



## **Three Valleys Municipal Water District 2019 Legislative Priorities**

The following state and federal legislative priorities for the new 2019-20 legislative session supports the District's mission and incorporates its overall water supply reliability and water quality objectives.

### **TVMWD's Top State Priorities for 2019**

- Work to ensure steady progress on California WaterFix and EcoRestore.
- Work proactively to advance state water infrastructure financing that reflects "beneficiary pays" principle, as opposed to a fee or assessment levied on water agencies for funding broader public benefits.
- Support administrative/legislative actions to extend liability coverage under Fish and Game Code Section 2301 for water agencies covered under quagga mussel control plans through January 1, 2030.
- Support legislation to allow public water agencies to protect the confidentiality of personal information collected by retail water agencies to facilitate important studies involving the design, implementation, and evaluation of water efficiency and related programs.
- Support tax exemptions for water conservation or efficiency incentives for measures including, but not limited to, turf removal, local stormwater capture (e.g., rain barrels, cisterns), and other measures to reduce consumption of water or enhance the absorption and infiltration capacity of the landscape.
- Support actions to initiate, expedite, and secure funding of the proposed Regional Recycled Water Program and related projects.

### **State Principles**

#### *Bay-Delta and State Water Project Improvements*

- Support administrative/legislative action and state funding to keep the California WaterFix on schedule to advance conveyance and ecosystem improvements to help achieve the coequal goals of water supply reliability and Delta ecosystem restoration.
- Support administrative/legislative action and state funding to advance emergency response, near term Delta improvements, California EcoRestore, and expenditures to support fish monitoring activities in the Delta consistent with the coequal goals, California EcoRestore, and the California Water Action Plan. Continue support for implementation of state policies adopted as part of the 2009 Delta Reform Act and water management package, including clarification of the monitoring, reporting, and enforcement provisions related to in-Delta diversions.
- Support state funding for public share of Delta ecosystem restoration costs.
- Support state funding for public share of costs, including mitigation and rehabilitation, for multipurpose SWP facilities.
- Support administrative/legislative action and state funding to add surface and ground water storage statewide.
- Oppose administrative/legislative action that would shift procurement of renewable resources to the SWP, irrespective of transmission limitations, cost and portfolio availability.

#### *Drought-Related Legislation*

- Support administrative/legislative actions to respond to drought, including state funding for immediate water supply improvements, while maintaining environmental protections, flexibility and local control.
- Support legislative efforts which recognize variations among communities, regions, and counties with respect to the capability of withstanding the impacts of drought.

### *California Water Action Plan*

- Support implementation of a comprehensive water strategy, consistent with TVMWD's goals and objectives, to ensure effective drought management and near-term actions to guide development of programs and investments to meet the state's long-term water infrastructure needs.

### *Regional Water Resource Management*

- Continue to support and promote integrated water resources portfolio planning by advocating for clear, concise, and streamlined regulations/policies that are easily understandable to the regulated community and public.
- Facilitate implementation of state policies passed in 2018, pursuant to AB 1668 (Friedman) and SB 606 (Hertzberg), to ensure local and regional decision-making is preserved and reporting requirements are efficient and streamlined.
- Support administrative/legislative action and state funding to expedite the development of recycled water, groundwater, stormwater, and desalination projects as water resources, without compromising the operational, financial, water quality, regulatory and customer interests of TVMWD and its member agencies.
- Support actions to expedite state funding for the planning, development, and implementation of local and regional potable reuse projects.
- Support administrative/legislative actions to fully fund initiatives to fill research gaps and advance the science to promote the further development of potable reuse.
- Support using water wisely in both urban and agricultural settings and ensure equitable implementation among urban and agricultural uses.
- Support administrative/legislative action to promote voluntary on-site water treatment systems if they maintain compliance with Title 22 and do not impact municipal water recycling systems.
- Support administrative/legislative action to promote the development of recycled water including advocating for clear, concise, and streamlined regulations/policies that are easily understandable to the regulated community and public.
- Ensure statutory or regulatory mandates for improving water use efficiency are fact-based and not a one-size-fits-all approach.
- Support groundwater policy that includes important safeguards to ensure permanent underground storage is implemented in a way that protects existing water users and environment. Unchecked, diversion of water for underground storage, whether a new or existing appropriation, may adversely impact other beneficial uses of water for fish and wildlife, recreation, commerce or use by downstream diverters.

### *Watershed Management*

- Support legislation, regulatory proposals and partnership-based programs that provide for the development and/or public state funding of watershed management plans in Southern California, the Bay-Delta and Colorado River watersheds that provide broad public benefits, including water quality, water supply reliability and environmental improvements. State funding of watershed management programs should be based on the "beneficiaries pay" principle.

### *Water Quality*

- Support administrative/legislative efforts that utilize a science-based, data-driven process in the development of drinking water regulations. This process must protect public health and be consistent with the tenets of the federal Safe Drinking Water Act. Key steps in the development of drinking water regulations include the development of analytical methods and laboratory capacity, collection of occurrence data, use of benefit/cost analyses with identifiable treatment options, and development of sufficient implementation schedules for water utility compliance. Potential constituents of concern include, but are not limited to, arsenic, chromium 6, cyanotoxins, disinfection byproducts, lead, microplastics, nitrate, perchlorate, perfluorinated compounds, pharmaceuticals/personal care products, 1,2,3-trichloropropane, and uranium.
- Support administrative/legislative actions that are protective of source water quality, utilize current science and incorporate benefit/cost analyses to reduce salt and nutrient loading to surface and groundwater sources.
- Support administrative/legislative actions that improve water system staff training and certification.

### *Environmental Planning and Environmental Compliance*

- Support administrative/legislative actions for environmental compliance (e.g., air, water, hazardous materials, and waste) that provide for regulatory compliance flexibility, improve clarity and workability of the requirements, and promote consistency and reduce regulatory duplication, but do not adversely impact public health or the environment.

- Protect TVMWD’s interests in administrative/legislative actions to ensure the district’s ability to reliably operate and maintain its facilities, infrastructure and real estate assets, including rights of way necessary to access TVMWD’s facilities.
- Support administrative/legislative actions and state funding for control and mitigation of invasive species, including, but not limited to, quagga mussels and striped bass.
- Support administrative/legislative actions that require consideration of cost/benefits, local uses for recycled water and stormwater capture projects, and available state funding to implement programs that mandate reduction or reuse of ocean discharges.

#### *Energy Sustainability*

- Support efforts to ensure power costs to the State Water Project and MWD are appropriate and proportional to the benefits received and that operations of the Colorado River Aqueduct are not adversely impacted.
- Support authorization for state grant funding for energy efficiency, including programs to reduce greenhouse gases and develop renewable resources.
- Promote water-energy nexus administrative/legislative or regulatory activities that preserve the ability to pursue supply options and oppose constraints on supply development such as water resource loading orders based on energy intensity.
- Support legislation that defines hydropower generation as renewable energy irrespective of a facility’s nameplate generating capacity and includes the provision of renewable energy credits for hydroelectric generation.
- Support legislation that removes barriers to and encourages energy sector investments in water conservation and energy management programs.
- Support administrative/legislative actions that provide state funding from the Greenhouse Gas Reduction Fund and other similar funds for allowances under the Cap-and-Trade Program to MWD and Department of Water Resources (i.e., State Water Contractors) and other water programs and projects.

#### *Infrastructure and Public Finance*

- Support measures to reduce the cost of financing water infrastructure planning, construction and rehabilitation and funding for water supply infrastructure, including water conduits, pipelines, canals, pumping and power plants, and associated facilities.
- Support administrative/legislative actions that promote stormwater as a beneficial resource and facilitate the funding and permitting of stormwater capture projects to augment local and regional water supplies without compromising the operational, financial, regulatory, and customer interests of local and regional water agencies.
- Support “beneficiaries pay” approach as financing mechanism for statewide projects and programs.
- Oppose public goods charge or other charges levied on water agencies for funding broader public benefits.
- Support administrative/legislative actions that deter metal theft and protects critical public water infrastructure.
- Support administrative/legislative actions that would provide state funding or reimbursement for water utility infrastructure expenditures to improve redundancy and reliability.
- Support state funding for the research and development of technology innovation programs in the water sector and expanded coordination with community technology associations.
- Support administrative/legislative actions that allow state and local governments to reasonably restrict hobbyist or commercial drone operations over private property and critical infrastructure. Support actions that maintain the ability for public agencies to use drones for governmental purposes.
- Advance policies that promote, rather than penalize, new local water infrastructure projects, such as recycling, and provide state funding for needed research to advance new technology.

#### *Infrastructure Security*

- Support administrative/legislative actions to enhance physical and cyber security for water and power infrastructure.
- Support association and coalition efforts to develop standard guidance and best management practices for consistent and ongoing actions to reduce cyber vulnerabilities in process control systems for major water system providers.

### *Water System Governance*

- Support administrative/legislative actions that improve governance of non-compliant water systems and provide assistance for consolidations that increase their technical, managerial, or financial capacity.
- Support administrative/legislative actions that reform or create water financing mechanisms to provide water systems with voluntary options for financing low-income rate assistance programs. Support administrative/legislative action to ensure that all affected public water systems are consulted on proposed consolidations or extension of service area.

### **TVMWD's Top Federal Priorities for 2019**

- Support legislation to authorize and direct the Secretary of the Department of Interior to implement the Drought Contingency Plans for Colorado River consistent with the seven Basin States' related agreements. Maintain funding for water science and data collection including stream gauge, water quality, salinity control, source protection, and ecosystem research.
- Support funding/financing for water infrastructure, efficiency and restoration projects and seek to exempt infrastructure from the definition of "earmark."
- Support actions to initiate, expedite, and secure funding of the proposed Regional Recycled Water Program and related projects.
- Support administrative/legislative actions to consolidate review and oversight of anadromous species protection under the Department of the Interior to eliminate duplication and increase efficiencies.
- Support tax exemptions for water conservation or efficiency incentives for measures including, but not limited to, turf removal, local stormwater capture (e.g., rain barrels, cisterns), and other measures to reduce consumption of water or enhance the absorption and infiltration capacity of the landscape.

### **Federal Principles**

#### *Bay-Delta and State Water Project Improvements*

- Support administrative/legislative action and federal funding to keep the California WaterFix on schedule to advance conveyance and ecosystem improvements to help achieve the coequal goals of water supply reliability and Delta ecosystem restoration.
- Support administrative/legislative action and funding to advance emergency response, near-term Delta improvements and expenditures to support fish monitoring activities in the Delta consistent with the coequal goals, California EcoRestore, and the California Water Action Plan.
- Support administrative/legislative action and funding to add surface and ground water storage statewide.

#### *Colorado River Initiatives*

- Support federal funding appropriations and coordination among states for continued implementation of the Lower Colorado River Multi-Species Conservation Program.
- Support federal funding for Colorado River System water conservation projects to offset the effects of extended drought conditions.
- Promote continued federal funding and coordination between states for the Colorado River Basin Salinity Control Program under the departments of Agriculture and Interior.
- Support MWD's interest in binational water conservation programs.

#### *Federal Drought Related Legislation*

- Support administrative/legislative actions to respond to drought, including funding for immediate water supply improvements, while maintaining environmental protections.
- Reflect broad, bipartisan agreement.
- Support regulatory assistance for regions affected by the drought for both immediate and long-term water projects that aid in the development, storage, treatment and delivery of water.
- Provide funding and regulatory incentives for conservation, water-use efficiency measures, recycled water, desalination, and groundwater recovery.
- Protect State Water Project (SWP), Colorado River Aqueduct, and local water supplies and ensure SWP, Colorado River Aqueduct, and local water supply reliability.
- Support funding and administrative or legislative efforts to increase drought resiliency on the Colorado River and Bay-Delta Systems.

- Work within the current federal and state Endangered Species Acts to increase operational flexibility while maintaining regulatory and statutory protections for listed species.
- Support the advancement of information about listed fish and wildlife species and water project operations in the Delta, including data collection, scientific understanding, and real-time monitoring of listed Delta species.
- Encourage use of the most current scientific data and analysis to provide enhanced flexibility for water project operations.

#### *Regional Water Resource Management*

- Continue to support and promote integrated water resources portfolio planning by advocating for clear, concise, and streamlined regulations/policies that are easily understandable to the regulated community and public.
- Support administrative/legislative action and funding to expedite the development of recycled water (including potable reuse), groundwater, stormwater, and desalination projects as water resources, without compromising the operational, financial, water quality, regulatory and customer interests of water and wastewater agencies.
- Support using water wisely in both urban and agricultural settings and ensure equitable implementation among urban and agricultural uses.

#### *Watershed Management*

- Support legislation, regulatory proposals and partnership-based programs that provide for the development and/or public funding of watershed management plans in Southern California, the Bay-Delta and Colorado River watersheds that provide broad public benefits, including water quality, water supply reliability and environmental improvements. Funding of watershed management programs should be based on the “beneficiaries pay” principle.

#### *Water Quality*

- Support administrative/legislative actions to ensure supply chain reliability for water treatment chemicals that are transported by rail (notably chlorine, caustic soda, and polymers).
- Support regulatory streamlining of the oversight for the transportation, storage, and use of gaseous chlorine. Support continued U.S. Environmental Protection Agency (EPA) oversight of water system security through updated vulnerability assessments and site security plans.
- Support administrative/legislative actions to enhance regulatory streamlining that is also protective of public health and the environment.
- Support administrative/legislative actions and funding that protect public health, utilize current science, and reflect appropriate benefit/cost analyses and implementation schedules to protect and improve water quality from unacceptable risks of various constituents. Potential constituents of concern include, but are not limited to, arsenic, chromium 6, cyanotoxins, disinfection byproducts, lead, nitrate, perchlorate, perfluorinated compounds, pharmaceuticals/personal care products, 1,2,3-trichloropropane, and uranium.
- Support administrative/legislative actions that are protective of source water quality, utilize current science and incorporate benefit/cost analyses to reduce salt and nutrient loading to source waters.
- Support administrative/legislative efforts to amend the federal Safe Drinking Water Act in a manner that utilizes current science, incorporates benefit/cost analyses, and provides adequate resources for treatment and mitigation measures.

#### *Environmental Planning and Environmental Compliance*

- Support administrative/legislative actions for environmental compliance (e.g., air, water, hazardous materials, and waste) that provide for regulatory compliance flexibility, improve clarity and workability of the requirements, and promote consistency and reduce regulatory duplication, but do not adversely impact public health or the environment.
- Support MWD’s interests in administrative/legislative actions to ensure their ability to reliably operate and maintain its facilities, infrastructure and real estate assets, including rights of way necessary to access MWD facilities. These actions include, but are not limited to, land conservation measures, such as the California Desert Protection Act, and EPA’s rules for “Waters of the United States” and water transfers.
- Support administrative/legislative actions to consolidate review and oversight of anadromous species protection under the Department of the Interior to eliminate duplication and increase efficiencies.
- Support administrative/legislative actions and funding for control and mitigation of invasive species, including, but not limited to, quagga mussels and striped bass.

- Support administrative/legislative actions pertaining to invasive species that are consistent with, and in no way interfere with, existing interstate water transfers.

#### *Energy Sustainability*

- Support efforts to ensure power costs to the SWP and MWD are appropriate and proportional to the benefits received and that operations of the Colorado River Aqueduct are not adversely impacted.
- Support efforts to improve federal hydropower relicensing for existing facilities, including SWP resources.
- Support legislation that defines hydropower generation as renewable energy irrespective of a facility's nameplate generating capacity and includes the provision of renewable energy credits for hydroelectric generation.
- Support legislation that removes barriers to and encourages energy sector investments in water conservation and energy management programs.

#### *Infrastructure Security*

- Support administrative/legislative actions to enhance physical and cyber security for water and power infrastructure.
- Support associations and coalition efforts to develop standard guidance and best management practices for consistent and ongoing actions to reduce cyber vulnerabilities in process control systems for major water system providers.

#### *Infrastructure and Public Finance*

- Support measures to reduce the cost of planning, financing, construction, and rehabilitation of water infrastructure projects, such as dams, water conduits, pipelines, canals, pumping and power plants, and associated facilities. Potential financing mechanisms may include, but are not limited to, tax-credit financing, tax-exempt municipal bonds, an expanded Water Infrastructure Finance Innovation Act (WIFIA), Water Resources Development Act (WRDA), or Environmental Infrastructure Accounts.
- Support administrative/legislative actions that promote stormwater as a beneficial resource and facilitate the funding and permitting of stormwater capture projects to augment local and regional water supplies without compromising the operational, financial, regulatory, and customer interests of local and regional water agencies.
- Support "beneficiaries pay" approach as financing mechanism for statewide projects and programs.