Fund, and would annually transfer from the State Water Pollution Cleanup and Abatement Account, excluding administratively imposed civil liabilities that include a supplemental environmental project in connection with a monetary penalty, 40% of the annual proceeds to the Waterway Recovery Account. The bill would provide that moneys in the account created by the bill are continuously appropriated to the state board without regard to fiscal years. The bill would require the state board to allocate the Waterway Recovery Account moneys to each regional board on a proportional basis, based on moneys generated in each region, and would require the regional boards to allocate those moneys to third parties for restoration projects, as specified, with priority given to third parties that will undertake projects with multiple benefits that provide greenspace within disadvantaged communities, as provided.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		

**AB 754** (Papan D) Water management planning: water shortages.

**Current Text:** Amended: 8/14/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amend:** 8/14/2023

**Status:** 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/21/2023)(May be acted upon Jan 2024)

**Location:** 9/1/2023-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law requires an urban water management plan to quantify past, current, and projected water use, identifying the uses among water use sectors, including, among others, commercial, agricultural, and industrial. Current law requires every urban water supplier to prepare and adopt a water shortage contingency plan as part of its urban water management plan. Current law requires the water shortage contingency plan to include the procedures used in conducting an annual water supply and demand assessment, including the key data inputs and assessment methodology used to evaluate the urban water supplier's water supply reliability for the current year and one dry year. Current law requires the key data inputs and assessment methodology to include specified information, including, among other things, a description and quantification of each source of water supply. This bill would require a water shortage contingency plan to include, if, based on a description and quantification of each source of water supply, a single reservoir constitutes at least 50% of the total water supply, an identification of the dam and description of existing reservoir management operations, as specified, and if the reservoir is owned and operated by the urban water supplier, a description of operational practices and approaches, as specified.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1	ACWA - O	CMUA - O

**AB 755 (Papan D) Water: public entity: water usage demand analysis.**

**Current Text:** Chaptered: 10/9/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amend:** 8/14/2023

**Status:** 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 542, Statutes of 2023.

**Location:** 10/9/2023-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law authorizes a public entity that supplies water at retail or wholesale within its service area to adopt, in accordance with specified procedures, and enforce a water conservation program. This bill would require a public entity, as defined, to conduct a water usage demand analysis, as defined, prior to completing, or as part of, a cost-of-service analysis conducted to set fees and charges for water service that are consistent with applicable law. The bill would require a public entity to identify, within the water usage demand analysis, the costs of water service for the highest users, as defined, incurred by the public entity, and the average annual volume of water delivered to high water users.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1	ACWA - W	CMUA - NF

**AB 779 (Wilson D) Groundwater: adjudication.**

**Current Text:** Chaptered: 10/10/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amend:** 9/8/2023

**Status:** 10/10/2023-Signed by the Governor

**Location:** 10/10/2023-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would require a civil court, in an adjudication action for a basin required to have a groundwater sustainability plan, to appoint one party to forward all case management orders, judgments, and interlocutory orders to the groundwater sustainability agency within 10 business days of issuance. The bill would require the court to allocate payment of the costs incurred by the party appointed to forward all case management orders, judgments, and interlocutory orders to the groundwater sustainability agency among the parties in an amount and a manner that the court deems equitable. The bill would require the groundwater sustainability agency to post the documents on its internet website in the interest of transparency and accessibility within 20 business days of receipt from a party, as specified. The bill would authorize the court to refer the matter to the State Water Resources Control Board for investigation and report in order to assist the court in making findings pursuant to these provisions, and would authorize a party to request that the court refer the matter to the board for these purposes, as specified. The bill would require the court to consider the



water use of and accessibility of water for small farmers and disadvantaged communities, as those terms are defined, before entering a judgment.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		
			ACWA - O/A	CMUA - W

**AB 809 (Bennett D) Salmonid populations: California Monitoring Program.**

**Current Text:** Chaptered: 10/8/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amend:** 9/1/2023

**Status:** 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 455, Statutes of 2023.

**Location:** 10/8/2023-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Salmon, Steelhead Trout, and Anadromous Fisheries Program Act, among other things, requires the Department of Fish and Wildlife, with the advice of specified committees, to prepare and maintain a detailed and comprehensive program for the protection and increase of salmon, steelhead trout, and anadromous fisheries. This bill would require the department to establish the California Monitoring Program to collect comprehensive data on anadromous salmonid populations, in coordination with relevant agencies, as defined, to inform salmon and steelhead recovery, conservation, and management activities. The bill would authorize the department to consult with local agencies, tribes, conservation organizations, and academic institutions to carry out monitoring efforts under the program.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		

**AB 830 (Soria D) Lake and streambed alteration agreements: exemptions.**

**Current Text:** Amended: 6/27/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amend:** 6/27/2023

**Status:** 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/21/2023)(May be acted upon Jan 2024)

**Location:** 9/1/2023-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law prohibits a person, a state or local governmental agency, or a public utility from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or depositing or disposing of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, unless prescribed requirements are met, including written notification to the Department of Fish and Wildlife regarding the activity. Current law prescribes various requirements for lake and streambed alteration agreements. Current law also establishes various exemptions from these provisions, including exemptions for specified emergency work. This bill would additionally exempt from these provisions the temporary operation of existing infrastructure or temporary pumps being used to divert flood stage flows, as identified by the California Nevada River Forecast Center or the State Water Resources Control Board, or near-flood stage flows, as defined, to groundwater recharge as long as certain conditions are met.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		
			ACWA - F	CMUA - F

**AB 914 (Friedman D) Electrical infrastructure: California Environmental Quality Act: review time period.**

**Current Text:** Amended: 7/13/2023 [html](#) [pdf](#)

**Introduced:** 2/14/2023

**Last Amend:** 7/13/2023

**Status:** 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/21/2023)(May be acted upon Jan 2024)



**Location:** 9/1/2023-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The California Environmental Quality Act (CEQA) requires each state agency to establish, by resolution or order, time limits for completing the environmental review of a project where the state agency is the lead agency for the project, as specified. This bill, until January 1, 2031, would require a state agency, acting as the lead agency, to complete its environmental review for an electrical infrastructure project and to approve or deny the project within 2 years of the submission and acceptance of a complete application for the issuance of a lease, permit, license, certificate, or other entitlement for use for electrical infrastructure to the state agency. If the state agency fails to meet this deadline, the bill would require the state agency to submit to the Legislature a report setting forth the reasons that the review could not be completed within the time period and identifying potential impacts to the electrical system that could result from the delay.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		CMUA - W

**[AB 923](#)**

**(Bauer-Kahan D) Flood plain restoration projects: Central Valley: study.**

**Current Text:** Amended: 7/12/2023 [html](#) [pdf](#)

**Introduced:** 2/14/2023

**Last Amend:** 7/12/2023

**Status:** 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/14/2023)(May be acted upon Jan 2024)

**Location:** 9/1/2023-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The Central Valley Flood Protection Act of 2008 requires the Department of Water Resources to prepare, and the Central Valley Flood Protection Board, a state agency, to adopt, a plan identified as the Central Valley Flood Protection Plan. This bill would require the board, in coordination with the department, to identify priority flood plain restoration or floodway expansion projects where increased flows due to climate change are likely to overwhelm existing flood protection infrastructure, as specified. The bill would require the department and the board to conduct broad stakeholder outreach to identify priority projects and would require that those projects provide at least 2 of 4 specified public benefits. The bill would require the board, upon the appropriation of funds for this purpose, to begin preconstruction activities, including acquisition of land, easements, or rights of way, to expedite the priority projects identified.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1	ACWA - W	

**[AB 1205](#)**

**(Bauer-Kahan D) Water rights: sale, transfer, or lease: agricultural lands.**

**Current Text:** Amended: 7/13/2023 [html](#) [pdf](#)

**Introduced:** 2/16/2023

**Last Amend:** 7/13/2023

**Status:** 9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2023)(May be acted upon Jan 2024)

**Location:** 9/14/2023-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	2 year	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law declares that, because of the conditions prevailing in this state, the general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable, that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of the water is to be exercised with a view to the reasonable and beneficial use of the water in the interest of the people and for the public welfare. This bill would require the State Water Resources Control Board to, on or before January 1, 2027, conduct a study and report to the Legislature and appropriate policy committees on the existence of speculation or profiteering by an investment fund in the sale, transfer, or lease of an interest in any surface water right or groundwater right previously put to beneficial use on agricultural lands, as specified. The bill would repeal this provision on January 1, 2031.

Organization	Position	Priority
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State Water Contractors SWC - W Priority 1 **Misc1** **Misc2**  
 ACWA - NF

**AB 1272 (Wood D) State Water Resources Control Board: drought planning.**

**Current Text:** Enrollment: 9/12/2023 [html](#) [pdf](#)

**Introduced:** 2/16/2023

**Last Amend:** 9/1/2023

**Status:** 9/14/2023-Withdrawn from Engrossing and Enrolling. Ordered to the Senate. In Senate. Held at Desk.

**Location:** 9/14/2023-S. DESK

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would require the State Water Resources Control Board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds, as specified, during times of water shortage for drought preparedness and climate resiliency. The bill would require that the principles and guidelines allow for the development of locally generated watershed-level plans to support public trust uses, public health and safety, and the human right to water in times of water shortage, among other things. The bill also would require the state board, prior to adopting those principles and guidelines, to allow for public comment and hearing, as provided. The bill would make the implementation of these provisions contingent upon an appropriation of funds by the Legislature for this purpose.

**Organization** **Position** **Priority** **Misc1** **Misc2**  
 State Water Contractors SWC - W Priority 1  
 CMUA - W

**AB 1337 (Wicks D) State Water Resources Control Board: water diversion curtailment.**

**Current Text:** Amended: 5/18/2023 [html](#) [pdf](#)

**Introduced:** 2/16/2023

**Last Amend:** 5/18/2023

**Status:** 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/7/2023)(May be acted upon Jan 2024)

**Location:** 7/14/2023-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Under existing law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would expand the instances when the diversion or use of water is considered a trespass. This bill contains other related provisions and other existing laws.

**Organization** **Position** **Priority** **Misc1** **Misc2**  
 State Water Contractors SWC - O Priority 1  
 ACWA - O CMUA - O

**AB 1373 (Garcia D) Energy.**

**Current Text:** Chaptered: 10/7/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Last Amend:** 9/7/2023

**Status:** 10/7/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 367, Statutes of 2023.

**Location:** 10/7/2023-A. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law requires the State Energy Resources Conservation and Development Commission (Energy Commission), in consultation with specified entities, to adopt a biennial integrated energy policy report containing certain information, including an overview of major energy trends and issues facing the state. This bill would require, as part of the 2025 edition of the integrated energy policy report, the Energy Commission, in consultation with the Public Utilities Commission (PUC), to assess barriers to electricity interconnection and energization and provide recommendations on how to accelerate those processes, as appropriate.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		CMUA - O/A

**AB 1563 (Bennett D) Groundwater sustainability agency: groundwater extraction permit: verification.**

**Current Text:** Amended: 6/28/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Last Amend:** 6/28/2023

**Status:** 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was GOV. & F. on 6/22/2023)(May be acted upon Jan 2024)

**Location:** 7/14/2023-S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin and imposes specified duties upon that agency or combination of agencies, as provided. Current law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval. This bill would instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1	ACWA - O	CMUA - W

**AB 1567 (Garcia D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024.**

**Current Text:** Amended: 5/26/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Last Amend:** 5/26/2023

**Status:** 6/14/2023-Referred to Coms. on N.R. & W. and GOV. & F.

**Location:** 6/14/2023-S. N.R. & W.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - S/A	Priority 1	ACWA - S/A	CMUA - S&A

**ACA 2 (Alanis R) Public resources: Water and Wildfire Resiliency Act of 2023.**

**Current Text:** Introduced: 12/5/2022 [html](#) [pdf](#)

**Introduced:** 12/5/2022

**Status:** 4/20/2023-Referred to Coms. on W., P., & W. and NAT. RES.

**Location:** 4/20/2023-A. W.,P. & W.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would establish the Water and Wildfire Resiliency Fund within the State Treasury, and would require the Treasurer to annually transfer an amount equal to 3% of all state revenues that may be appropriated as described from the General Fund to the Water and Wildfire Resiliency Fund. The measure would require the moneys in the fund to be appropriated by the Legislature and would require that 50% of the moneys in the fund be used for water projects, as specified, and that the

other 50% of the moneys in the fund be used for forest maintenance and health projects, as specified.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		

**SB 48**

**(Becker D) Building Energy Savings Act.**

**Current Text:** Chaptered: 10/7/2023 [html](#) [pdf](#)

**Introduced:** 12/5/2022

**Last Amend:** 9/1/2023

**Status:** 10/7/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 378, Statutes of 2023.

**Location:** 10/7/2023-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law requires each utility to maintain records of the energy usage data of all buildings to which they provide service for at least the most recent 12 complete calendar months, and to deliver or otherwise provide that aggregated energy usage data for each covered building, as defined, to the owner, as specified. Current law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to adopt regulations providing for the delivery to the Energy Commission and public disclosure of benchmarking of energy use for covered buildings, and specifies that this requirement does not require the owner of a building with 16 or fewer residential utility accounts to collect or deliver energy usage information to the Energy Commission. This bill would additionally specify that the requirement does not require the owner of a building with less than 50,000 square feet of gross floor space to collect or deliver energy usage information to the Energy Commission.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		
			ACWA - O/A	CMUA - O/A

**SB 69**

**(Cortese D) California Environmental Quality Act: local agencies: filing of notices of determination or exemption.**

**Current Text:** Enrollment: 9/13/2023 [html](#) [pdf](#)

**Introduced:** 1/5/2023

**Last Amend:** 7/12/2023

**Status:** 9/13/2023-Enrolled and presented to the Governor at 4 p.m.

**Location:** 9/13/2023-S. ENROLLED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The California Environmental Quality Act (CEQA) requires a local agency that approves or determines to carry out a project subject to CEQA to file a notice of determination with the county clerk of each county in which the project will be located, as provided. CEQA authorizes a local agency that determines that a project is not subject to CEQA to file a notice of exemption with the county clerk of each county in which the project will be located, as provided. CEQA requires the county clerk to make the notice available for public inspection and post the notice within 24 hours of receipt in the office or on the internet website of the county clerk, as specified. CEQA requires an action or proceeding challenging an act or decision of a public agency, including a local agency, on the grounds of noncompliance with CEQA to be commenced within certain time periods, as specified. This bill would require a local agency to file a notice of determination with the State Clearinghouse in the Office of Planning and Research in addition to the county clerk of each county in which the project will be located. The bill would authorize a local agency to file a notice of exemption with the State Clearinghouse in the Office of Planning and Research in addition to the county clerk of each county in which the project will be located. The bill would require the notice, including any subsequent or amended notice, to be posted both in the office and on the internet website of the county clerk and by the Office of Planning and Research on the State Clearinghouse internet website within 24 hours of receipt. The bill would specify that the posting of the notice by the Office of Planning and Research would not affect the applicable time periods to challenge an act or decision of a local agency, as described above.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		

**SB 122 (Committee on Budget and Fiscal Review) Public resources trailer bill.**

**Current Text:** Chaptered: 7/10/2023 [html](#) [pdf](#)

**Introduced:** 1/18/2023

**Last Amend:** 6/26/2023

**Status:** 7/10/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 51, Statutes of 2023.

**Location:** 7/10/2023-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	<b>Chaptered</b>
1st House				2nd House							

**Summary:** Would express the intent of the Legislature that the administration conduct an assessment of offshore wind energy permitting and related resource needs across applicable state entities, including, but not limited to, the Energy Commission, the State Lands Commission, the California Coastal Commission, and the State Coastal Conservancy, as specified. The bill would also state that the outcomes of the assessment may be considered as part of a future budget. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		

**SB 146 (Gonzalez D) Public resources: infrastructure: contracting.**

**Current Text:** Chaptered: 7/10/2023 [html](#) [pdf](#)

**Introduced:** 1/18/2023

**Last Amend:** 6/26/2023

**Status:** 7/10/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 58, Statutes of 2023.

**Location:** 7/10/2023-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	<b>Chaptered</b>
1st House				2nd House							

**Summary:** Existing law authorizes the Secretary of Transportation to assume the responsibilities of the United States Secretary of Transportation under the federal National Environmental Policy Act of 1969 (NEPA) and other federal environmental laws for any railroad, public transportation, or multimodal project undertaken by state agencies, as specified. Existing law provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of these responsibilities. Existing law repeals these provisions on January 1, 2025. This bill would extend the above authorization to December 31, 2033. The bill would additionally authorize the Secretary of Transportation, consistent with, and subject to the requirements of, any memorandum of understanding between the state and federal government and upon the request of a local or regional agency with the authority to implement transportation projects, to assume responsibilities under the NEPA and other federal environmental laws for any railroad, local public transportation, or multimodal project implemented by the requesting local or regional agency. The bill would impose terms and conditions similar to those with respect to the above-described authority to assume those responsibilities for projects undertaken by state agencies, including providing consent for the jurisdiction of the federal courts, as provided. The bill would require the secretary to report to the transportation policy committees of the Legislature regarding the assumption of responsibilities under the NEPA requested by a local or regional agency by December 31, 2033.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - S	Priority 1		
			ACWA - F	

**SB 147 (Ashby D) Fully protected species: California Endangered Species Act: authorized take.**

**Current Text:** Chaptered: 7/10/2023 [html](#) [pdf](#)

**Introduced:** 1/18/2023

**Last Amend:** 6/26/2023

**Status:** 7/10/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 59, Statutes of 2023.

**Location:** 7/10/2023-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	<b>Chaptered</b>
1st House				2nd House							

**Summary:** The California Endangered Species Act (CESA) requires the Fish and Game Commission to

establish a list of endangered species and a list of threatened species and to add or remove species from either list if it finds, upon the receipt of sufficient scientific information, as specified, that the action is warranted. The act prohibits the taking of an endangered or threatened species, except in certain situations, including, if specified conditions are met, through the issuance of a permit commonly known as an incidental take permit. This bill would, until December 31, 2033, authorize the Department of Fish and Wildlife to issue a permit under CESA that would authorize the take of a fully protected species resulting from impacts attributable to the implementation of specified projects if certain conditions are satisfied, including, among others, the conditions required for the issuance of an incidental take permit. The bill would require the department to develop a plan on or before July 1, 2024, to assess the population status of each fully protected species.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - S	Priority 1		
			ACWA - F	

**[SB 149](#) (Caballero D) California Environmental Quality Act: administrative and judicial procedures: record of proceedings: judicial streamlining.**

**Current Text:** Chaptered: 7/10/2023 [html](#) [pdf](#)

**Introduced:** 1/18/2023

**Last Amend:** 6/28/2023

**Status:** 7/10/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 60, Statutes of 2023.

**Location:** 7/10/2023-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA provides that, in certain specified actions or proceedings, the plaintiff or petitioner may elect to prepare the record of proceedings, subject to certification of its accuracy by the public agency. CEQA requires that a copy of the certified record of proceedings be lodged with the court. This bill would authorize the public agency to deny the request of the plaintiff or petitioner to prepare the record of proceedings, as provided, in which case the bill would require the public agency or the real party in interest to bear the costs of preparation and certification of the record of proceedings and would prohibit the recovery of those costs from the plaintiff or petitioner. The bill would require the court to schedule a case management conference within 30 days of the filing of an action to review the scope, timing, and cost of the record of proceedings.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - S	Priority 1		
			ACWA - F	

**[SB 231](#) (Hurtado D) Department of Water Resources: water supply forecasting.**

**Current Text:** Amended: 7/12/2023 [html](#) [pdf](#)

**Introduced:** 1/23/2023

**Last Amend:** 7/12/2023

**Status:** 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/23/2023)(May be acted upon Jan 2024)

**Location:** 9/1/2023-A. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would require the Department of Water Resources, on or before December 31, 2025, to establish a formal process for annually evaluating and improving the accuracy of its water supply forecasts, adopt a new water supply forecasting model that better addresses the effects of climate change, and implement a formal policy and procedures for documenting its operational plans for the state's water supply and its rationale for its operating procedures. The bill would require the department, by December 1, 2024, to prepare, and submit to the Legislature, a report on its progress toward meeting these requirements.

Organization	Position	Priority
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State Water Contractors SWC - W Priority 1 **Misc1** **Misc2**

**SB 265 (Hurtado D) Cybersecurity preparedness: critical infrastructure sectors.**

**Current Text:** Amended: 6/19/2023 [html](#) [pdf](#)

**Introduced:** 1/31/2023

**Last Amend:** 6/19/2023

**Status:** 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 7/10/2023) (May be acted upon Jan 2024)

**Location:** 9/1/2023-A. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	<b>2 year</b>	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered	
1st House				2nd House								

**Summary:** The California Emergency Services Act, among other things, creates the Office of Emergency Services (Cal OES), which is responsible for the state’s emergency and disaster response services, as specified. Current law requires Cal OES to establish the California Cybersecurity Integration Center (Cal-CSIC) with the primary mission of reducing the likelihood and severity of cyber incidents that could damage California’s economy, its critical infrastructure, or public and private sector computer networks in the state. This bill would require Cal OES to direct Cal-CSIC to prepare, and Cal OES to submit to the Legislature on or before January 1, 2025, a strategic, multiyear outreach plan to assist critical infrastructure sectors, as defined, in their efforts to improve cybersecurity and an evaluation of options for providing grants or alternative forms of funding to, and potential voluntary actions that do not require funding and that assist, that sector in their efforts to improve cybersecurity preparedness.

**Organization** **Position** **Priority** **Misc1** **Misc2**

State Water Contractors SWC - W Priority 1

CMUA - W

**SB 308 (Becker D) Carbon Dioxide Removal Market Development Act.**

**Current Text:** Amended: 5/18/2023 [html](#) [pdf](#)

**Introduced:** 2/2/2023

**Last Amend:** 5/18/2023

**Status:** 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was NAT. RES. on 6/8/2023)(May be acted upon Jan 2024)

**Location:** 7/14/2023-A. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	<b>2 year</b>	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered	
1st House				2nd House								

**Summary:** Would enact the Carbon Dioxide Removal Market Development Act that would require the State Air Resources Board, no later than December 31, 2027, to adopt a regulation to require certain emitting entities to purchase negative emissions credits equal to a specified amount of their greenhouse gas emissions, as determined by the state board, in each calendar year beginning in the 2028 calendar year in accordance with specified requirements. The bill would require the state board, no later than December 31, 2027, to establish rules and processes for certifying carbon dioxide removal processes that may be used to create negative emissions credits and for tracking negative emissions credits in accordance with certain criteria. The bill would also require negative emissions resulting from the use of negative emissions credits to be included in the calculation of the state’s net greenhouse gas emissions, as specified.

**Organization** **Position** **Priority** **Misc1** **Misc2**

State Water Contractors SWC - W Priority 1

CMUA - W

**SB 366 (Caballero D) The California Water Plan: long-term supply targets.**

**Current Text:** Amended: 6/29/2023 [html](#) [pdf](#)

**Introduced:** 2/8/2023

**Last Amend:** 6/29/2023

**Status:** 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was W.,P. & W. on 6/8/2023)(May be acted upon Jan 2024)

**Location:** 7/14/2023-A. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	<b>2 year</b>	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered	
1st House				2nd House								

**Summary:** Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as "The California Water Plan." Current law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. Current law requires the department to establish an advisory committee to assist the department in updating the plan. This bill would revise and recast certain provisions regarding The California Water Plan to, among other things, require the department to instead establish a stakeholder advisory committee and to expand the membership of the committee to include tribes, labor, and environmental justice interests. The bill would require the department to coordinate with the California Water Commission, the State Water Resources Control Board, other state and federal agencies as appropriate, and the stakeholder advisory committee to develop a comprehensive plan for addressing the state's water needs and meeting specified long-term water supply targets established by the bill for purposes of The California Water Plan. The bill would require the plan to provide recommendations and strategies to ensure enough water supply for all beneficial uses.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - S	Priority 1	ACWA - S	CMUA - Sponsor

**SB 389**

**(Allen D) State Water Resources Control Board: investigation of water right.**

**Current Text:** Chaptered: 10/8/2023 [html](#) [pdf](#)

**Introduced:** 2/9/2023

**Last Amend:** 8/31/2023

**Status:** 10/8/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 486, Statutes of 2023.

**Location:** 10/8/2023-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law provides generally for the appropriation of water. Existing law authorizes the State Water Resources Control Board to investigate bodies of water, to take testimony in regard to the rights to water or the use of water, and to ascertain whether or not water is appropriated lawfully, as provided. Under current law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would instead authorize the board to investigate and ascertain whether or not a water right is valid. The bill would authorize the board to issue an information order in furtherance of an investigation, as executed by the executive director of the board, as specified. The bill would authorize a diversion or use of water ascertained to be unauthorized to be enforced as a trespass, as specified.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1	ACWA - W	CMUA - W

**SB 420**

**(Becker D) Electricity: electrical transmission facility projects.**

**Current Text:** Vetoed: 10/7/2023 [html](#) [pdf](#)

**Introduced:** 2/9/2023

**Last Amend:** 9/7/2023

**Status:** 10/7/2023-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

**Location:** 10/7/2023-S. VETOED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law vests the Public Utilities Commission (PUC) with regulatory authority over public utilities, including electrical corporations, while local publicly owned electric utilities are under the direction of their governing boards. Existing law, implemented by the PUC through a general order, generally prohibits an electrical corporation from beginning the construction of a line, plant, or system, or of any extension thereof, without having first obtained from the commission a certificate that the present or future public convenience and necessity require or will require its construction, as specified. However, current law exempts the extension, expansion, upgrade, or other modification of an existing electrical transmission facility, including transmission lines and substations, from that certification requirement. This bill would additionally exempt the rebuilding of an existing electrical transmission facility from that requirement, and would provide that the construction of a new electrical transmission facility, or the extension, expansion, upgrade, rebuilding, or other modification of an electrical



transmission facility, including lines and substations, by an electrical corporation serving 10,000 or more retail customers does not require that certification, a permit to construct, or any other discretionary permit from the commission, if the new or modified electrical transmission facility meets certain requirements.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		CMUA - F/A

**SB 422 (Portantino D) California Environmental Quality Act: expedited environmental review: climate change regulations.**

**Current Text:** Amended: 3/20/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amend:** 3/20/2023

**Status:** 9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/12/2023)(May be acted upon Jan 2024)

**Location:** 9/14/2023-A. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	2 year	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA requires specified public agencies, including air pollution control districts and air quality management districts, to perform, at the time of adoption of a rule or regulation requiring the installation of pollution control equipment or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance. This bill would also require those specified public agencies, at the time of adoption of a rule or regulation requiring the reduction in emissions of greenhouse gases, criteria air pollutants, or toxic air contaminants, to perform an environmental analysis of the reasonably foreseeable methods of compliance.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		

**SB 470 (Alvarado-Gil D) Water: Urban Water Community Drought Relief program: Small Community Drought Relief program: high fire hazard and very high fire hazard severity zones.**

**Current Text:** Vetoed: 10/9/2023 [html](#) [pdf](#)

**Introduced:** 2/13/2023

**Last Amend:** 9/1/2023

**Status:** 10/8/2023-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

**Location:** 10/8/2023-S. VETOED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would establish in the Department of Water Resources the Urban Water Community Drought Relief program and the Small Community Drought Relief program to provide grants for similar interim or immediate drought relief. These programs, upon a specified appropriation, would authorize funding for benefits in addition to drought relief, including, among other projects, projects that reduce the risk of wildfire for entire neighborhoods and communities through water delivery system improvements for fire suppression purposes in high fire hazard severity zone communities or very high fire hazard severity zone communities, as designated by the State Fire Marshal or by a local agency.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		

ACWA - F

**SB 619 (Padilla D) State Energy Resources Conservation and Development Commission: certification of facilities: electrical transmission projects.**

**Current Text:** Vetoed: 10/7/2023 [html](#) [pdf](#)

**Introduced:** 2/15/2023

**Last Amend:** 9/1/2023

**Status:** 10/7/2023-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

**Location:** 10/7/2023-S. VETOED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law makes an environmental leadership development project, as defined, that meets specified requirements and is certified by the Governor eligible for streamlined procedures under the California Environmental Quality Act (CEQA). Current law requires the adoption of rules of court that expedite certain CEQA actions and proceedings related to an environmental leadership development project to resolve those actions and proceedings, to the extent feasible, within 270 days. Current law authorizes persons proposing eligible facilities, including electrical transmission lines carrying electricity from certain other facilities that are located in the state to a point of junction with any interconnected electrical transmission system, to file applications, on or before June 30, 2029, with the State Energy Resources Conservation and Development Commission (Energy Commission) to certify sites and related facilities as environmental leadership development projects, as specified. Current law makes a site and related facility certified by the Energy Commission as an environmental leadership development project subject to streamlined procedures under CEQA with no further action by the applicant or the Governor. Under current law, the Energy Commission's certification of sites and related facilities is in lieu of any permit, certificate, or similar document required by any state, local, or regional agency, or federal agency to the extent permitted by federal law, for the use of the sites and related facilities, and supersedes any applicable statute, ordinance, or regulation of any state, local, or regional agency, or federal agency to the extent permitted by federal law, except as specified. This bill would expand the facilities eligible to be certified as environmental leadership development projects by the Energy Commission to include electrical transmission projects. The bill would require an applicant applying for certification of an electrical transmission project to take certain actions, including, among other actions, to avoid or minimize significant environmental impacts in any disadvantaged community.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		

**SB 638**

**(Eggman D) Climate Resiliency and Flood Protection Bond Act of 2024.**

**Current Text:** Amended: 6/28/2023 [html](#) [pdf](#)

**Introduced:** 2/16/2023

**Last Amend:** 6/28/2023

**Status:** 7/6/2023-July 11 hearing postponed by committee.

**Location:** 6/15/2023-A. W.,P. & W.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would enact the Climate Resiliency and Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,000,000,000 pursuant to the State General Obligation Bond Law, for flood protection and climate resiliency projects.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		
			ACWA - F/A	CMUA - F/A

**SB 651**

**(Grove R) California Environmental Quality Act: groundwater recharge projects: Judicial Council rules of court.**

**Current Text:** Amended: 6/22/2023 [html](#) [pdf](#)

**Introduced:** 2/16/2023

**Last Amend:** 6/22/2023

**Status:** 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was NAT. RES. on 6/20/2023)(May be acted upon Jan 2024)

**Location:** 7/14/2023-A. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would require the Judicial Council to adopt a rule of court to establish procedures requiring actions or proceedings brought to attack, review, set aside, void, or annul the certification of an environmental impact report, or the granting of any project approvals, for groundwater recharge projects, as described, except as provided, that implement a groundwater sustainability plan or an interim groundwater sustainability plan, as described, that would require the actions or proceedings,

including any appeals, to be resolved within 270 days of the filing of the certified record of proceedings with the court. The bill would also include a related statement of legislative intent.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		

**SB 659 (Ashby D) California Water Supply Solutions Act of 2023.**

**Current Text:** Chaptered: 10/9/2023 [html](#) [pdf](#)

**Introduced:** 2/16/2023

**Last Amend:** 9/1/2023

**Status:** 10/8/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 624, Statutes of 2023.

**Location:** 10/9/2023-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would establish the California Water Supply Solutions Act of 2023 to require the department, as part of the 2028 update, and each subsequent update thereafter to the California Water Plan, to provide actionable recommendations to develop additional groundwater recharge opportunities that increase the recharge of the state’s groundwater basins, as provided. The bill would require the Department of Water Resources to consult with the State Water Resources Control Board, the 9 regional water quality control boards, and the advisory committee, which may be enlarged as provided, in carrying out these provisions. The bill would require the recommendations to identify immediate opportunities and potential long-term solutions to increase the state’s groundwater supply, and include, among other things, best practices to advance all benefits of groundwater recharge, as specified.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		
			ACWA - F	

**SB 706 (Caballero D) Public contracts: progressive design-build: local agencies.**

**Current Text:** Chaptered: 10/8/2023 [html](#) [pdf](#)

**Introduced:** 2/16/2023

**Last Amend:** 6/28/2023

**Status:** 10/8/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 500, Statutes of 2023.

**Location:** 10/8/2023-S. CHAPTERED

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law, until January 1, 2029, authorizes local agencies, defined as any city, county, city and county, or special district authorized by law to provide for the production, storage, supply, treatment, or distribution of any water from any source, to use the progressive design-build process for up to 15 public works projects in excess of \$5,000,000 for each project, similar to the progressive design-build process authorized for use by the Director of General Services. This bill would, until January 1, 2030, provide additional authority for cities, counties, cities and counties, or special districts to use the progressive design-build process for up to 10 public works in excess of \$5,000,000, not limited to water-related projects, excluding projects on state-owned or state-operated facilities. The bill would require information to be provided under penalty of perjury and would require similar reports due no later than December 31, 2028.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - W	Priority 1		

**SB 867 (Allen D) Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.**

**Current Text:** Amended: 6/22/2023 [html](#) [pdf](#)

**Introduced:** 2/17/2023

**Last Amend:** 6/22/2023

**Status:** 7/6/2023-July 10 hearing postponed by committee.

**Location:** 6/20/2023-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

**Summary:** Would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000 pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs.

Organization	Position	Priority	Misc1	Misc2
State Water Contractors	SWC - S/A	Priority 1		
			ACWA - S/A	CMUA - S&A

**Total Measures: 46**

**Total Tracking Forms: 46**