ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

NOTICE OF REGULAR MEETING OF BOARD OF DIRECTORS

DATE:	Wednesday, April 17, 2024
TIME:	6:00 p.m. Closed Session
	7:00 p.m. Open Session (time approximate)
LOCATION:	Zone 7 Administration Building
	100 North Canyons Parkway, Livermore, California
VIDEO/TELECONFERENCE:	
	https://us02web.zoom.us/j/82195137974
	(669) 444-9171, Meeting ID: 821 9513 7974
LIVE STREAMING:	Comcast Channel 29
	AT&T U-Verse Channel 99 (Livermore)
	Streaming Live at tv29live.org

Any member of the public wishing to address the Board on an item under discussion may do so upon receiving recognition from the President. If the public wishes to provide comment before the meeting, please email publiccomment@zone7water.com by 3:00 p.m. on Wednesday, April 17th.

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available at the Zone 7 Administrative Building lot. If you are a person with a disability and you need disability-related modifications or accommodations to participate in this meeting, please contact the Executive Assistant, Donna Fabian, at (925) 454-5000 or fax (925) 454-5723. Notification 48 hours prior to the meeting will enable Zone 7 to make reasonable arrangements to ensure accessibility to this meeting. {28 CFR 35.102-35, 104 ADA Title II}.

AGENDA

1. Call Zone 7 Water Agency Meeting to Order

2. Closed Session

    a. Government Code section 54957(b); Public Employee Performance Evaluation: Title: General Manager

b. Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2): (1 potential case).

c. Conference with Labor Negotiators pursuant to Government Code section 54954.5: Agency Negotiators: Valerie Pryor/Osborn Solitei Employee Organizations: Alameda County Management Employees Association; Alameda County Building and Construction Trades Council, Local 342, AFL-CIO; International Federation of Professional and Technical Engineers, Local 21, AFL-CIO; Local 1021 of the Service Employees International Union, CTW; Unrepresented Management

d. Conference with Legal Counsel – Existing litigation pursuant to Gov't Code section 54956.9(d) (1): (1) State Water Contractors v. California Department of Fish & Wildlife (JCCP Case No. 5117), (2) Stark v. Alameda County Flood Control and Water Conservation District, Zone 7 (Alameda County Superior Court Case No. 22-CV-5837), (3) Bautista v. Alameda County Flood Control and Water Conservation District, Zone 7 (Alameda County Superior Court Case No. 22-CV-10679); (4) Alameda County Flood Control & Water Conservation District, Zone 7 v. County of Alameda, (Alameda County Superior Court Case No. 23-CV-51449); (5) Alameda County Flood Control & Water Conservation District, Zone 7 v. City of Pleasanton (Alameda County Superior Court Case No. 24-CV-61595); (6) In re: Aqueous Film-Forming Foams Products Liability Litigation (S.D. South Carolina, MDL No. 2:18-mn-2873-RMG).

e. Conference with Legal Counsel – Anticipated Litigation: Initiation of litigation pursuant to § 54956.9(d) (one case)

3. Open Session and Report Out of Closed Session

4. Pledge of Allegiance

5. Roll Call of Directors

6. Public Comment on Non-Agenda Items
The Public Comment section provides an opportunity to address the Board of Directors on items that are not listed on the agenda, or informational items pertinent to the agency's business. The Board welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the agency or are within the jurisdiction of the agency. The Board will not be able to act on matters brought to its attention under this item until a future board meeting.

7. Minutes
   a. Regular Board Meeting Minutes of March 20, 2024

8. Consent Calendar
   a. Agreement with the City of Pleasanton for Hopyard Pipeline Test Station Installations – Task Order
   b. Award a Contract with Total Online Protection for Maintenance of Uninterruptable Power Supply Systems

   Recommended Action: Adopt Resolutions

9. Commendation for Retired Engineering Manager Jarnail Chahal

   Recommended Action: Adopt Resolution

10. Award a Contract for MGDP and Mocho Wellfield PFAS Compliance Conceptual Design

    Recommended Action: Adopt Resolution

11. Declaration of May as Water Awareness Month

    Recommended Action: Adopt Resolution

12. 2024 Annual Sustainability Report

    Recommended Action: Information Only

13. General Manager's Compensation

    Recommended Action: Discuss and Provide Direction

14. Committees
    a. Legislative Committee Meeting Notes of February 22, 2024
    b. Legislative Committee Meeting Notes of March 28, 2024

15. Reports – Directors
    a. Written Reports
    b. Verbal Reports

16. Items for Future Agenda – Directors

17. Staff Reports
    a. General Manager's Report
    b. March Outreach Activities
    c. Legislative Update
    d. Monthly Water Inventory and Water Budget Update

18. Adjournment

19. Upcoming Board Schedule: (All meeting locations are in the Boardroom at 100 North Canyons Parkway, Livermore, unless otherwise noted.)
    a. Liaison Committee Meeting: April 24, 2024, 4:00 pm (100 Civic Plaza, Dublin)
    b. Liaison Committee Meeting: April 29, 2024, 4:00 pm (7035 Commerce Circle, Pleasanton)
    c. Water Resources Committee Meeting: April 30, 2024, 3:00 pm
    d. Special Board Meeting: May 1, 2024, 5:30 pm
    e. Regular Board Meeting: May 15, 2024, 7:00 pm

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

MINUTES OF THE BOARD OF DIRECTORS
ZONE 7

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

REGULAR MEETING
March 20, 2024

Directors Present: Dawn Benson
Sandy Figuers
Dennis Gambs
Laurene Green
Kathy Narum
Sarah Palmer

Directors Absent: Angela Ramirez Holmes

Staff Present: Valerie Pryor, General Manager
Chris Hentz, Assistant General Manager – Engineering
Osborn Solitei, Treasurer/Assistant General Manager – Finance
Donna Fabian, Executive Assistant

General Counsel: Rebecca Smith, Downey Brand

Item 1 – Call Zone 7 Water Agency Meeting to Order

President Figuers called the Regular Meeting of the Board of Directors to order at 7:02 p.m.

Item 2 – Closed Session

The Board entered Closed Session at 5:39 pm and concluded it at 6:39 pm.

Item 3 – Open Session and Report Out of Closed Session

President Figuers stated that the Board met in Closed Session and discussed the General Manager's performance evaluation. He reported that the Board determined that the General Manager meets or exceeds all expectations in every evaluated area.

Item 4 – Pledge of Allegiance

President Figuers led the Pledge of Allegiance.

Item 5 – Roll Call of Directors

Director Ramirez Holmes was absent.

Item 6 – Public Comment

No public comments were received.

Item 7 – Minutes

Director Narum made a motion to approve the Regular Board Meeting minutes of February 21, 2024, and Director Green seconded the motion. The minutes were approved by a voice vote of 6-0 with Director Ramirez Holmes absent.

Item 8 – Consent Calendar

Director Palmer made a motion to approve Items 8a through 8f and Director Benson seconded the motion. The items on the Consent Calendar were approved by a roll call vote of 6-0 with Director Ramirez Holmes absent.

Item 9 – Outreach and Communications Program Update

This item was continued to a future Board meeting.

Item 10 – Committees

The Committee notes received no comments.

Item 11 – Reports – Directors

Director Palmer submitted a written report and added that the Alameda County Special Districts Association Annual Dinner will be held tomorrow. Director Benson shared that the 2024 Water Conservation Showcase will be in San Ramon on April 4th.

Item 12 – Items for Future Agenda – Directors

No items were requested for consideration at an upcoming Board meeting.

Item 13 – Staff Reports

Valerie Pryor, General Manager, discussed several ongoing projects mentioned in her General Manager's Report. Regarding the Stoneridge Well PFAS Treatment Facility Project, Ms. Pryor

reported that operations are ongoing, with efforts focused on site finalization and the addition of a booster pump station to improve water distribution. The Chain of Lakes Well PFAS Treatment Facility Project is progressing as well, with underground work completed and vessel system insulation anticipated by late April or early May, remaining on schedule for completion in fall 2024.

Moving on to Water Resources, Ms. Pryor noted that while the State is experiencing an average snowpack of 101%, regulatory constraints have limited delta exports, impacting the State Water Project allocation. However, Zone 7 has secured sufficient water reserves for the year, ensuring all demands can be met in 2024.

Updates on long-term water supply reliability projects included continued participation in the Delta Conveyance Project planning process and progress on agreements related to the Los Vaqueros Reservoir expansion and Sites Reservoir Project.

Operations highlights included the successful resolution of a critical valve failure at the Mocho Groundwater Demineralization Plant, thanks to the innovative efforts of the operations and maintenance staff. In administration, it was announced that a federal grant of $958,000 was secured for the Chain of Lakes PFAS Treatment Facility, with special recognition given to Carol Mahoney, Government Relations Manager, and the assistance of Congressmen Eric Swalwell and Mark DeSaulnier in obtaining the funding.

Lastly, Zone 7 is planning on a public tour of the Patterson Pass Water Treatment Plant tentatively set for Saturday, May 18th.

Item 14 – Adjournment

President Figuers adjourned the meeting at 7:15 pm.

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

ORIGINATING SECTION: Water Supply Engineering
CONTACT: Athena Watson/Mona Olmsted

AGENDA DATE: April 17, 2024

SUBJECT: Agreement with the City of Pleasanton for Hopyard Pipeline Test Station Installations – Task Order

SUMMARY:

- To support Zone 7 Water Agency's (Zone 7) mission to deliver a safe, reliable, efficient, and sustainable water supply, Zone 7 is implementing the Hopyard Pipeline Corrosion Protection Improvement Project (Project). This project is in support of Strategic Plan Initiative 3 – Continue to effectively implement infrastructure projects in the Water System Capital Improvement Program.

- Zone 7's Project was included in the Five-Year Capital Improvement Plan (CIP) and was scheduled to begin design in Fiscal Year 2024-25 with construction starting in spring 2025. The project consists of installing facilities along the pipeline to prevent corrosion and to monitor the effectiveness of the corrosion protection, including new test stations within Hopyard Road to monitor the pipeline's condition, and rectifiers and deep-well anodes outside of Hopyard Road to maintain a low-voltage current that protects the pipeline from corrosion.

- The City of Pleasanton (City) notified Zone 7 of their intent to complete the Hopyard Road Paving Project in spring 2024 (City Paving Project). Staff coordinated with the City to accelerate installation of the portion of Zone 7's Project within Hopyard Road, which is anticipated to reduce public impacts and coordination efforts, and complete this work prior to the City's seven-year moratorium that prohibits disturbing newly paved roads.

- Additionally, a leak was recently discovered at Zone 7's valve at Pleasanton Turnout 1. The City has a contractor working adjacent to the location of the leak and positioned to efficiently replace the leaky valve. Zone 7 would reimburse the City for the actual cost of the work.

- In December 2014, the Zone 7 Board adopted a resolution (Resolution No. 15-12) to enter into the Tri-Valley Intergovernmental Reciprocal Services Master Agreement (Reciprocal Services Agreement) with the cities of Pleasanton, Dublin, Livermore, San Ramon, and the Dublin San Ramon Services District. Among other things, the Reciprocal Services Agreement enables the agencies to share resources, including purchases and procurement of contracting services to save time and money by streamlining processes that are similar in nature.

- A Task Order under the Reciprocal Services Agreement is proposed between Zone 7 and the City to complete the turnout valve replacement and test station installation work in Hopyard Road in concert with the City of Pleasanton's Hopyard Road repaving project in spring 2024.

- Zone 7's corrosion control consultant expedited the completion of the design for five test stations and Zone 7 submitted a request to the City to add the test station installations. The City received a quote for the installation of these test stations from their contractor, JMB Construction, Inc., in the amount of $105,000 and the City Council approved additional contingency to construct the Zone 7 test stations. The City will arrange for the construction work and invoice Zone 7 for the costs once work is complete. Zone 7 and its corrosion control consultant would perform engineering services during construction, construction management, materials testing, and inspection of the Zone 7 scope of work. Per the California Environmental Quality Act (CEQA) guidelines, a Notice of Exemption was filed with the Alameda County Clerk and Records Office.

- Staff recommends that the Board authorize the General Manager to negotiate and execute a Task Order with the City of Pleasanton to facilitate the reimbursement of the construction work for 1) installation of the five test stations in an amount of $115,500, which includes 10% contingency, and 2) replacement of the Pleasanton Turnout 1 isolation valve in an amount of $100,000, which includes 10% contingency. The not-to-exceed amount of the Task Order is $215,500.

FUNDING:

Funding for the Task Order with the City of Pleasanton was not anticipated and/or budgeted in FY 2023-24. However, funding is available within the Fund 120 – Renewal/Replacement and System-Wide Improvements contingency budget for the turnout valve replacement and to enable acceleration of the test station installation work, which was planned for FY 2024-25.

RECOMMENDED ACTION:

Adopt the attached Resolution.

ATTACHMENT:

Resolution

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

Agreement with the City of Pleasanton for Hopyard Pipeline Test Station Installations – Task Order

WHEREAS, Zone 7's Hopyard Pipeline Corrosion Protection Improvement Project is in the Five-Year Capital Improvement Plan (CIP) and is scheduled to begin in Fiscal Year 2024-25; and

WHEREAS, the project is in support of Strategic Initiative 3 – Continue to effectively implement infrastructure projects in the Water System Capital Improvement Program; and

WHEREAS, in December 2014, Zone 7 (by Resolution No. 15-12) along with the cities of Pleasanton, Dublin, Livermore, San Ramon, and the Dublin San Ramon Services District, entered into the Tri-Valley Intergovernmental Reciprocal Services Master Agreement (Reciprocal Services Agreement); and

WHEREAS, the objective of the Reciprocal Services Agreement enables agencies to share resources, including purchases and procurement of contracting to save time and money by streamlining processes that are similar in nature; and

WHEREAS, the City of Pleasanton intends to repave Hopyard Road as part of its Annual Resurfacing Program starting in spring 2024; and

WHEREAS, Zone 7 submitted a request to the City of Pleasanton for their contractor to install five new test stations on the Hopyard Pipeline such that this portion of the Hopyard Pipeline Corrosion Protection Improvement Project could be completed prior to the repaving project; and

WHEREAS, a leak was recently discovered at Zone 7's valve at Pleasanton Turnout 1 which needs to be replaced; and

WHEREAS, the City of Pleasanton will arrange for the construction work to replace Zone 7's valve at Pleasanton Turnout 1 and install the five test stations on the Hopyard Pipeline and Zone 7 will reimburse the City of Pleasanton for the cost of their contractor to perform this work, while Zone 7 and its consultants will perform engineering services during construction, construction management, materials testing, and inspection of the Zone 7 scope of work; and

WHEREAS, the not-to-exceed amount of the Task Order is $215,500, which includes a 10% contingency; and

WHEREAS, a Notice of Exemption per the California Environmental Quality Act (CEQA) guidelines was prepared for the project and filed with the Alameda County Clerk and Records Office.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District does hereby authorize the General Manager to negotiate, execute and amend as needed a Task Order with the City of Pleasanton to facilitate the reimbursement of the work for the City of Pleasanton's contractor to replace Zone 7's valve at Pleasanton Turnout 1 and to install five test stations on the Hopyard Pipeline in an amount not to exceed $215,500 (which includes 10% as contingency).

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on April 17, 2024.

By: _____
President, Board of Directors

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

ITEM NO. 8b

ORIGINATING SECTION: Maintenance
CONTACT: David Zachry/Jon Nicolaus

AGENDA DATE: April 17, 2024

SUBJECT: Award a Contract for Uninterruptible Power Supply Equipment Preventative Maintenance, Parts and As-Needed Repair Services

SUMMARY:

- The proposed action is in support of the Zone 7 mission to deliver safe, reliable, efficient, and sustainable water and flood protection service, Strategic Plan Initiative #14 - evaluate current program to increase ratio of preventative to reactive maintenance and increasing the preventative maintenance percentage is a positive return on investment in the overall operation of the different facilities.

- Uninterruptible Power Supply (UPS) equipment provides backup power to a wide variety of Zone 7 electronic components relied upon for operation in the event of power failure, including telecommunications and equipment controls. Routine maintenance is needed to ensure continuous operation, which may also identify required repairs or replacement of components.

- In accordance with the Purchasing Policy, a Request for Quote (RFQ No. 2024-17) was issued to qualified vendors to solicit bids for UPS Preventative Maintenance (PM), Parts, and As-Needed Repair Services. Total Online Protection, LLC was the lowest, responsive, and responsible bidder to submit a complete bid packet. Their quote was reviewed and determined to be fair and reasonable. This vendor is qualified, certified and can provide 24-hour, 7-day-per-week service.

- The scope of contracted services includes maintenance of UPS equipment added with ozone projects at both water treatment plants, more than doubling the number of units previously included in these services. The prior year maintenance contract amount was $8,400. Separately, Zone 7 spent $41,500 to replace batteries. The current proposed contract for $24,000 per year for the first three years will address maintenance and scheduled routine replacement of batteries and other equipment as needed.

- Staff recommends the Board authorize the General Manager to negotiate, execute, and amend as needed a contract with Total Online Protection, LLC for UPS PM, Parts, and As-Needed Repair Services for a not-to-exceed amount of $72,000, for the three-year period (FY 2024-25 to FY 2026-27), and to amend and extend the contract for two additional one-year terms (for FY 2027-28 and FY 2028-29), for a total five-year not-to-exceed contract amount of $124,000, Total Amount includes estimated inflation costs.

FUNDING:

Funding will be requested from Fund 100 – Water Enterprise Operations in the upcoming Fiscal Year 2024-2026 Two-Year Budget in an amount of $48,000. Funding for additional years will be requested in subsequent budget requests.

RECOMMENDED ACTION:

Adopt the attached Resolution.

ATTACHMENT:

Resolution

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

Award a Contract for Uninterruptible Power Supply Equipment Preventative Maintenance, Parts and As-Needed Repair Services

WHEREAS, Zone 7 of the Alameda County Flood Control and Water Conservation District is committed to delivering safe, reliable, efficient, and sustainable water and flood protection services; and

WHEREAS, Zone 7 owns Nine Uninterruptible Power Supply (UPS) equipment at the Del Valle Water Treatment plant and the Paterson Pass Water Treatment Plant, and owns UPS equipment at other remote facilities that require maintenance, replacement parts, and repair; and

WHEREAS, maintaining Uninterruptible Power Supply equipment will support the Strategic Plan Initiative #14 -evaluate current program to increase ratio of preventative to reactive maintenance and increasing the preventative maintenance percentage is a positive return on investment in the overall operation of the different facilities, and Strategic Plan Initiative #5 – meet or surpass all drinking water health and safety requirements; and

WHEREAS, a Request for Quote (RFQ #2024-17) was issued to qualified vendors to solicit bidders for UPS PM and As-Needed Repair Services at Paterson Pass Water Treatment Plant. Total Online Protection LLC. was the lowest, responsive, and responsible bidder to submit a complete bid packet.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District does hereby authorize the General Manager to negotiate, execute and amend as needed a contract for Uninterruptible Power Supply Equipment Preventative Maintenance, Parts, and As-Needed Repair Services with Total Online Protection, LLC., for a three-year term contract (FY 2024-25 and FY 2025-26 and FY 2026-27), for a contract amount not-to-exceed $72,000.

BE IT FURTHER RESOLVED that the General Manager be authorized to extend the Uninterruptible Power Supply Equipment Preventative Maintenance, Parts, and As-Needed Repair Services contract with Total Online Protection, LLC., for up to two (2) additional one-year terms (for FY 2027-28 and FY 2028-29), for a total five-year not-to-exceed contract amount of $124,000.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on April 17, 2024.

By: _____
President, Board of Directors

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

ORIGINATING SECTION: Office of the General Manager
CONTACT: Carol Mahoney/Valerie Pryor

AGENDA DATE: April 17, 2024

SUBJECT: Commendation for Retired Engineering Manager Jarnail Chahal

SUMMARY:

Zone 7 would like to recognize and commend retiring Engineering Manager, Jarnail Chahal for his service and dedication to fulfilling the mission to "deliver safe, reliable, efficient and sustainable water and flood protection services." Mr. Chahal began his career with Zone 7 in October 1990 and has worked in various roles at the agency from Junior Engineer to Engineering Manager, to which he was promoted in July 2011.

Mr. Chahal has contributed to many areas of water supply and flood protection including the Water Resources, Advanced Planning and Engineering sections. Mr. Chahal not only was involved in early adoption of groundwater modeling techniques at the agency, but also was a key contact for water supply planning through his coordination with the State Water Project. His coordination with the Department of Water Resources and the State Water Project were important drivers in the expansion of the South Bay Aqueduct, which allowed for greater flexibility in delivering water to the Tri-Valley through wet and dry years.

Under his leadership of the Engineering Division, Zone 7 saw several advances on projects from ozonation and PFAS treatment to land purchases for watershed protection and flood protection. Many of his early efforts make up the underpinnings of successful programs from which the agency benefits today – such as water banking, Sustainable Groundwater Management Act administration, untreated water contracting, and land management. His fingerprints are evident in the successful implementation of many engineering and flood protection projects; therefore, it is staff's recommendation to commend Jarnail Chahal for his many years of service and wish him well in his retirement.

RECOMMENDED ACTION:

Adopt the attached Resolution.

ATTACHMENT:

Resolution

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

Commendation for Jarnail Chahal

WHEREAS, Jarnail Chahal served the citizens of the Tri-Valley since beginning employment with Zone 7 Water Agency in October 1990; and

WHEREAS, Mr. Chahal's contributions in the Water Resources, Advanced Planning, and Engineering sections at the agency led to many important accomplishments, including:

- Water supply forecasting and planning to assure delivery through coordination of the Annual Water Resources Plan with the Department of Water Resources
- South Bay Aqueduct Enlargement
- Mocho Groundwater Demineralization Plant Project
- SCADA system communications
- Walker Ranch/Lake Del Valle Ranch Property Management
- Dyer Reservoir/Altamont Treatment Plant/Altamont Pipeline
- Valley Pump Station
- Upgrades of both water treatment plant's electrical systems, as well as ozonation
- Upgrades at wellfields to include Per- and Poly-fluoroalkyl Substances (PFAS) treatment technologies; and

WHEREAS in addition to these important projects, Mr. Chahal also coordinated many planning efforts including Capital Improvement Plans and Asset Management Plans; and

WHEREAS with over 30 years of experience, became the Agency's "go-to" for State Water Project coordination as well as information on major engineering projects and programs; and

WHEREAS, Mr. Chahal retired from Zone 7 service effective March 30, 2024;

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby acknowledge, commend, and thank Mr. Jarnail Chahal for his fine public service to Zone 7 Water Agency and the people of the Tri-Valley.

Adopted by Unanimous Vote on April 17, 2024

_____
Sandy Figuers
President, Board of Directors

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

ITEM NO. 10

ORIGINATING SECTION: Water Supply Engineering
CONTACT: Athena Watson/Mona Olmsted

AGENDA DATE: April 17, 2024

SUBJECT: Award a Contract for MGDP and Mocho Wellfield PFAS Compliance Conceptual Design

SUMMARY:

- To support Zone 7 Water Agency's (Zone 7) mission to deliver a safe and reliable supply of high-quality water for the Tri-Valley, conceptual design is recommended to assess treatment options for per- and polyfluoroalkyl substances (PFAS) for the Mocho Groundwater Demineralization Plant (MGDP) and the Mocho wellfield. The MGDP and Mocho Wellfield PFAS Compliance Conceptual Design is in support of Strategic Plan Initiative 3 – Continue to effectively implement infrastructure projects in the Water System Capital Improvement Program, and Initiative 6 – Assess treatment requirements and strategy for PFAS and chromium 6.

- The U.S. Environmental Protection Agency (EPA) recently announced final maximum contaminant levels (MCLs) for six PFAS, including: individual MCLs for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS) at 4 parts per trillion (ppt); individual MCLs for perfluorohexane sulfonate (PFHxS), perfluorononanoic acid (PFNA), and GenX Chemicals at 10 ppt; and an MCL for a mixture of four PFAS (PFHxS, GenX Chemicals, PFNA, and perfluorobutane sulfonate (PFBS)) at no greater than a Hazard Index of 1.0. The new regulations require mandatory reporting in the annual Consumer Confidence Report beginning in 2027, which Zone 7 has been doing voluntarily since 2019. Water systems have five years to comply with the new regulations.

- The California State Water Resources Control Board, Division of Drinking Water (DDW), is anticipated to adopt the federal MCLs, which is anticipated to cause a significant reduction in useable capacity from the Mocho wellfield. Construction of a third PFAS treatment facility to operate in concert with the MGDP is needed to maintain available groundwater production.

- Several PFAS have been detected in the Mocho wellfield since late 2018. Detection levels have been up to approximately 8 ppt for PFOA, approximately 4 to 67 ppt for PFOS, and approximately 6 to 50 ppt for PFHxS.

- The existing reverse osmosis membrane (RO) treatment process at the MGDP has a total capacity of approximately 7.5 million gallons per day (MGD) and is blended downstream with well water for a total wellfield production of approximately 16 MGD. Compliance with the 4 ppt MCL for PFOS will reduce well water blending with the MGDP, resulting in total Mocho wellfield production of less than 6 MGD.

- To prepare for compliance with the federal PFAS regulations, Zone 7 plans to expedite this conceptual design to test the effectiveness of various media, which is required by DDW, and evaluate the number of vessels, life cycle costs, facility layout, and facility siting that will inform final design, permitting and construction. The anticipated need for land acquisition and potential long-lead times for treatment facility procurement may delay project construction and operation beyond the compliance date of the new PFAS regulations. To ensure sufficient water supply during this period, the conceptual design will also evaluate interim modifications to Mocho wellfield facilities to increase production, if needed. The conceptual design is planned to be complete by December 2024, with detailed design initiated in early 2025 to enable start of construction in 2026.

- This effort will build upon the 2020 PFAS Treatment Feasibility Study, which evaluated PFAS treatment of Zone 7 production wells based on higher anticipated MCLs than the current federal PFAS regulations, and lower loading rates. Conceptual design is needed to define the basis of design, permitting and site requirements.

- Consistent with the Agency's Purchasing Policy and state law, professional services are exempt from competitive pricing requirements and may be selected as a sole source. Staff recommend the Board award a sole-source contract to Carollo Engineers given their expert understanding of existing wells and Mocho Groundwater Demineralization Plant, which must be integrated into the planning and design of this project. Carollo Engineers has developed a detailed understanding of the existing facilities and is uniquely qualified to expedite completion of the conceptual design to meet the tight regulatory timeframe.

- The proposed contract with Carollo Engineers is to complete the conceptual design. Once complete, staff will competitively select a qualified consultant to complete detailed design and will request the Board to award the design contract in January 2025

- Staff recommends that the Board authorize the General Manager to negotiate, execute, and amend, as needed, a professional services agreement with Carollo Engineers, Inc., for engineering services for the MGDP and Mocho Wellfield PFAS Compliance Conceptual Design in an amount not-to-exceed $320,000, which includes a 10% contingency.

FUNDING:

Funding for staff and consulting services in an amount of $200,000 is available in the FY 2023-24 Fund 120 – Renewal/Replacement and System-Wide Improvements budget. An additional $300,000 in FY 2024-25 is proposed in the upcoming FY 2024-26 Two-Year Budget to complete the conceptual design. Funding for detailed design, permitting, land acquisition is also proposed in an amount of $4,700,000 in the upcoming FY 2024-2026 budget.

RECOMMENDED ACTION: Adopt the attached Resolution.

ATTACHMENT: Resolution

ZONE 7

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

Award a Contract for MGDP and Mocho Wellfield PFAS Compliance Conceptual Design

WHEREAS, Zone 7 has detected per- and polyfluoroalkyl substances (PFAS) in the Mocho wellfield; and

WHEREAS, based on recently announced US EPA regulations, Zone 7 is expected to need additional treatment for the Mocho wellfield, beyond blending and processing through the Mocho Groundwater Demineralization Plant, to meet future regulatory standards for PFAS in California; and

WHEREAS, Zone 7 has funding in the FY 2023-24 Adopted Budget for an MGDP and Mocho Wellfield PFAS Conceptual Design to evaluate site locations, the optimal conceptual configuration of treatment to comply with Maximum Contaminant Levels for PFAS, and interim modifications to Mocho wellfield facilities to maintain water supply and enable detailed design for construction of a new treatment system in 2026; and

WHEREAS, the conceptual design is in support of Strategic Initiative 3 – Continue to effectively implement infrastructure projects in the Water System Capital Improvement Program, and Initiative 6 – Assess treatment requirements and strategy for PFAS and chromium 6; and

WHEREAS, Carollo Engineers, Inc., was determined to be best suited to provide engineering services for the project based on their expert understanding of existing facilities, including the Mocho Groundwater Demineralization Plant, that must be integrated into the planning and design of the project, and the need to expedite this conceptual design; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District does hereby authorize the General Manager to negotiate, execute, and amend as needed, a sole source professional services agreement with Carollo Engineers, Inc., for the Mocho Groundwater Demineralization Plant (MGDP) and Mocho Wellfield PFAS Compliance Conceptual Design, in an amount not-to-exceed $320,000, which includes a 10% contingency.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on April 17, 2024.

By: _____
President, Board of Directors

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

ORIGINATING SECTION: Office of the General Manager
CONTACT: Alexandra Bradley

AGENDA DATE: April 17, 2024

SUBJECT: Declaration of May as Water Awareness Month

SUMMARY:

- As part of Zone 7's mission to "Deliver safe, reliable, efficient, and sustainable water and flood protection services", Zone 7 participates in water conservation education activities to support Strategic Initiatives #2 – Evaluate and develop appropriate new water supply and reliability opportunities and #19 – Optimize Agency communications program.

- Water Awareness Month is celebrated in May in California. During the celebration, water agencies throughout the state conduct public outreach and education events to heighten public awareness about water supply and the need for conservation and water use efficiency.

- Zone 7 traditionally recognizes the significance of Water Awareness Month with a Board Resolution of Support and various community activities, which highlight the vital role of water, and the importance of conservation even in non-drought years.

- As a program partner in the "Save Our Water" program—a partnership between the Association of California Water Agencies and the Department of Water Resources—Zone 7 Water Agency (Zone 7) works with the retailers to manage and reduce local water demands through water conservation and water use efficiency.

- To celebrate Water Awareness month, Zone 7 Water will be hosting public tours of the Patterson Pass Water Treatment Plant on Saturday, May 18, 2024. Each tour will begin with a fifteen-minute PowerPoint presentation introducing the attendees to the history and functions of Zone 7 Water Agency, and an explanatory video that will take viewers on the journey of Tri-Valley's water. Guests will then be led on a 45-minute walking tour of the plant, guided by a water operator and an engineer. The tour will conclude with refreshments, snacks, and a shower bucket filled with rebate information, water-saving tips, information on the water treatment plant, and the ozone process. Participants will leave with a better understanding of their water delivery and treatment system, and an enhanced appreciation of the value of water and the essential services Zone 7 provides to the Tri-Valley.

- Dublin San Ramon Services District (DSRSD) will also be hosting tours of their wastewater treatment plant during Water Awareness Month. Zone 7 will support DSRSD in cross promoting their tours.

- Zone 7 is also supporting Bringing Back the Natives Garden (BBNG) Tour with a sponsorship and promotional efforts. In-person garden tours will be held Saturday, May 4 for Bayside gardens and Sunday, May 5 for Inland gardens. Participants will be inspired by the beautiful landscapes and will learn how they too can attract birds and pollinators, garden for color and interest throughout the year, remove water-wasting lawns and save water by planting natives. See www.bringingbackthenatives.net/ for more information.

- Zone 7 will be promoting National Drinking Water Week May 5-11 by utilizing the Quench California social media campaign materials provided by the Association of California Water Agencies.

- Staff recommends that the Board adopt the attached resolution, declaring the month of May as Water Awareness Month with associated public outreach and education activities.

FUNDING:

Not applicable.

RECOMMENDED ACTION:

Adopt the attached Resolution.

ATTACHMENT:

Resolution

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

RESOLUTION NO.

INTRODUCED BY
SECONDED BY

Declaration of May as Water Awareness Month

WHEREAS, as part of Zone 7's mission to "Deliver safe, reliable, efficient, and sustainable water and flood protection services", Zone 7 participates in water conservation education activities to support Strategic Initiatives #2 – Evaluate and develop appropriate new water supply and reliability opportunities and #19 – Optimize Agency communications program; and

WHEREAS, May has historically been designated as Water Awareness Month to highlight the vital role of water and the importance of conservation and water use efficiency; and

WHEREAS, water conservation and water use efficiency are important tools in combating drought conditions in California; and

WHEREAS, staff plans to coordinate with local retailers to promote public outreach and education for this year's Water Awareness Month.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District supports and declares May as Water Awareness Month with associated public outreach and education activities.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on April 17, 2024.

By: _____
President, Board of Directors

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

ITEM NO. 12

ORIGINATING SECTION: Integrated Planning
CONTACT: Sal Segura/Ken Minn

AGENDA DATE: April 17, 2024

SUBJECT: 2024 Annual Sustainability Report

SUMMARY:

- To support the Mission to deliver safe, reliable, efficient, and sustainable water, Zone 7 Water Agency (Zone 7) has been managing water supplies. This Annual Sustainability Report assesses Zone 7's ability to provide sustainable water services over the next five years to support Strategic Plan Goal A – Reliable Water Supply and Infrastructure and is to implement Strategic Initiatives #1 - Establish a diversified water supply plan and #2 - Evaluate and develop appropriate new water supply and reliability opportunities.

- The preparation of the Annual Sustainability Report is required by Zone 7's Water Supply Reliability Policy and demonstrates Zone 7's ability to meet delivery requests over the next five years. Given the recent hydrology and demand, this Annual Sustainability Report adjusts retailer delivery requests by -10% corresponding with recent observed delivery trends in 2024 and 2025. Retailer deliveries are assumed starting in 2026.

- Staff concluded that Zone 7 will be able to deliver 100% of projected demands over the next five years, assuming average conditions in 2027 and 2028.

- Based on the projected operations plan, the available surface water supply will be sufficient to meet water demands and allow replenishing Zone 7's water storage reserves in the local groundwater basin.

- Staff presented an updated Operations Plan to the Board in February 2024; the plan reflected the latest supply and demand conditions for Zone 7's feasible operational scenarios.

- Zone 7 staff will continue to monitor both state and local hydrologic conditions and adjust operations and projections accordingly.

- As discussed in this Annual Sustainability Report, Zone 7 will be able to meet demands with or without voluntary conservation.

RECOMMENDED ACTION: Information only.

ATTACHMENT: Annual Sustainability Report 2024

ANNUAL SUSTAINABILITY REPORT 2024

BACKGROUND

To support the Mission to deliver safe, reliable, efficient, and sustainable water, Zone 7 Water Agency (Zone 7) has been managing water supplies. This Annual Sustainability Report assesses Zone 7's ability to provide sustainable water services over the next five years to support Strategic Plan Goal A – Reliable Water Supply and Infrastructure and is to implement Strategic Initiatives #1 - Establish a diversified water supply plan and #2 - Evaluate and develop appropriate new water supply and reliability opportunities.

In addition, on October 17, 2012, Zone 7 adopted the Water Supply Reliability Policy (Resolution 13-4230, see Attachment A), which requires an annual review of sustainable water supplies (Annual Review). This Annual Sustainability Report covers the following topics:

- Key hydrologic and water supply conditions
- Projected water demands for the next five years
- Projected water supplies for the next five years
- Comparison of supplies and demands for the next five years
- Programs necessary to continue meeting water demands going forward

SUMMARY OF FINDINGS

Water Year 2023 resulted in hydrologic whiplash for California. The Water Year started with what appeared to be the fourth consecutive drought year, with the State Water Project's allocation initially set at 10%. However, starting in January 2023, the hydrologic conditions began to shift. Locally, there was a significant New Year's storm event, resulting in record high flows on Arroyo de la Laguna of approximately 16,000 CFS, well above flood stage. This storm event pushed Lake Del Valle into flood control operations for most of January, February, and March of 2023, resulting in approximately 70,000 AF in flood control releases over this period. Additionally, the State Water Project made a total of four allocation increases, with a final allocation of 100% in April. This was the first 100% allocation for the State Water Project since 2006. Given the sudden shift from drought conditions to one of California's wettest years on record, the Board rescinded the Drought Emergency in April 2023 and lifted the 15% mandatory call for conservation enacted in September of 2021.

In 2023, Zone 7 maximized surface water supplies, artificially recharging just under 9,000 AF, receiving nearly 2,500 AF of Article 21 supplies, pumped less than 2,000 AF of groundwater, stored 10,000 AF in the Kern Storage and Recovery Programs, and stored nearly 25,000 AF in San Luis Reservoir for later use.

Under current 2024 calendar year conditions, Zone 7's planned incoming supplies consist of the following:

- 24,200 acre-feet (AF) based on a 30% State Water Project (SWP) Table A allocation
- 8,000 AF of Lake Del Valle local water captured and/or used in 2024 year-to-date

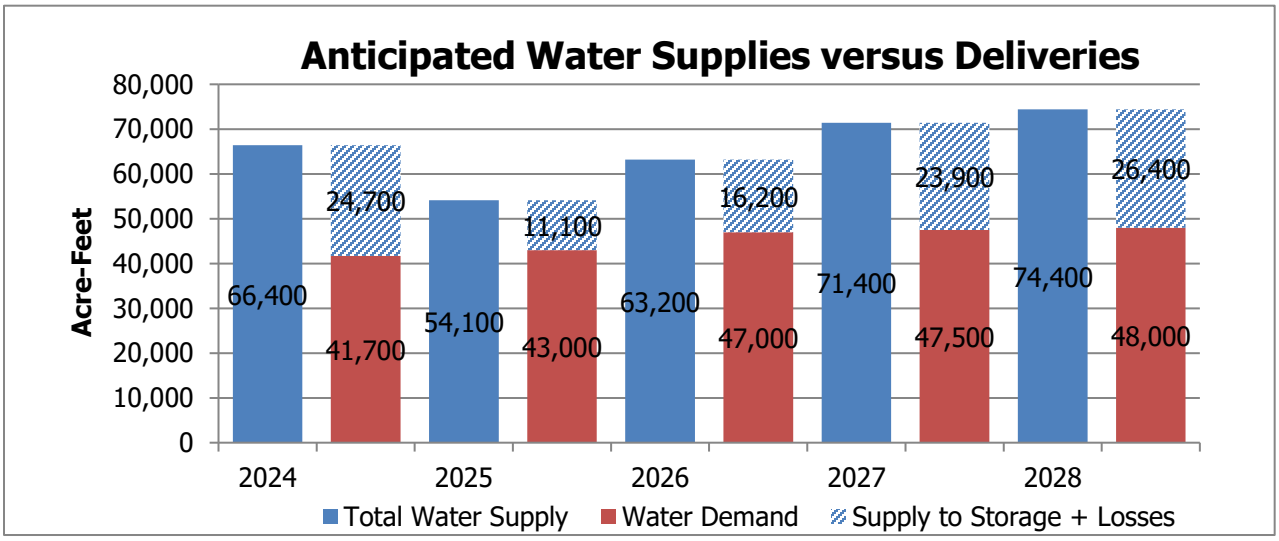
Given existing conditions and above normal incoming supplies, Zone 7 plans to draw from storage as follows:

- 24,500 AF of SWP carryover from 2023 at the beginning of January 2024 that is not expected to spill from San Luis Reservoir
- 5,000 AF of Lake Del Valle local water captured in 2023,
- No recovery from the Kern County Storage and Recovery Programs, and
- 4,200 AF from the Livermore Valley Groundwater Basin.

Planned incoming water supplies, combined with withdrawal from various stored supplies, result in a total of 66,400 AF that could be used to meet customer demands of 41,700 AF; note that this is based on treated customer demand projections (with deliveries trending 10% below 2024 delivery requests) and untreated water demands. An estimated 4,700 AF will be used to recharge the local groundwater basin. An estimated 8,000 AF will be carried over in Lake Del Valle for use in 2025. If possible, Zone 7 plans to repay 1,250 AF to Napa County as part of a 2020 water transfer agreement. A portion of the remaining water will be unavailable as operational losses (evaporation and system loss; 800 AF). As part of the water management strategy, the remaining supplies (approximately 10,000 AF) will be retained in San Luis Reservoir for use in 2025 as SWP Carryover.

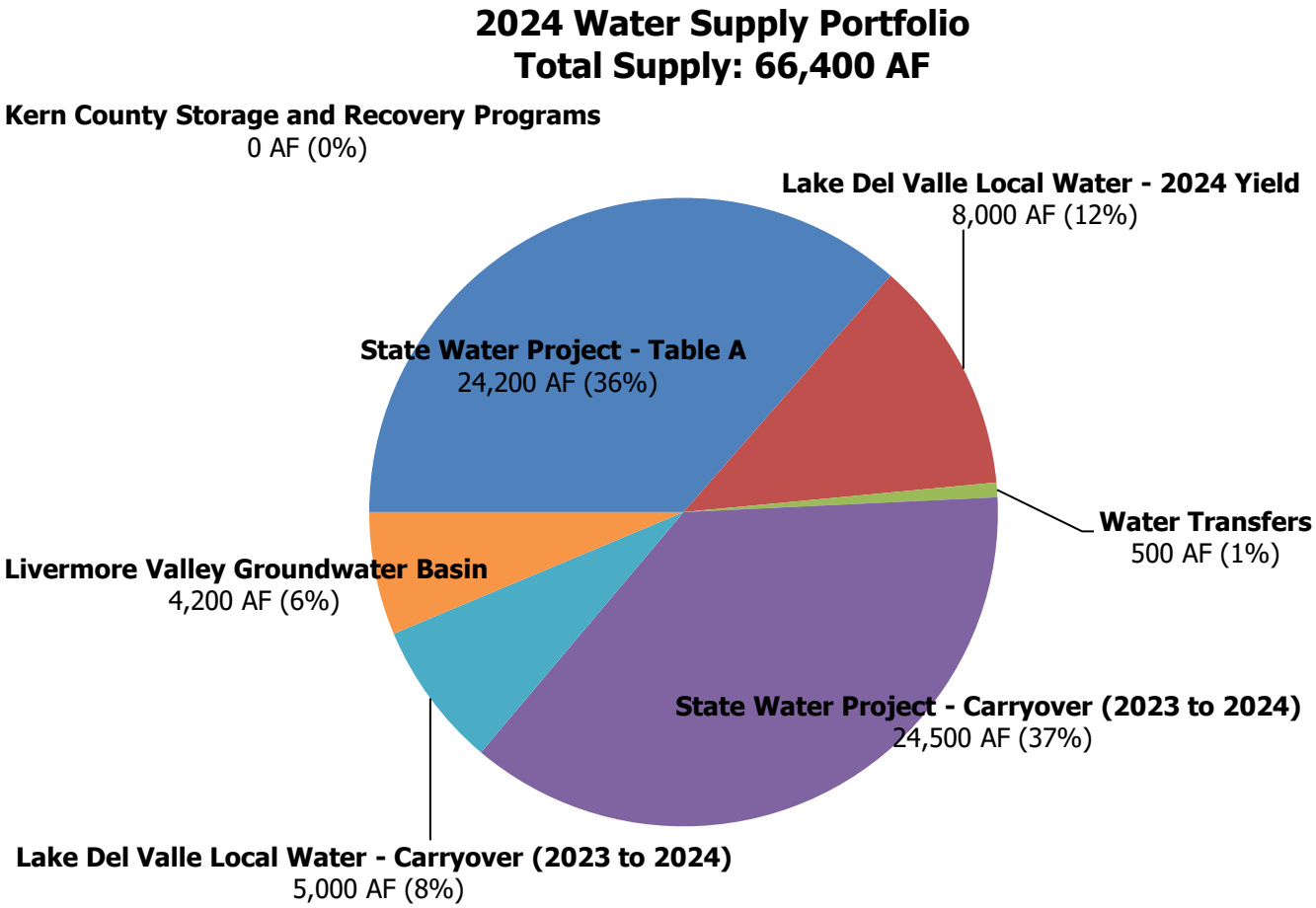
As shown in Figure 1, a comparison of projected water supply and demand indicates that Zone 7 can deliver projected demands, even if conditions are critically dry in 2025 and dry in 2026. Zone 7 also expects to meet demands over 2027 and 2028, assuming average hydrologic conditions in those years.

Figure 1: Water Supplies versus Demands Based on Delivery Requests



Based on the projected operations plan, the available surface water supply will be sufficient to meet water demands and allow replenishing Zone 7's water storage reserves in the local groundwater basin. Figure 2 shows how Zone 7 anticipates meeting demands with its water supply portfolio.

Figure 2: Expected 2024 Water Supply Portfolio to Meet Demands



As described in the 2022 Water Supply Evaluation Update, Zone 7 has been participating in several potential future water supply and storage options to bolster long-term water supply reliability (Delta Conveyance Project, Los Vaqueros Reservoir Expansion, Potable Reuse and Sites Reservoir). A number of planned capital projects (new wells, the Chain of Lakes Conveyance System, Chain of Lakes diversion structures, and reliability intertie) and the completed Chain of Lakes will help bolster the reliability of Zone 7's water supply system over the coming years. Furthermore, these projects will optimize the long-term yield of Lake Del Valle local water, a key source of incoming supplies, and the use of the local groundwater basin for storage and recovery.

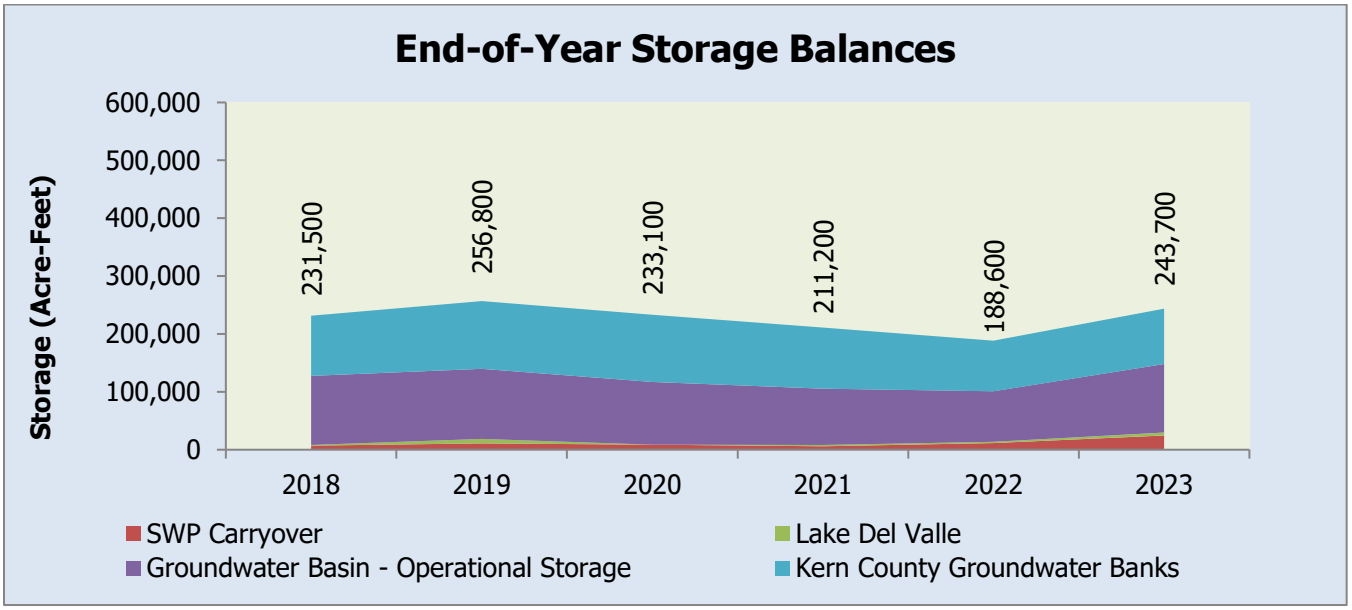
Zone 7 will continue to monitor local and statewide hydrologic conditions, adjust operations as necessary to optimize use of available resources, remain prepared for another single or multi-year drought, and continue to coordinate with the local water supply retailers, untreated water customers, and the Department of Water Resources (DWR).

KEY HYDROLOGIC AND WATER SUPPLY CONDITIONS

Initial Storage Conditions (January 1, 2024)

Zone 7 started 2024 with a SWP carryover of 24,500 AF, 5,000 in Lake Del Valle local water carryover, Livermore Valley Groundwater Basin storage of 119,000 AF above the Minimum Thresholds, and 95,600 AF of water stored in the Kern County Storage and Recovery Programs (Semitropic Water Storage District [Semitropic] and Cawelo Water District [Cawelo]). Zone 7's storage portfolio at the beginning of 2024 had about 243,700 AF, as shown on Figure 3 below.

Figure 3: Historical Water Supply Storage Conditions



Reservoir Conditions

Storage in Oroville Reservoir, as of April 1, 2024, was at 3.11 million acre-feet (MAF) or 88% of capacity. Oroville Reservoir collects runoff from the Feather River watershed in Northern California, a main source of supply for the SWP. San Luis Reservoir, the main reservoir for the SWP south of the Delta, was at 1.49 MAF or 73% of capacity as of April 1.

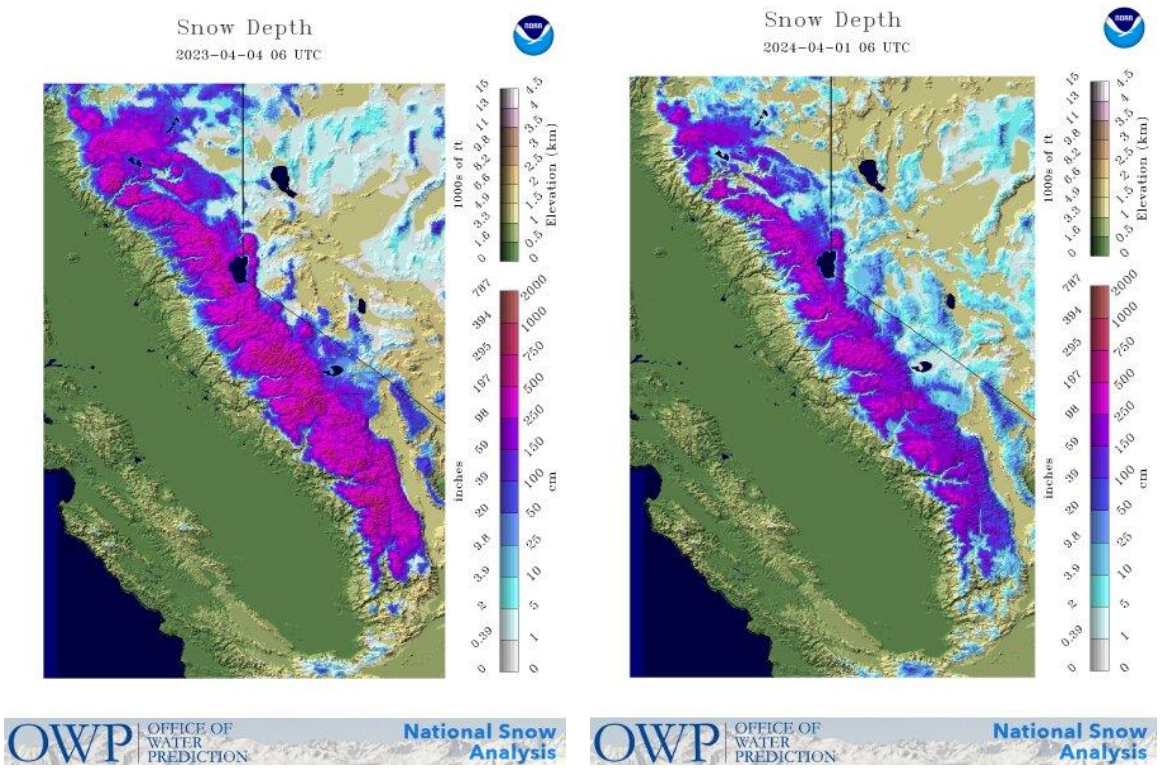
Most of Zone 7's SWP carryover (24,500 AF) stored in San Luis Reservoir this year remains in storage and will be delivered to Zone 7 this year.

Sierra Snowpack and Precipitation (April 1, 2024)

The statewide Sierra snowpack on April 1, 2024, was estimated at about 110% of average (see Attachment B), compared to 237% at the same time last year. April 1 is normally when the snowpack level peaks before the spring melt begins. The snowpack in Northern California is the main source of supply for the SWP during the spring and summer. Figure 4 presents a comparison of snow depths in the Sierras in April 2023 versus those for April 2024. The comparison in snowpack levels clearly shows diminished snowpack in 2024 compared to 2023.

Northern Sierra precipitation, which is a key factor in SWP allocation, was 44.5 inches as of April 1, 2024, or 100% of average (Attachment B).

Figure 4: Statewide Snowpack in the Sierra Nevada: 2023 versus 2024

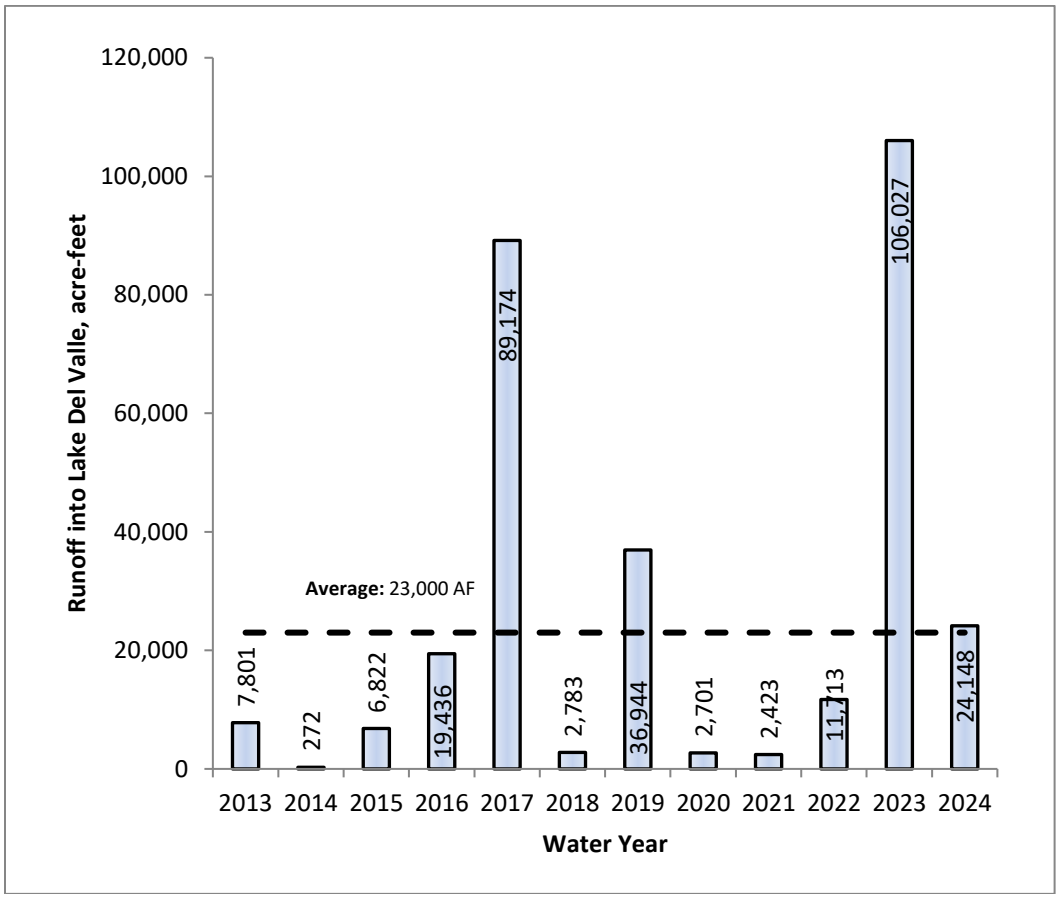


(Source: National Weather Service Remote Sensing Center, www.nohrsc.noaa.gov/nsa)

Local Runoff and Precipitation in 2024

The Tri-Valley area has experienced significantly less runoff this year compared to the same time last year. Figure 5 shows that as of April 1, 2024, runoff into Lake Del Valle is 105% of average (24,000 AF compared to 23,000 AF). Since the conservation pool is limited to about 40,000 AF, more than 11,000 AF in flood releases have been made year-to-date. Locally captured water is split with Alameda County Water District and stored in the lake for future use in accordance with Zone 7's water rights permit. Based on DWR's reports, Zone 7 has about 10,700 AF of local water in Lake Del Valle as of April 1, 2024. Local precipitation total is at 103% of average year-to-date at Livermore Airport Station for April 1, 2024 (Attachment B).

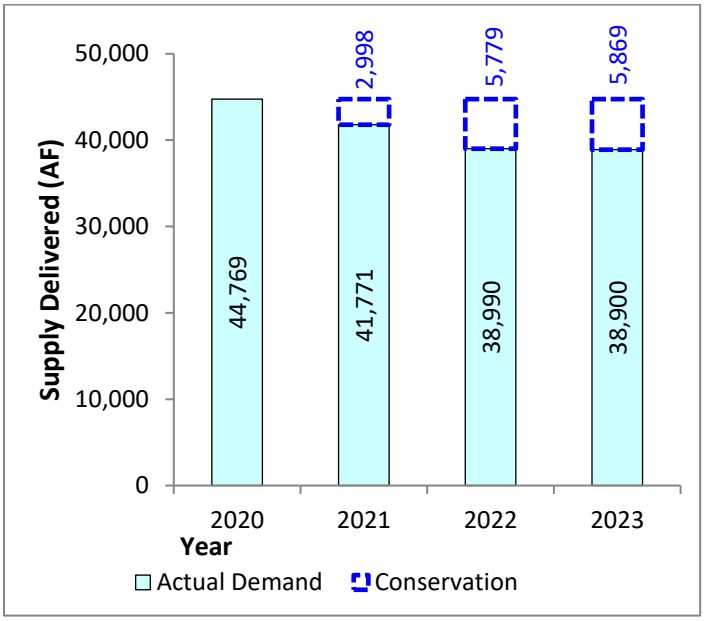
Figure 5: Runoff into Lake Del Valle (USGS Stream Gauge Arroyo Valle Below Lang Canyon)



Conservation in the Tri-Valley

On September 1, 2021, the Zone 7 Board called for 15% mandatory conservation for treated water customers in preparation for a potential third dry year in 2022 (Resolution No. 21-67). This requirement was rescinded in April of 2023 and replaced with a 5% voluntary conservation target. Since rescinding the mandatory conservation action, water demand has been slow to rebound to baseline levels. Figure 6 shows 2021, 2022, and 2023 water use and conservation relative to 2020. A cumulative amount of about 15,000 AF was conserved during this period by the Tri-Valley treated and untreated water customers (relative to 2020). Water supply conservation preserves supplies and supports Zone 7's ability to meet retailer demands in current and subsequent years.

Figure 6: Conservation in the Tri-Valley (2020 Baseline)



2024 SWP Table A Allocation: 30% as of April 1, 2024

As per Zone 7's water supply contract with DWR, Zone 7 can receive up to 80,619 AF of SWP Table A water in any given year; the percent of this amount Zone 7 actually receives is called the "Table A" allocation. The 2024 SWP Table A allocation is 30% as of April 1, 2024, equivalent to 24,200 AF for Zone 7. A final Table A allocation is expected in May.

ANNUAL SUSTAINABILITY REPORT ASSUMPTIONS

In a normal year, the Annual Sustainability Report uses the retailers' delivery requests in the analysis. Given average precipitation conditions in 2024, this report reflects retailer demands corresponding to a moderate water consumption decrease in the first two years, as water usage has thus far been slow to rebound from the recent drought. It should be noted that the current 30-year water supply contracts for all four retailers expire over the next two years. This report assumes those contracts will be renewed.

To illustrate Zone 7's ability to meet treated and untreated water demands, the analysis assumes Below Normal conditions[1] (equivalent to 2018 conditions) in 2024, followed by Critically Dry conditions in 2025, continuing Dry conditions in 2026 and normal conditions in 2027-2028. While previous Annual Sustainability Reports assumed a return to normal conditions in the third year, the revised trend is reflective of the historic nature of the recent drought and its anticipated long-term effects. For this Annual Sustainability Report, projected average conditions are consistent with the 55% average Table A allocation or 44,300 AF for the existing conditions scenario in DWR's 2021

[1] Designations of hydrologic conditions are based on the Sacramento Valley Water Year Index: https://cdec.water.ca.gov/reportapp/javareports?name=WSIHIST

Delivery Capability Report[2]. Lake Del Valle local water supply is expected to yield on average 5,500 AF per year to reflect climate change conditions. Each year, Zone 7 typically strives to carry over to the following year 10,000 AF in SWP facilities ("SWP Carryover"). Any water captured locally in Lake Del Valle is also typically carried over into the following year, whenever possible. Reserving water for future years is used as a prudent water management practice given the uncertainty and variability of hydrologic conditions from year to year.

PROJECTED WATER DEMANDS: NEXT FIVE YEARS

Each year, Zone 7 receives Municipal and Industrial (M&I) treated water delivery requests from the retailers for the next five years (Table 1 and Figure 6), which are normally used in the Annual Sustainability Report. Zone 7 estimates demands for direct customers and untreated water customers based on recent trends. Note that while the Annual Sustainability Report typically uses retailer treated water delivery requests in the analysis, as noted above, retailer demands have been adjusted to reflect the current water usage trends. Retailer demands are assumed to progressively increase to delivery requests by 2026. Figure 7 shows untreated water demand projections used in the analysis.

As shown in Table 1, in addition to customer deliveries, demands also include repayment of previous water transfers, system losses and water planned to be placed in storage for future use.

Table 1: Actual and Projected Five-Year Demands (Customer Deliveries), Water Planned for Storage, and System Losses

DEMANDS/PLANNED FOR STORAGE[a]	**ACTUAL**	**PROJECTIONS**				
Acre-Feet	**2023**	**2024**	**2025**	**2026**	**2027**	**2028**
Hydrologic Year Equivalent	*2006*	*2018*	*1977*	*2018*	*Average*	*Average*
Table A Allocation	*100%*	*30%*	*10%*	*30%*	*55%*	*55%*
Customer Deliveries						
Treated Water Demand[b]	34,000	36,200	37,000	41,500	42,000	42,500
Untreated Water Demand[c]	4,900	5,500	6,000	5,500	5,500	5,500
To Storage						
State Water Project - Carryover (Current to Following Year)	24,500	10,000	10,000	10,000	10,000	10,000
Lake Del Valle Local Water - Carryover	5,000	8,000	0	5,000	8,000	8,000
Livermore Valley Groundwater Basin Groundwater Recharge	7,900	4,700	0	0	5,100	7,600
Semitropic Storage	10,000	0	0	0	0	0
Cawelo Storage	0	0	0	0	0	0
System Losses						
Groundwater Production (Disposal to brine)	100	200	400	400	100	100
Water Transfers or Delta Carriage Water	8,000	1,300	300	300	0	0
Treated Water System Losses	200	200	200	200	200	200
Lake Del Valle Evaporation Losses	400	300	200	300	500	500
State Water Project - Carryover Spill	10,000	0	0	0	0	0
Total	**105,000**	**66,400**	**54,100**	**63,200**	**71,400**	**74,400**

[2] The 2021 Delivery Capability Report projections were used for the average SWP Table A estimate and for equivalent hydrologic conditions: https://water.ca.v/Library/Modeling-and-Analysis/Central-Valley-models-and-tools/CalSim-3/DCR2021

Notes

(a) Projected demands were rounded to the nearest 100 acre-feet.

(b) Treated Water Demand = M&I = Municipal and Industrial. Demands include retailer demands (including groundwater pumping quota (GPQ) for Dublin San Ramon Services District and City of Pleasanton) and direct retail. Incorporates 10% conservation relative to 2023 delivery requests.

(c) Zone 7's untreated water demand is used primarily for agricultural and golf course irrigation; projections are based on recent past usage.

(d) Water transfer loss in 2024 includes repayment of 1250 AF to Napa County for a previous transfer agreement.

Figure 6: Historical and Projected Five-Year Treated Water Demands Based on Delivery Requests

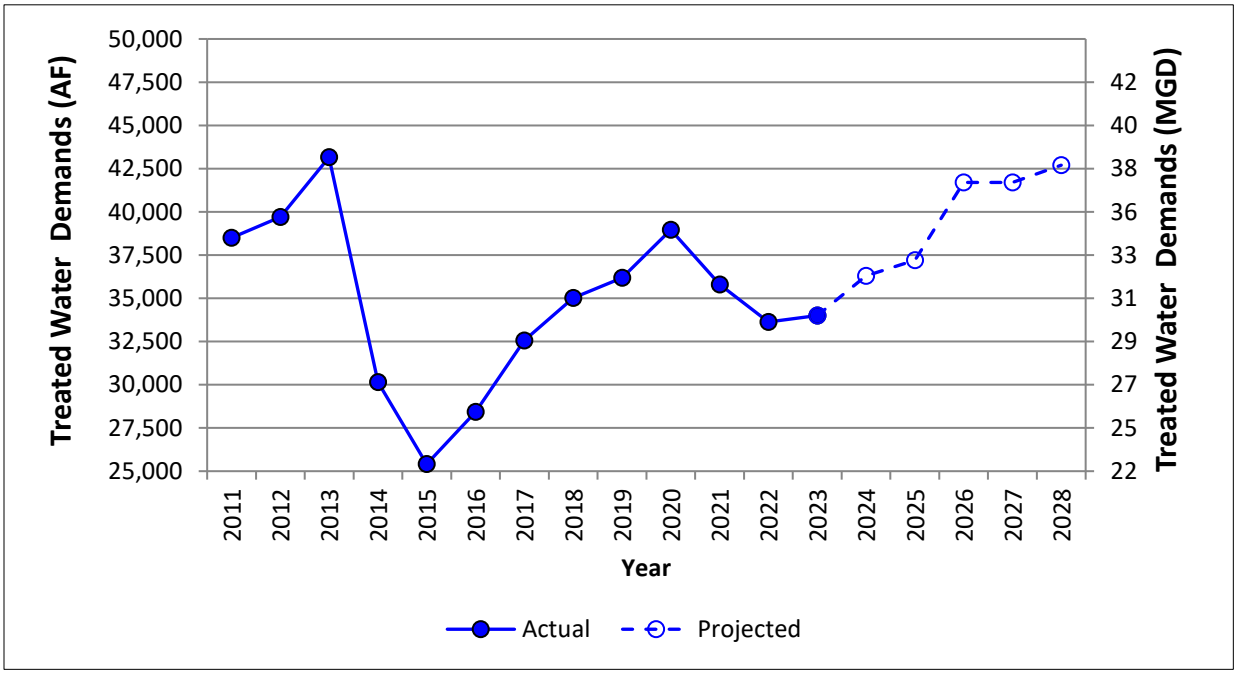
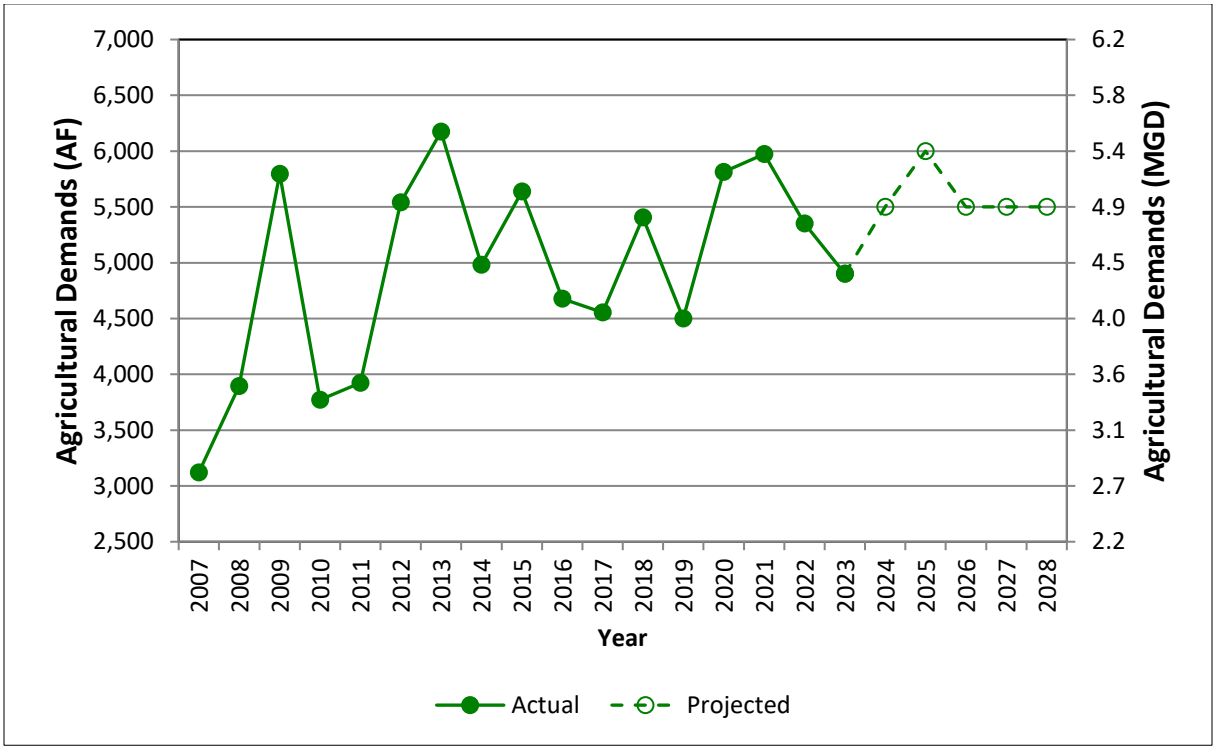


Figure 7: Historical and Projected Untreated Water Demands



The State of California has passed several recent pieces of legislation which focus on water conservation such as SB 1157 which sets Indoor Residential Water Use Standards, SB 606/AB 1668 which is referred to as the Making Conservation a California Way of Life legislation, and recently AB 1572 which phases in a ban on potable water irrigation of non-functional turf. Future demands will therefore reflect a combination of water conservation and population growth in the Tri-Valley. Zone 7 will continue to work closely with the retailers to verify demands and track the effects of conservation. The 2020 Tri-Valley Municipal and Industrial Water Demand Study has been completed to improve long-term demand estimates[3].

PROJECTED WATER SUPPLIES: NEXT FIVE YEARS

Incoming Supplies

Each year Zone 7 receives water from its contract with DWR for imported SWP Table A water[4] and its local water right permit on Arroyo Valle (Lake Del Valle Local Water). This year, Zone 7 expects less than 500 AF from the Yuba Accord program. However, if another district is willing to transfer part of their water supply, Zone 7 may be able to store it for use in subsequent dry years. At this time, there are no concrete plans for such a transfer but staff will continue to evaluate opportunities.

Table 2 presents the expected yields in 2024 and estimates for 2025-2028.

[3] 2020 Tri-Valley Municipal and Industrial Water Demand Study: https://www.zone7water.com/sites/main/files/file-attachments/2020_tri-valley_demand_study.pdf?1627595774

[4] This includes Table A or SWP carryover from the previous year; the latter is discussed in the next section.

Water from Storage

Zone 7 currently stores surplus water in various storage facilities, including the Livermore Valley Groundwater Basin, San Luis Reservoir, Lake Del Valle, and Kern County Storage and Recovery Programs (Semitropic and Cawelo) to help meet water demands as needed during dry years. Water is withdrawn from storage when needed to supplement that year's incoming supply to meet demands. Water may also be shifted from one type of storage to another as part of water management; in 2022, for example, water was withdrawn from storage and a portion was subsequently redeposited into storage in other locations to meet operational needs. At the time of this report, Zone 7 does not have plans to store water outside of its service area unless the final SWP allocation increases to at least 40%.

Table 2: Projected Supply Sources: Incoming Supplies and Water from Storage

SUPPLY SOURCES **Acre-Feet**	**ACTUAL**	**PROJECTIONS**				
	2023	**2024**	**2025**	**2026**	**2027**	**2028**
Hydrologic Year Equivalent	*2006*	*2018*	*1977*	*2018*	*Average*	*Average*
Table A Allocation	*100%*	*30%*	*10%*	*30%*	*55%*	*55%*
Incoming Supplies						
State Water Project (SWP) - Table A	80,600	24,200	8,100	24,200	44,300	44,300
State Water Project Surplus (Article 21)	1,700	0	0	0	0	0
Lake Del Valle Local Water - Current Year Capture	5,000	8,000	4,000	5,000	8,000	8,000
Yuba Accord/Dry Year Transfer Program	0	500	1,000	1,000	0	0
SWP/Other Water Transfer	0	0	2,000	5,000	0	0
From Storage						
State Water Project - Carryover (Previous to Current Year)	11,500	24,500	10,000	10,000	10,000	10,000
Lake Del Valle Local Water - Carryover	4,300	5,000	8,000	0	5,000	8,000
Livermore Valley Groundwater Basin	1,800	4,000	6,600	9,600	4,000	4,000
Groundwater Brine Disposal	100	200	400	400	100	100
Semitropic Banked Water (Pumpback/Exchange)	0	0	7,000	6,000	0	0
Cawelo Banked Water	0	0	7,000	2,000	0	0
Total	**105,000**	**66,400**	**54,100**	**63,200**	**71,400**	**74,400**

Notes:

(a) See Zone 7's 2022 Water Supply Evaluation Update for more details about Zone 7 supplies: https://www.zone7water.com/sites/main/files/file-attachments/draft_zone_7_2022_wse_update_2024.03.pdf?1680823418

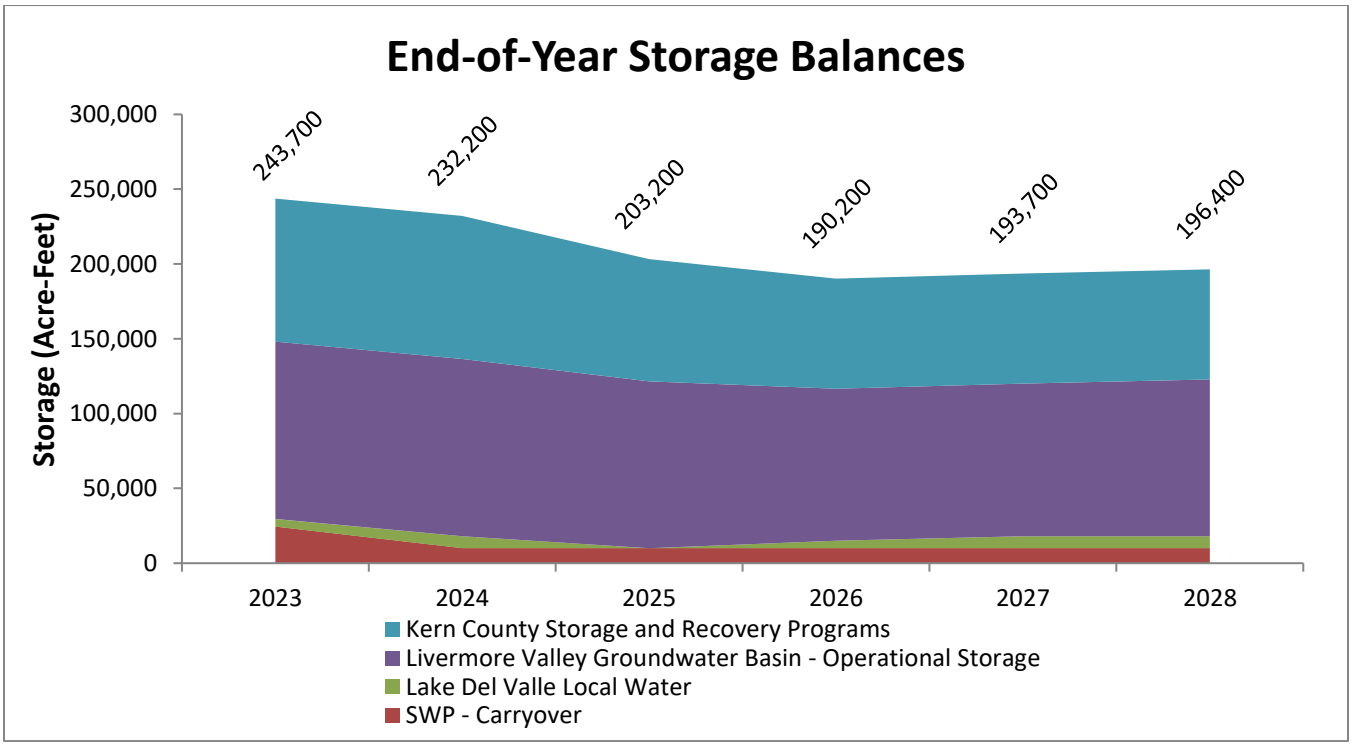
(b) Zone 7 plans to obtain water transfers as needed, subject to availability.

Table 3 and Figure 8 summarize the total water in storage available as of the end of 2023, and projected storage levels over 2024 through 2028. Storage projections show a decrease of about 47,000 AF over the next five years from the end of 2023 through the end of 2028 based on assumed hydrologic conditions and demands. This trend is a preliminary estimate based on projected deposits and withdrawals from the various storage categories. For example, while it accounts for 10% groundwater loss from local storage activities, it does not account for the natural influx to storage that occurs in the local groundwater basin due to rainfall runoff. The declining storage trend could be mitigated through additional water transfers. Staff will monitor conditions to determine the appropriate amounts of water transfers in future years.

Table 3: End-of-Year Storage Balances (Actual and Projected)

	ACTUAL	PROJECTIONS				
End of Year Storage Balance (Acre-Feet)	**2023**	**2024**	**2025**	**2026**	**2027**	**2028**
SWP - Carryover	24,500	10,000	10,000	10,000	10,000	10,000
Lake Del Valle Local Water	5,000	8,000	0	5,000	8,000	8,000
Livermore Valley Groundwater Basin - Above the MTs	118,600	118,600	111,600	101,600	102,100	104,800
Kern County Storage and Recovery Programs	95,600	95,600	81,600	73,600	73,600	73,600
TOTAL STORAGE	**243,700**	**232,200**	**203,200**	**190,200**	**193,700**	**196,400**

Figure 8: End-of-Year Storage Balances (Actual and Projected)



COMPARISON OF SUPPLY AND DEMAND: NEXT FIVE YEARS

As shown in Table 4, Zone 7 can deliver water to supply 100% of customer demands based on prorated retailer demand levels for 2024 and 2025, with demands expected to ramp up to delivery request levels by 2026 based on assumed hydrology.

Table 4: Comparison of Supplies and Demands: Next Five Years

SUPPLIES VS DEMANDS	**ACTUAL**	**PROJECTIONS**				
Acre-Feet	**2023**	**2024**	**2025**	**2026**	**2027**	**2028**
Hydrologic Year Equivalent	*2006*	*2018*	*1977*	*2018*	*Average*	*Average*
Table A Allocation	*100%*	*30%*	*10%*	*30%*	*55%*	*55%*
Incoming Supplies[a]	85,600	32,700	15,100	35,200	52,300	52,300
Water Supply from Storage[b]	17,700	33,700	39,000	28,000	19,100	22,100
Total Water Supply	103,300	66,400	54,100	63,200	71,400	74,400
Customer Deliveries[c]	38,900	41,700	43,000	47,000	47,500	48,000
Supply to Storage[d]	55,700	22,700	10,000	15,000	23,100	25,600
System Losses[e]	8,700	2,000	1,100	1,200	800	800
% of Demand Delivered (Customer Deliveries)	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**
TOTAL STORAGE	**243,700**	**232,200**	**203,200**	**190,200**	**193,700**	**196,400**

Notes:

(a) From Table 2: SWP - Table A, Lake Del Valle Local Water, and water transfers.

(b) From Table 2: SWP - Carryover, Lake Del Valle Local Water - Carryover, Livermore Valley Groundwater Basin, and Semitropic/Cawelo.

(c) From Table 1: Treated and Untreated Water Demands.

(d) From Table 1: Water stored in Lake Del Valle and SWP as carryover, Livermore Valley Groundwater Basin recharge, and water stored in Semitropic/Cawelo.

(e) Operational losses: storage losses, evaporation, other system losses.

PROGRAMS NECESSARY TO MEET WATER DEMANDS GOING FORWARD

The Annual Sustainability Report indicates that Zone 7 has enough water supplies to meet projected water demands over the next five years based on current projected demands (reflecting 10% decreased usage for retailers for 2024 and 2025) and assumed hydrology. To achieve long-term water supply reliability through buildout while accounting for hydrologic and other uncertainties (e.g., major system outages), Zone 7 has been evaluating several potential future water supply and storage options.

The 2022 Water Supply Evaluation (WSE) Update analyzes several portfolios containing a mix of the following water supply and storage alternatives:

- Annual Water Transfers
- Bay Area Regional Desalination Project
- Delta Conveyance Project
- Los Vaqueros Reservoir Expansion
- Potable Reuse
- Sites Reservoir

The 2022 WSE Update found that simulated portfolios that contained more new water supply and storage projects performed better than portfolios with fewer new water supply and storage projects at reducing Zone 7's shortage risk. There was no single project that would effectively reduce Zone 7's shortage risk enough to meet Zone 7's reliability goals. Zone 7 continues to track and evaluate potential water supply and storage alternatives and will utilize the new water supply risk model to further evaluate the alternatives as more information becomes available.

Zone 7 also continues to evaluate and optimize the long-term local water yield from the Arroyo Valle. A number of planned capital projects (new wells, the Chain of Lakes Conveyance System, Chain of Lakes diversion structures, and reliability intertie) will help bolster the reliability of Zone 7's water supply system. The turnover of the lakes in the Chain of Lakes for Zone 7's use also continues to be a component of Zone 7's long-term reliability.

Zone 7 staff will also continue to monitor local and statewide conditions, adjust operations as necessary to optimize use of available resources, remain prepared for continuing drought conditions, and continue to coordinate regularly with its local water supply retailers, untreated water customers, and with DWR. In June 2024, staff will provide an updated Operations Plan to the Water Resources Committee; this plan will reflect the latest actual supply and demand conditions and Zone 7's most feasible operational scenario for the remainder of 2024.

This Annual Sustainability Report indicates that Zone 7 is able to meet demands with or without voluntary conservation. To promote conservation, Zone 7 will continue to implement rebates and public outreach programs in partnership with the retailers.

ATTACHMENTS:

A. Water Supply Reliability Policy
B. Latest Hydrologic Conditions

Attachment A
Water Supply Reliability Policy

ZONE 7
ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

BOARD OF DIRECTORS

RESOLUTION NO 13-4230

INTRODUCED BY DIRECTOR QUIGLEY
SECONDED BY DIRECTOR STEVENS

Water Supply Reliability Policy

WHEREAS, the Zone 7 Board of Directors desires to maintain a highly reliable Municipal and Industrial (M&I) water supply system so that existing and future M&I water demands can be met during varying hydrologic conditions; and

WHEREAS, the Board has an obligation to communicate to its M&I customers and municipalities within its service area the ability of Zone 7's water supply system to meet projected water demands; and

WHEREAS, the Board on August 18, 2004 adopted Resolution No. 04-2662 setting forth its Reliability Policy for Municipal & Industrial Water Supplies; and

WHEREAS, the Board desires to revise the Reliability Policy to reflect recent data, analysis, and studies.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby rescinds Resolution No. 04-2662 adopting the August 18, 2004 Reliability Policy for Municipal & Industrial Water Supplies; and

BE IT FURTHER RESOLVED that the Board hereby adopts the following level of service goals to guide the management of Zone 7's M&I water supplies as well as its Capital Improvement Program (CIP):

Goal 1.Zone 7 will meet its treated water customers' water supply needs, in accordance with Zone 7's most current Contracts for M&I Water Supply, including existing and projected demands as specified in Zone 7's most recent Urban Water Management Plan (UWMP), during normal, average, and drought conditions, as follows:

- At least 85% of M&I water demands 99% of the time
- 100% of M&I water demands 90% of the time

Goal 2:Provide sufficient treated water production capacity and infrastructure to meet at least 80% of the maximum month M&I contractual demands should any one of Zone 7's major supply, production, or transmission facilities experience an extended unplanned outage of at least one week.

BE IT FURTHER RESOLVED that to ensure that this Board policy is carried out effectively, the Zone 7 General Manager will provide a water supply status report to the Board every five years with the Zone 7 Urban Water Management Plan that specifies how these goals will be, or are being, achieved.

If the General Manager finds that the goals cannot be met during the first five years of the Urban Water Management Plan, then the Board will hold a public hearing within two months of the General Manager's finding to consider remedial actions that will bring Zone 7 into substantial compliance with the stated level of service goals. Remedial actions may include, but are not limited to, voluntary conservation or mandatory rationing to reduce water demands, acquisition of additional water supplies, and/or a moratorium on new water connections. After reviewing staff analyses and information gathered at the public hearing, the Board shall, as expeditiously as is feasible, take any additional actions that are necessary to meet the level of service goals during the following five-year period; and

BE IT FURTHER RESOLVED that the Zone 7 General Manager shall prepare an Annual Review of the Sustainable Water Supply Report which includes the following information:

(1) An estimate of the current annual average water demand for M&I water as well as a five-year projection based on the same information used to prepare the UWMP and CIP;
(2) A Summary of available water supplies to Zone 7 at the beginning of the calendar year;
(3) A comparison of current water demand with the available water supplies; and
(4) A discussion of water conservation requirements and other long-term supply programs needed to meet Zone 7 M&I water demands for single-dry and multiple-dry year conditions, as specified in the Zone 7's UWMP.

A summary of this review will be provided to M&I customers.

Definitions

Level of Service for Annual Water Supply Needs—the level of service is the percent of existing or projected water demand that Zone 7's water supply system can meet during two key conditions: (1) during various hydrologic conditions and (2) during unplanned outages of major facilities. *Capital Improvement Program (CIP)*—the CIP is Zone7's formal program for developing surface and ground water supplies, along with associated infrastructure, including import water conveyance facilities, surface water treatment plants, groundwater wells, and M&I water transmission system to meet projected water demands.

Normal conditions—conditions that most closely represent median runoff or allocation from all normally contracted or available water supplies from the historic record.

Average conditions—conditions that most closely represent the average runoff or allocation from all normally contracted or legally available water supplies from the historic record.

Drought conditions—conditions that most closely represent reduced runoff or allocation level from the historic record from all normally contracted or legally available water supplies, including both single-dry and multiple-dry year conditions.

Single-dry year condition—a condition that most closely represents the lowest yield over a one-year period from the historic record from all normally contracted or legally available supplies.

Multiple-dry year condition—a condition that most closely represents three or more consecutive dry years from the historic record that represent the lowest yields from all normally contracted or legally available supplies.

Available water supplies—consist solely of (1) water supplies that Zone 7 has contracted for (e.g., listed under Schedule A of the State Water Contract, dry-year water options, special contracts with other water districts, etc.) and (2) water actually stored in surface and subsurface reservoirs.

Maximum Month—the largest monthly average water use.

ADOPTED BY THE FOLLOWING VOTE:

AYES: DIRECTORS FIGUERS, GRECI, MACHAEVICH, PALMER, QUIGLEY, RAMIREZ HOLMES STEVENS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

I certify that the foregoing is a correct copy of a Resolution adopted by the Board of Directors of Zone 7 of the Alameda County Flood Control and Water Conservation District on October 17, 2012.

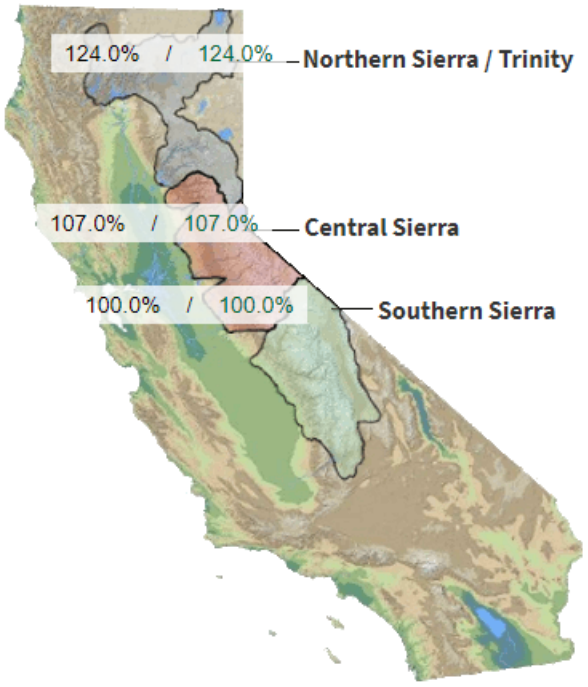
By _____
President, Board of Directors

Attachment B
Hydrologic Conditions

Figure 9: California Snow Water Content as of April 1, 2024

Data For: **01-Apr-2024**

% Apr 1 Avg. / % Normal for this Date



Change Date : 01-Apr-2024

NORTH	
Data For: 01-Apr-2024	
Number of Stations Reporting	26
Average snow water equivalent	35.2"
Percent of April 1 Average	124%
Percent of normal for this date	124%

CENTRAL	
Data For: 01-Apr-2024	
Number of Stations Reporting	49
Average snow water equivalent	28.9"
Percent of April 1 Average	107%
Percent of normal for this date	107%

SOUTH	
Data For: 01-Apr-2024	
Number of Stations Reporting	27
Average snow water equivalent	21.9"
Percent of April 1 Average	100%
Percent of normal for this date	100%

STATEWIDE SUMMARY	
Data For: 01-Apr-2024	
Number of Stations Reporting	102
Average snow water equivalent	28.6"
Percent of April 1 Average	110%
Percent of normal for this date	110%

Figure 10: Northern Sierra Precipitation as of April 1, 2024

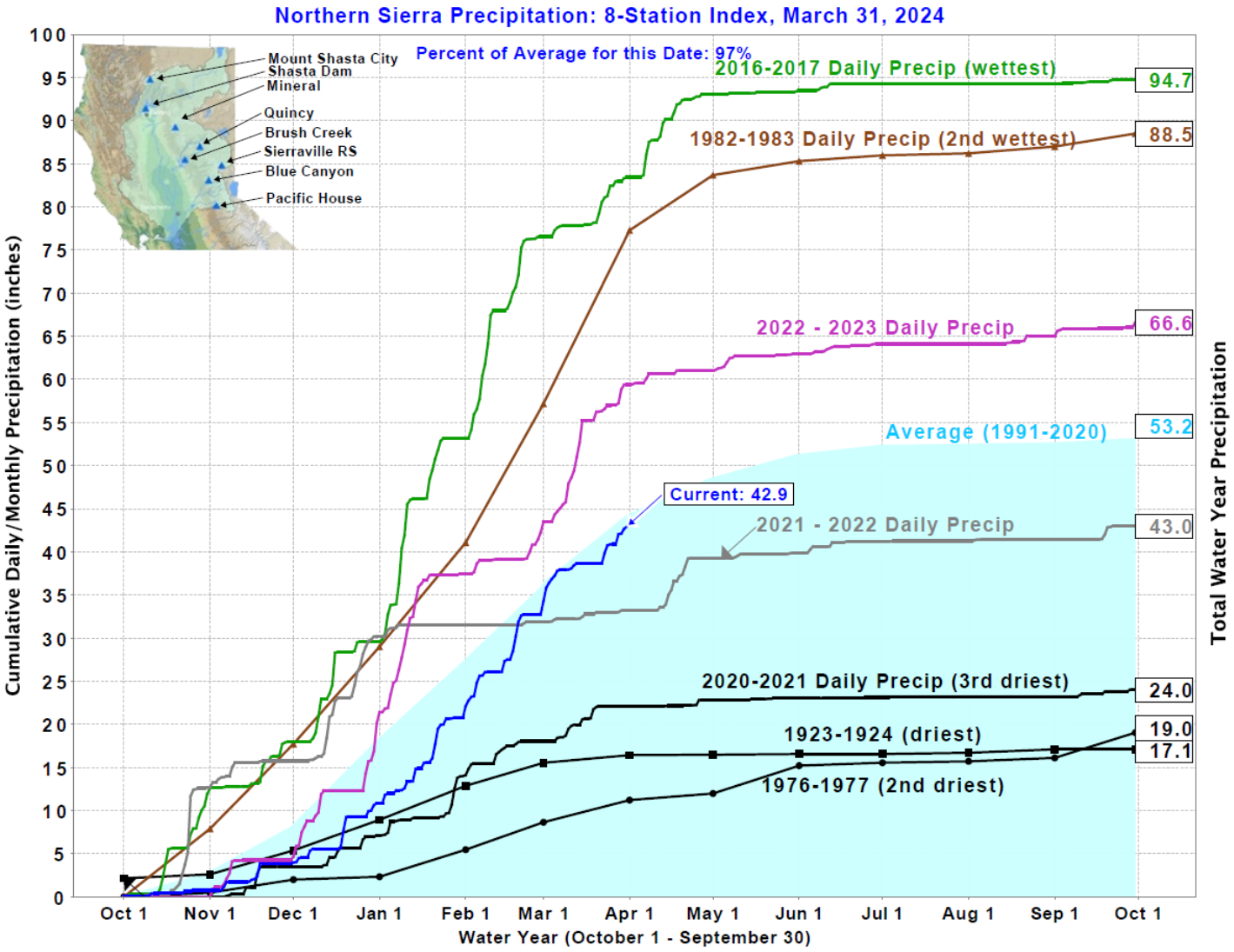


Figure 11: California Reservoir Conditions as of April 1, 2024

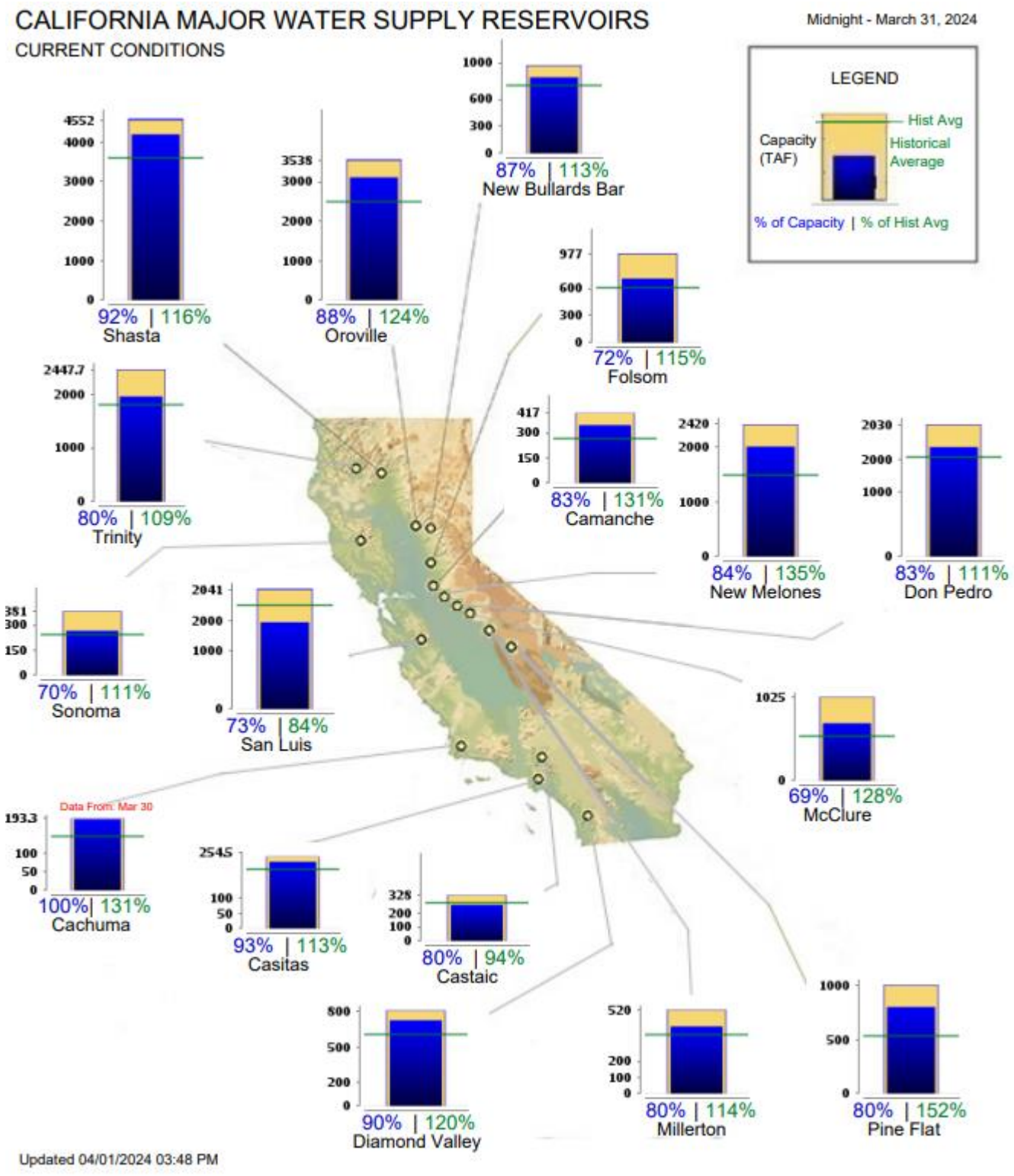
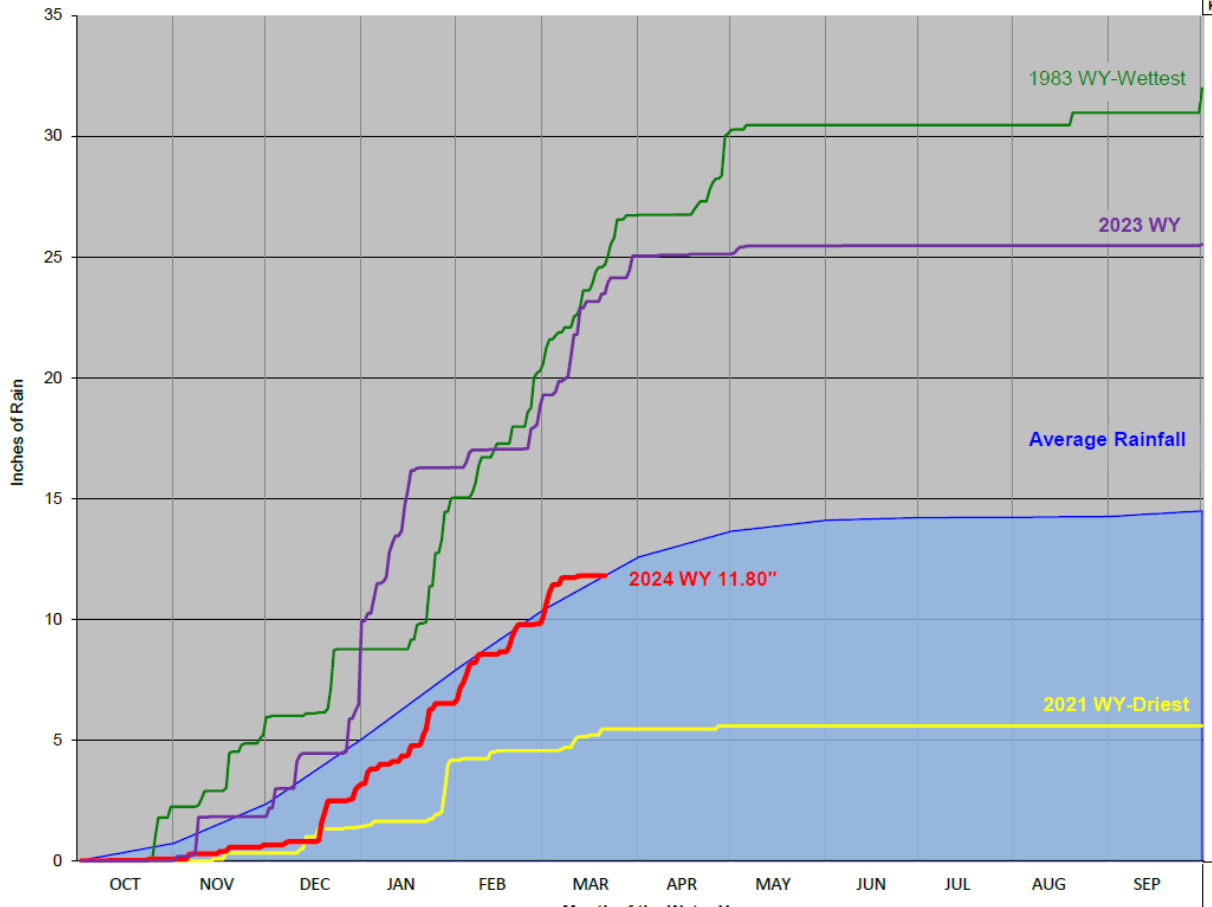


Figure 12: Local Rainfall (Livermore Station KLVK) as of April 1, 2024



Monthly (inches)	0.07	0.58	2.54	3.49	3.44	1.68						
% Monthly Avg	10%	36%	95%	120%	141%	77%						
YTD (inches)	0.07	0.65	3.19	6.68	10.12	11.80						
% Average YTD	10%	28%	63%	84%	97%	100%						
% Annual Avg	0%	4%	22%	46%	70%	81%						

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

ITEM NO. 13

ORIGINATING SECTION: Administrative Services
CONTACT: Osborn Solitei

AGENDA DATE: April 17, 2024

SUBJECT: General Manager's Compensation

SUMMARY:

- In accordance with section 7 of the General Manager's contract, *"The Board of Directors and General Manager shall meet no later than the Regular Board meeting of each March to discuss and establish mutually agreeable goals and objectives to be accomplished by General Manager for the ensuing year and to review General Manager's performance of duties and obligation hereunder. As a result of such evaluation, the Board may, but shall not be obligated to, adjust General Manager's compensation and/or revise his/her employment benefits as the Board shall determine."*

- In accordance with section 3 of the General Manager's contract, "…*the General Manager shall be eligible annually for up to an additional 5% of her base salary as a bonus in recognition of outstanding performance as determined by the Board at the General Manager's annual reviews conducted pursuant to Section 7. The decision to pay a bonus, if any, and the amount thereof, shall be in the sole and absolute discretion of the Board of Directors and, if granted, will be paid over two (2) pay-periods following the Board of Directors' action."*

- The current annual base salary for the General Manager is $332,841.60 with the potential for up to a 5% performance bonus based on extraordinary performance, as determined by the Board of Directors. The base salary includes a vehicle allowance.

- The General Manager receives the same general benefits package (retirement benefits, health care, dental care, etc.) the other unrepresented management employees at Zone 7 receive, and also receives a deferred compensation plan.

- If the Board of Directors wishes to increase the General Manager's base salary, the Board of Directors must make that decision in open session.

FUNDING: Funding will depend on the Board action.

RECOMMENDED ACTION: Discuss and Provide Direction.

ZONE 7 BOARD OF DIRECTORS
SUMMARY NOTES OF THE LEGISLATIVE COMMITTEE

February 22, 2024
4:00 p.m.

Directors Present: Dawn Benson
Dennis Gambs
Laurene Green (Alternate)

Staff Present: Valerie Pryor, General Manager
Carol Mahoney, Government Relations Manager
Donna Fabian, Executive Assistant

---

1. Call Meeting to Order

Director Gambs called the meeting to order at 4:02 p.m.

2. Public Comment on Items Not on the Agenda

There were no public comments.

3. Update from State Water Contractors

Glenn Farrel, representing the State Water Contractors (SWC), delivered an update on legislative actions relevant for 2024 during the meeting. A paper copy of the slides was provided detailing the priorities discussed. Mr. Farrel emphasized that while it is early in the legislative session, various priorities, including energy, State Water Project water rights, public benefit investments, and the Healthy Rivers and Landscapes proposal (formerly Voluntary Agreements), were highlighted.

Regarding energy-related issues, Mr. Farrel highlighted the State Water Project's current energy portfolio, which consists of about 70% renewable and zero-carbon resources. He noted the project's significant role as the largest single energy user in California and its capacity to support the grid during heatwave events. Mr. Farrel mentioned the accelerated deadline of 2035 for the State Water Project to achieve 100% renewable or zero-carbon status, a decade earlier than the rest of the state. This acceleration presents a cost increase of $1.2 billion, raising concerns about affordability.

Mr. Farrel discussed potential avenues for financial assistance, including opportunities in the budget or bonds, highlighting the Oroville pump storage project as an example. He noted commitments in the state budget for completing this project. Additionally, he mentioned the resources and climate resilience bond conversation, possibly on the November 2024 ballot.

Another priority highlighted was State Water Project public benefit investments, which align with ongoing legislative considerations, including the potential resources/climate resilience

bond. The protection of State Water Project water rights was emphasized, particularly following previous efforts to restructure the state's water rights system. The SWC opposed drastic restructuring and advocated for modernization through data management.

The SWC also supported issues related to flood flows for groundwater recharge, focusing on defining parameters for diversions of floodwaters. Support for the Healthy Rivers and Landscapes proposal was discussed, with mention of legislative support and potential federal advocacy efforts.

Director Benson inquired about water affordability in light of the accelerated renewable energy deadline. Mr. Farrel addressed the potential impact on Zone 7's current water rate, noting that financial considerations would depend on various factors, and exploring funding options, including state bonds, federal grants, and other state funding, was on the agenda.

4. Update from the Association of California Water Agencies (ACWA)

Adam Quinonez, Director of State Legislative and Regulatory Relations at the Association of California Water Agencies (ACWA), provided an update on ACWA priorities during the meeting. Mr. Quinonez began by addressing the state budget deficit, which is a matter of contention between the governor's office and the legislature. While the governor projected a $38 billion deficit in January, the Legislative Analyst's Office (LAO) revised its estimate to over $50 billion, then to $73 billion. Mr. Quinonez emphasized the challenges facing bills with significant costs, particularly those related to water, including proposed cuts to funding for recycled water, safety, and PFAS treatment. ACWA is actively advocating to maintain funding for water infrastructure and related projects. Mr. Quinonez highlighted ACWA's partnership with various water associations, labor groups, and environmental organizations in advocating for a Climate Resilience Fund, which would cover a range of water-related issues.

Mr. Quinonez mentioned ACWA's Quench California campaign, aimed at educating the public about water infrastructure. He also discussed AB 2257, an ACWA-sponsored bill focusing on Proposition 218 and water rates, aiming to protect agencies from potential legal challenges. He added that conversations are ongoing regarding a water rights proposal targeting water theft, with a focus on imposing stricter penalties.

Regarding the Water Conservation as a Way of Life regulations, ACWA has expressed serious concerns and proposed adjustments to deadlines for enforcement to ensure compliance pathways are feasible. Mr. Quinonez anticipated the introduction of several bills related to this regulation, with some seeking to alter the goal while others aim to facilitate compliance for agencies.

During the discussion, Director Green sought clarification on potential bills' objectives regarding compliance with regulations, to which Mr. Quinonez indicated that while some bills may seek to alter the goal, many are focused on easing compliance for agencies. Director Green also inquired about potential reductions in state funding for PFAS cleanup. Mr. Quinonez explained that previous allocations of approximately $100 million from the general fund may be reduced by about $70 million, leaving inadequate funding to address existing PFAS contamination across the state.

Bob Gore from the Gualco Group added further context, noting proposed clawbacks of existing funds and potential reliance on federal funds to offset reduced state spending. Mr. Gore emphasized the severity of budget concerns and indicated uncertainty until May, mentioning the stalled progress of the proposed resources bond in the legislature.

5. Legislative Update – Gualco/Staff

Kendra Daijogo from the Gualco Group provided an update on state legislative actions not covered by previous speakers. Ms. Daijogo began by highlighting that February 16 was the last day for bill introduction, with a total of 2,124 new bills introduced, including 674 spot bills without substantive language. She noted the 30-day requirement before any action, including amendments, can be taken on these bills.

Ms. Daijogo mentioned the swearing-in of Senator Mike McGuire as the new President pro tempore of the California State Senate, marking the first time lawmakers from the North Coast held this leadership position since 1866. She discussed new committee assignments, including changes to chairs such as Senator Anna Caballero leading the Appropriations Committee and Senator Scott Wiener as the new Budget and Fiscal Review Committee chair. She added that Senator Dave Min and Senator Kelly Seyarto maintained their positions as chair and vice-chair of the Natural Resources and Water Committee.

Regarding legislation, Ms. Daijogo highlighted Senate Bill 867 by Senator Allen and Assembly Bill 1567 by Assemblymember Garcia, as well as ongoing discussions on flood-related bonds and a potential bond for offshore wind improvements. She emphasized the uncertainty surrounding the size of the climate bond due to concerns about bonded indebtedness.

Ms. Daijogo mentioned upcoming elections for various bonds, including those for housing, education, and addressing the fentanyl crisis. She emphasized the importance of assessing public sentiment based on the outcome of Proposition 1, which focuses on behavioral health and housing.

Bob Gore from the Gualco Group further discussed regulatory issues, including updates on urban water utilization regulations and the Desalination Task Force report. He also highlighted concerns about fee increases related to water quality responsibilities and ongoing discussions on water rights modernization.

During the discussion, Director Green sought clarification on the implications of Proposition 1's passage for future bonds, and Mr. Gore explained the conflicting realities it presents. Director Gambs raised questions about budget reconciliation amid differing deficit projections, to which Mr. Gore explained the decision-making process and the timeline for budget finalization.

6. Verbal Reports - There were no verbal reports.

7. Adjournment - Director Gambs adjourned the meeting at 5:20 pm.

ZONE 7 BOARD OF DIRECTORS
SUMMARY NOTES OF THE LEGISLATIVE COMMITTEE

March 28, 2024
4:00 p.m.

Directors Present: Dawn Benson
Director Gambs
Director Ramirez Holmes

Staff Present: Valerie Pryor, General Manager
Carol Mahoney, Government Relations Manager
Donna Fabian, Executive Assistant

---

1. Call Meeting to Order

Director Ramirez Holmes called the meeting to order at 4:21 pm.

2. Public Comment on Items Not on the Agenda

There were no public comments.

3. Update from California Special Districts Association (CSDA)

Marcus Detwiler, Legislative Representative from the California Special Districts Association (CSDA), provided a comprehensive update on recent legislative matters pertinent to CSDA and its members. Mr. Detwiler outlined several bills of significance, starting with SB-1116 by Senator Portantino, which addresses unemployment insurance coverage for striking workers. Despite Senator Portantino's reintroduction of the measure, CSDA has not taken a position on the bill.

The discussion then shifted to AB-2421 by Assemblymember Low, concerning communications between employees and their representatives. CSDA expressed opposition to the bill due to concerns regarding the admissibility of confidential communications and the lack of specificity regarding qualifying employee representatives.

Assemblymember McKinnor's AB-2561, which addresses staffing ratios involving unions, was also discussed. CSDA raised concerns about the potential cost implications of the mandated plan to fill vacant positions, expressing opposition to the bill.

Assemblymember Schiavo's AB-3106, related to COVID-19 workplace rules, was highlighted for its extension of the exclusion period and reinstatement of exclusion pay standards. CSDA currently maintains an opposed reposition on this bill.

AB-2404 by Assemblymember Lee, a reintroduction of the sympathy strike bill, was noted for its provisions regarding health and safety emergencies. Despite modifications, CSDA remains opposed to the bill.

Senator Skinner's SB-1210, which limits capacity and connection charges, was discussed, with CSDA expressing opposition to the bill.

Assemblymember Patterson's AB-1890, regarding prevailing wage in Public Works contracts and requiring reporting of significant change orders in public contracts, raised concerns about staffing and staffing ratios. CSDA has maintained a position of concern regarding this bill.

Mr. Detwiler then highlighted CSDA's involvement in advocacy efforts related to the Advanced Clean Fleets Regulation (ACF) developed by the California Air Resources Board (CARB), seeking a cost study on associated implementation costs.

Transitioning to bills within Mr. Detwiler's portfolio, AB-2266 by Petrie Norris, creating a voucher program for zero-emission vehicles, was noted for its alignment with CARB ACF efforts, garnering CSDA's support.

Assemblymember Wilson's AB-2257, related to required participation in Proposition 218 rate-setting processes, received support from CSDA for its potential to streamline litigation processes.

Senator Padilla's SB-1072, addressing imbalances in the Proposition 218 framework, also received CSDA's support for its corrective measures.

Assemblymember Papan's AB-1827, permitting inclusion of higher costs of water service in fees or charges, was noted for its positive impact and received support from CSDA.

Assemblymember Addis' AB-2302, revising calculations for teleconference meetings, was highlighted for its clarification on meeting count, earning support from CSDA.

Throughout the discussion, Directors raised questions and concerns regarding the potential implications of various bills on special districts and their operations. These concerns were duly noted and discussed, informing CSDA's positions on the respective bills.

Mr. Detwiler concluded with a reaffirmation of CSDA's commitment to advocating for the interests of special districts and a reminder of the ongoing legislative monitoring and advocacy efforts.

4. Update on 2024 Ballot Initiatives

Rebecca Smith, General Counsel, provided a detailed update on a November ballot initiative known as the Taxpayer Protection and Government Accountability Act, outlining its potential impact on public agencies and special districts. The initiative, spearheaded by various taxpayer-affiliated groups, seeks to redefine and streamline the process of levying agency fees and taxes. Ms. Smith highlighted that while Proposition 218 generally does not apply to Zone 7

due to its status as a wholesaler, the initiative poses broader questions regarding voter approval requirements and funding mechanisms dictated by the California Constitution.

The Taxpayer Protection Initiative categorizes charges by public agencies as either taxes or exempt charges, subjecting taxes to a two-thirds majority vote requirement. Exempt charges, although exempt from this requirement, may still face other regulatory hurdles. Smith underscored concerns within the public agency community regarding the initiative's definitions and burdensome requirements, particularly the mandate that charges be associated with the actual costs of providing services.

During the discussion, Directors raised questions and expressed concerns about the initiative's potential implications and the complexities of its implementation. Director Ramirez Holmes queried the adequacy of the timeline for taking positions on the initiative, to which Ms. Smith affirmed that the committee process should provide sufficient time for deliberation. Director Gambs sought clarification on the voting threshold required for the initiative's approval, prompting further discussion on a competing constitutional amendment that would mandate a two-thirds majority vote.

Ms. Smith emphasized the uncertainty surrounding the initiative's implementation and potential challenges, noting the need for further clarity and guidance from relevant authorities. Directors expressed appreciation for Ms. Smith's insights and requested additional information, including plain-language summaries of the initiative, to aid in their understanding and decision-making process.

In conclusion, Ms. Smith agreed to provide the requested materials to the Legislative Committee and the entire Board, facilitating informed discussions and decision-making regarding the Taxpayer Protection Initiative.

5. Legislative Update – Gualco/Staff

Kendra Daijogo from the Gualco Group covered several bills of interest to Zone 7 Water Agency. Ms. Daijogo highlighted Assembly Bill AB 2302, also known as the Brown Act Bill, which would allow directors to teleconference into meetings without each meeting counting separately toward the total number of days allowed for teleconferencing. Additionally, Ms. Daijogo discussed three bills related to development and the Mitigation Fee Act (SB-937, SB-1210, and AB-1820), expressing particular concern about Senate Bill 1210 (Skinner), which could limit a public utility or special district's ability to charge connection fees for new housing units. Directors raised questions and concerns regarding the potential impact of these bills on Zone 7's operations and finances.

Director Ramirez Holmes requested clarification on previous positions taken by Zone 7 on certain bills, including SB-366 and AB-460, expressing interest in revisiting support or opposition based on updated information. Director Gambs and Director Ramirez Holmes also sought clarification on the specifics of SB-1210 and its potential impact on connection fees, expressing concerns about the arbitrary nature of the proposed 1% limit and the potential challenges it may pose for Zone 7's fee structure. Director Ramirez Holmes suggested directing

staff to prepare information on Zone 7's fee processes to educate legislators and consider taking a position on the bill.

Directors also discussed the importance of addressing Per- and polyfluoroalkyl substances (PFAS) contamination and funding for treatment facilities. Bob Gore of the Gualco Group provided an update on available funding for PFAS projects and ongoing efforts to secure federal appropriations for PFAS treatment facilities. Additionally, Carol Mahoney, Government Relations Manager, discussed Zone 7's recent applications for fiscal year 2025 appropriations for PFAS treatment facilities and shared a handout summarizing discussions on PFAS pollution in the Senate Environmental and Public Works Committee, which Director Ramirez Holmes requested be circulated to the full Board.

The Directors emphasized the importance of advocating for Zone 7's interests and ensuring that legislators are informed about the agency's operations and concerns regarding proposed legislation.

6. **Verbal Reports**

There were no verbal reports.

7. Adjournment

Director Ramirez Holmes adjourned the meeting at 5:40 pm.

Board Report for April 2024 PALMER

CSDA has adopted a new position on the following bill through CSDA's CEO:

SB 986 (Seyarto) Ballot label: bond measure fiscal impact

- New Position: Oppose 3

Please contact marcusd@csda.net with any questions

Marcus Detwiler
Legislative Representative
California Special Districts Association
www.csda.net

March 20 CalEPA /OEHHA Vegetation and Wildfires

March 22 Sustainable Groundwater Management Act: Determinations and how it's progressing presentation with AAWEE

April 3 Zone 7 Board workshop on Energy Policy

April 4 I presented the route of the Delta Conveyance to a tour at Big Break Regional Park

April 10 ACWA Legislative Symposium
SGMA updates and Making Water Conservation a California Way of Life

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

ITEM NO. 17a

ORIGINATING SECTION: Administration
CONTACT: Valerie Pryor

AGENDA DATE: April 17, 2024

SUBJECT: General Manager's Report

SUMMARY:

The following highlights a few of the key activities which occurred last month. Also attached is a list of the General Manager (GM) contracts executed during March.

Engineering and Water Quality:

PFAS Monitoring: First quarter PFAS sample results have all been received. All delivered water PFAS concentrations and quarterly running annual average (QRAA) values were less than the applicable state PFAS response levels. The quarterly PFAS monitoring summary report is available on Zone 7's PFAS Information web page at www.zone7water.com/pfas/

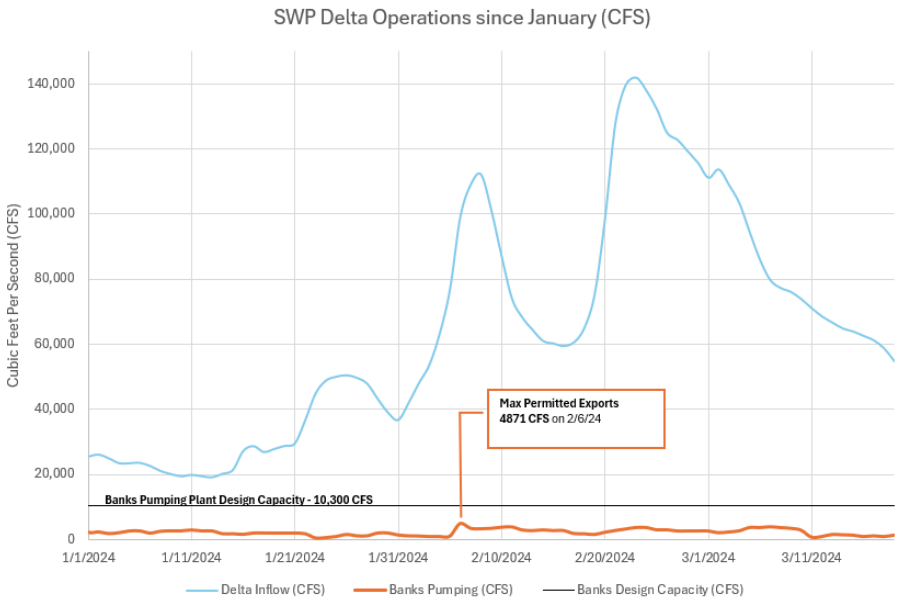
Chain of Lakes Wells PFAS Treatment Facility Project: The contractor completed excavation of the underground electrical ductbanks and the concrete vessel system pad. Formwork for the concrete pad is being constructed (see photo), with rebar installation and concrete pouring anticipated to take place over the next month. Vessel system installation is projected to be in May. The project is anticipated to be complete in fall 2024.

Alamo Creek Bank Stabilization and Flood Management Pilot Project: Zone 7 and DWR entered into a funding agreement to implement a Flood Protection Pilot Project as part of DWR's Floodplain Management, Protection, and Risk Awareness Program. The funding agreement provides a grant of $4,606,890 to implement channel modules that will assist with reducing channel impacts due to high velocities in the channel. Consultants have provided preliminary 30% plans for comments and a workshop with Zone 7. Staff is looking into incorporating storm damage repairs into the project.

Integrated Water Resources:

On March 22, DWR increased the State Water Project allocation from 15% to 30%, based on hydrology through March 1. Lake Oroville is at 88% capacity and making required flood control releases. However regulatory constraints are limiting cross Delta exports.

Cross Delta exports have been reduced because of regulatory restrictions. Since mid-February cross Delta exports were limited to 2,500 cfs, to be shared between the Central Valley Project (CVP) and the State Water Project (SWP), while Lake Oroville was making flood releases and water flowed out to the bay at rates often exceeding 100,000 cfs. In mid-March, the export rate for both projects was further limited to 500 cfs. The restrictions were related to California Central Valley (CCV) Steelhead, which is listed as threatened under the federal Endangered Species Act. CVP and SWP are required to operate under the permit conditions from the 2019 National Marine Fisheries Service (NMFS) Biological Opinion. A dual conveyance system avoiding cross Delta diversion, such as the Delta Conveyance Project (DCP), could benefit the endangered fisheries significantly while protecting water supplies. The graph below shows operations January through March and shows that despite plenty of inflow to the Delta the SWP was severely restricted on exports due to regulatory constraints. As of April 9, it is estimated that if the DCP had been operational, 909,000 AF of water could have been captured and moved in the SWP.



Staff continues to track the demand conditions, and in March 2024, Zone 7's treated water production volume was 12% higher than the same time in 2023. Calendar year to date (through March 31) treated production and untreated deliveries are approximately 21% lower than the same period in 2020.

Alternative Groundwater Sustainability Plan Annual Report: On March 27, 2024, Zone 7 submitted the Livermore Valley Groundwater Basin Sustainable Groundwater Management Annual Report for Water Year 2023 (October 2022 – September 2023) in compliance with the groundwater sustainability plan (GSP) regulations by April 1 due date. The annual report documents current groundwater conditions, data gathering and monitoring efforts, activities to fill data gaps, water year comparisons, and GSP implementation progress. It is also the mechanism for Zone 7 to convey critical information and data to the board, local stakeholders, interested parties, the public, and the Department of Water Resources on changing groundwater conditions, groundwater management efforts, and next steps for GSP implementation. The report is posted on Zone 7's website at 2023_zone_7_annual_report_final_complete_2.pdf (zone7water.com)

Lawrence Livermore National Laboratory (LLNL)'s Cosmogenic Isotopic Analysis Study in Livermore Valley Groundwater Basin: In collaboration with Zone 7 Water Agency, Lawrence Livermore National Laboratory researchers performed a study that focused on surface water and groundwater interaction near Arroyos by analyzing certain isotopes in storm precipitation, surface water flows from local runoff, and imported water from the State Water Project. The research team compared these source-water isotopes to groundwater samples from monitoring wells across the basin. Wells with all three isotopes are used to estimate groundwater's apparent residence time, or "age". Five wells were resampled from 2023-2024, where the team observed seasonal changes in isotopic fingerprints associated with groundwater recharge from flooding. This type of data can support Zone 7 in meeting SGMA's requirements for groundwater-dependent ecosystems. This collaboration is highlighted in the attachment to this report.

Water Supply and Reliability Projects: Zone 7 is currently actively pursuing water supply and reliability projects. Key activities are as follows:

- **Delta Conveyance Project:** Zone 7 is participating in the four-year planning and permitting process and has approved funding through calendar year 2024. The environmental planning and preliminary engineering work are on schedule and on budget. The Delta Conveyance Design and Construction Authority anticipates releasing an updated cost estimate in the coming months. Zone 7 representatives continue to serve on the Boards of the Delta Conveyance Design and Construction Authority (DCA) and the Delta Conveyance Finance Authority (DCFA). Board packets for both the DCA and the DCFA can be found at: http://www.dcdca.org/#meetings.

- **Los Vaqueros Reservoir Expansion (LVE).** The Los Vaqueros Reservoir JPA Board met on March 13. The JPA provided an overview of the 2024-2025 Fiscal Year Budget. It is anticipated that the final budget will be considered for approval by the JPA Board in June. Work continues on the development of key agreements. The JPA developed several risk reduction strategies for the Design and Construction Agreement, with the goal of reducing cost uncertainty to members. The California Department of Fish and Wildlife issued an Incidental Take Permit for current and long-term project operations.

- **Sites Reservoir.** The Sites Reservoir Committee and Authority Board met on March 22. Congress approved the US Bureau of Reclamation's (USBR's) recommendation to award the project $205.6 million in federal funding from the Water Infrastructure Improvements for the Nation Act. The total federal contributions to date are $439.3 million.

Operations and Maintenance:

Staff worked on several projects including support work for the Del Valle Water Treatment Plant (DVWTP) Ozonation post-project work, the Patterson Pass Water Treatment Plant (PPWTP) Expansion and Ozonation Project, the Mocho Groundwater Demineralization Plant Concentrate Conditioning project, the Stoneridge PFAS Treatment Facility Project phase 2 and the Chain of Lakes PFAs Treatment Facility Project. Staff is in the process of commissioning the Stoneridge Facility. Staff is reviewing proposals from Computerized Maintenance Management System (CMMS proposers).

Administration:

Public Tours: Staff is planning for this year's public tours. A tentative date of Saturday, May 18, 2024, has been set for the Patterson Pass Water Treatment Plant.

Monthly List of GM Contracts

March 2024

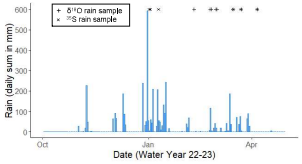
Contracts	Amount	Purpose
ALT Water Systems	$7,200	Conducting In-Person Water Conservation Workshops
Larsen Wurzel & Associates	$49,560	General Flood Risk Management Consulting Services
San Leandro Crane	$45,000	As-Needed Crane Rentals and Services
Western Exterminator	$50,000	Providing Pest Control Services
Total March 2024	**$151,760**	

^{35}S tracks recent stormwater as it refills an urban, drought-stricken aquifer

Jory Lerback (lerback1@llnl.gov), Ate Visser, Erik Oerter, Richard Bibby
Lawrence Livermore National Laboratory, Division of Nuclear and Chemical Sciences
Jake Harm, Jean Moran, Emilio Grande
California State University, East Bay
Jacob Danielsen, Ken Minn, Mike Garguilo
Zone 7 Water Agency

We evaluate nature-based solutions to droughts + storms in urban aquifers

- After years of drought, recent storms falling on impermeable surfaces run off into the ocean and cause flash flooding, or pond in topographic lows.

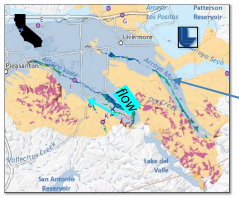


Managed Aquifer Recharge aims to refill depleted groundwater resources

- Potential engineering solution to refill aquifers that have been depleted through drought and water extraction.
- Water managers put water on a designated unlined, permeable surface where the added water can seep underground.

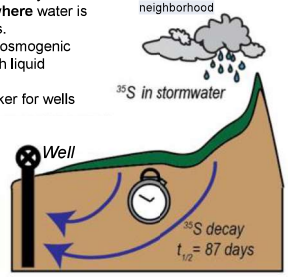
We sampled a mixed urban-agricultural site

- Zone 7 water management plans assume recharge through arroyos
- The amount of recharge is based on stream gauge data to calculate "in's" and "out's".
- Inputs are from the State Water Project and local rain.



Arroyo Mocho (above) is a protected recreational/recharge area between vineyards and neighborhood

- We use isotope geochemistry to understand **when** and **where** water is seeping into the aquifers.
- ^{35}S is a relatively new cosmogenic tracer, measured through liquid scintillation.
- ^{35}S can serve as a marker for wells with rapid infiltration.



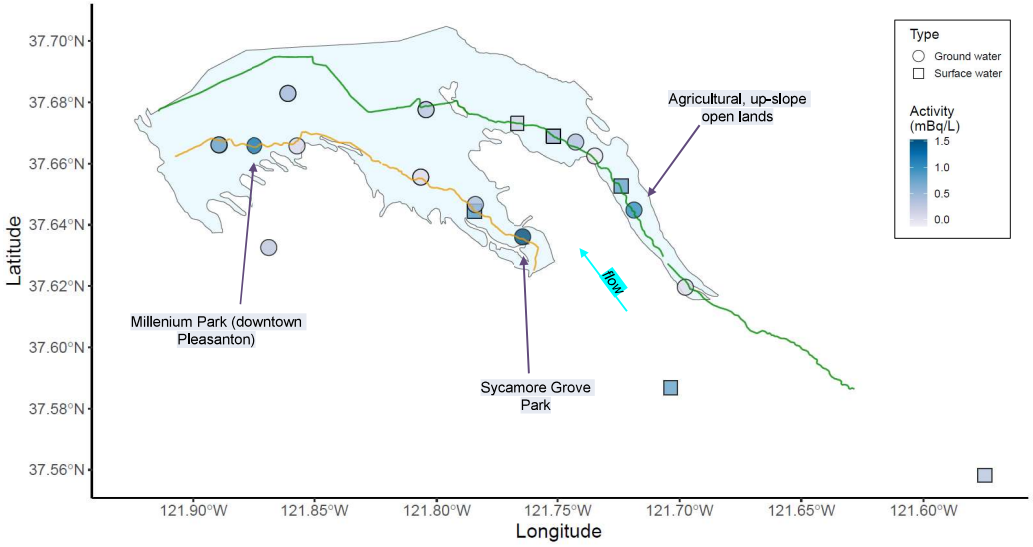
Inclusion of more isotopes is better to identify recent recharge

- Overall goals are to 1) constrain natural infiltration rates and 2) identify geological/land surface characteristics associated with rapid infiltration.
- Pairing these measurements with tritium-helium dates and sodium-22
- Isotopes should give a better sense of infiltration rates.
- Major ion chemistry will help discern geological/aquifer material characteristics potentially associated with different infiltration rates.

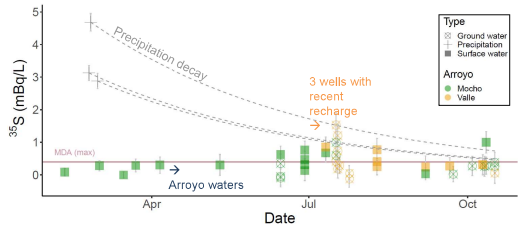
How do we track groundwater recharge in urban areas?

Cosmogenic isotopes show where groundwater recharge is occurring naturally.

Wells with recent recharge are near "green spaces".

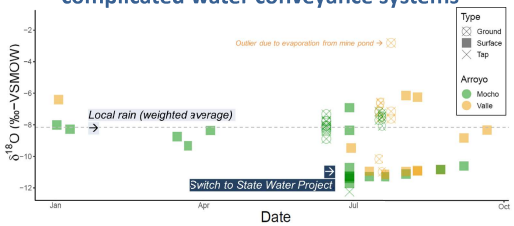


Cosmogenic isotope ^{35}S is useful for tracking last year's storms



- **Three wells sampled in July have elevated ^{35}S**, intersecting with projected decay of local precipitation
- However, pre-aged water from the State Water Project may lead to "false negatives" of recent recharge

Stable water isotopes help track CA's complicated water conveyance systems



- Most wells, including the three wells with elevated ^{35}S, reflect local rain as the water source
- Two wells are likely to be sourced from the State Water Project. Both are <50m downhill of irrigated golf courses.

References

California Water and Climate

- Siirila-Woodburn, Erica R., Alan M. Rhoades, Benjamin J. Hatchett, Laurie S. Huning, Julia Szinai, Christina Tague, Peter S. Nico et al. "A low-to-no snow future and its impacts on water resources in the western United States." Nature Reviews Earth & Environment 2, no. 11 (2021): 800-819.

MAR

- California Department of Water Resources, Flood-MAR Research and Data Development Plan, Priority Actions to Expand Implementation of Effective and Efficient Flood-MAR Projects in California. 2019
- Dahlke, Helen E., Gabriel T. LaHue, Marina RL Mautner, Nicholas P. Murphy, Noelle K. Patterson, Hannah Waterhouse, Feifan Yang, and Laura Foglia. "Managed aquifer recharge as a tool to enhance sustainable groundwater management in California: examples from field and modeling studies." In Advances in chemical pollution, environmental management and protection, vol. 3, pp. 215-275. Elsevier, 2018.

35S methods and other applications

- Deinhart, Amanda L., Richard K. Bibby, Ate Visser, Melissa Thaw, and Keenan Thomas. "Simplified Method for the In Situ Collection and Laboratory Analysis of Cosmogenic Tracers (Sulfur-35 and Sodium-22) to Determine Residence Time Distributions and Water Ages." Analytical Chemistry 93, no. 10 (2021): 4472-4478.
- Visser, Ate, M. Thaw, A. Deinhart, R. Bibby, M. Safeeq, M. Conklin, B. Esser, and Y. Van der Velde. "Cosmogenic isotopes unravel the hydrochronology and water storage dynamics of the Southern Sierra Critical Zone." Water Resources Research 55, no. 2 (2019): 1429-1450.

View Student Opportunities at LLNL

View Postdoc Opportunities at LLNL

Inclusion, Diversity, Equity, and Accountability AT LLNL

AGU23
San Francisco, CA & Online Everywhere
11-15 December 2023
Visit LLNL at AGU Booth # 1242

LLNL-POST-858103
This work was performed under the auspices of the U.S. Department of Energy by Lawrence Livermore National Laboratory under contract DE-AC52-07NA27344. Lawrence Livermore National Security, LLC.
Funded by LDRD 15-ERD-039.

Lawrence Livermore National Laboratory

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

ITEM NO. 17b

ORIGINATING SECTION: Office of the General Manager
CONTACT: Alexandra Bradley

AGENDA DATE: April 17, 2024

SUBJECT: March Outreach Activities

SUMMARY:

To deliver on the Agency's 2020-2024 Strategic Plan Goal F which strives to engage our stakeholders to foster mutual understanding, staff implements and oversees a multi-faceted outreach and communications program to connect with and engage stakeholders. Through an open and transparent approach, the Agency seeks to deliver effective customer-centric communications, reaching constituents where, when, and how they prefer. Effective communication builds confidence, trust, and awareness among constituents, increases participation to help with effective decision-making, and helps strengthen Zone 7's commitment to its mission and vision. This monthly staff report provides timely updates on progress towards meeting the goal of engaging our stakeholders.

Communications Plan Updates

Conservation Outreach: Staff continues to collaborate with the retailers focusing on rebate promotion and educating customers on best practices for creating long-term habits of water conservation around the home and garden. Staff facilitates a monthly communications meeting with retailers and is working on coordinating events and promotions for 2024.

Groundwater Awareness Week: Staff conducted a proactive outreach effort for National Groundwater Awareness Week this year, March 10-16, to educate the public about the significance of the Livermore Valley Groundwater Basin. The team refreshed materials this year, including updated infographics and a new Groundwater Recharge video explaining how it works and the importance of sustainable groundwater management which has already been viewed over 17k times on YouTube. In addition, staff participated in DWR's Sustainable Groundwater Management video. A summary report with examples of materials and campaign results is attached.

Fix-A-Leak Week & Challenge: Staff revamped this year's Fix-A-Leak outreach efforts with a new Fix-A-Leak Challenge with a goal to increase student participation in water conservation activities by hosting a contest that encouraged students and families to find leaks around their homes to win prizes. The contest was promoted through various media and channels and grassroots outreach methods throughout the month of March. In addition, staff implemented the annual Fix-a-Leak Week promotional campaign March 18-24 to raise water conservation

awareness, promoting our eight Fix-A-Leak videos. A summary report with examples of materials and campaign and contest results is attached.

Newsletter: Staff sent out the bi-monthly newsletter which can be viewed here.

Outreach Program Updates

Schools' Program: Teachers visited an additional 48 classrooms in March. For the second year in a row, Zone 7 participated in "BEST Day" sponsored by local organizations seeking to create ties between local industry and high school teachers. Two teachers learned about Zone 7's role in the community and jobs associated with the water industry. Employees talked with the teachers about the path that led them to working at Zone 7. The day also included a tour of Del Valle Treatment Plant and discussions with Zone 7 employees working there.

In-Person Events:

Fredericksen Pi Night, March 14, 2024, 5:00pm–8:00pm. Fredericksen Elementary School, 7243 Tamarack Drive, Dublin. Zone 7 Water Agency joyfully attended Frederiksen Elementary school's brand-new Pi Night in celebration of math and sciences. Our floodplain model was well received and interacting with family members of the school went very well. Many adults asked very informed questions.

A Day by The Water, Del Valle Regional Park, Saturday, March 23, 2024, 10:00am–3:00pm. Unfortunately, this event was canceled due to expected thunderstorms in the area.

SF Flower and Garden Show, Thursday April 4 through Sunday, April 7, Alameda County Fair Grounds. Zone 7 will partner with Alameda Clean Water to host a table at this annual event in its new location. Our booth will feature drought friendly native plants and information about waterwise gardening in our area.

Tri-Valley Innovation Fair, Saturday, April 13, 2024, 10:00am–5:00pm at Alameda Fairgrounds. Once again, Zone 7 will be represented at this hands-on event with over 50 exhibitors. We will have interactive activities and our usual giveaways and information about rebates.

City of Pleasanton Earth and Arbor Day Celebration, Saturday, April 20, 10:00am–3:00pm, at the Pleasanton Library, 400 Old Bernal Avenue. "The Earth and Arbor Day Celebration invites community members of all ages to learn about environmental issues and sustainability solutions in an interactive, family friendly atmosphere." Zone 7 will have an interactive booth at which participants will create newspaper pots and plant native seeds to take home.

Dublin Lawn to Garden Project, Saturday, April 20, 2024, 8:00am–12:30pm. Dublin Pride Volunteer Day is an annual event that provides a variety of volunteer opportunities for the community to choose from. One of the volunteer opportunities will be converting a lawn to a water wise garden. This event will take place at Emerald Glen Park and include converting existing grass areas to drought tolerant landscaping. Zone 7 will be present providing educational resources and rebate information.

Ag & Enviro Adventure Day, Livermore High School, Tuesday, April 23, 2024, 8:00am–3:00pm. Zone 7 will participate in this organized event for Livermore third graders with an interactive movement-based activity which highlights our watershed and its connection with the community.

Altamont Creek, Earth Day Family Science Night, Altamont Creek Elementary School, Livermore, Tuesday, April 23, 2024, 6:00pm–7:30pm. Zone 7 has been asked to participate with other exhibitors at this event focusing on Science, Technology, Engineering, Art, and Math. We look forward to engaging with Altamont Creek Elementary students and their family members.

Marylin Avenue Family Science Night, Marylin Avenue School, Livermore, Monday, May 13 from 6:00pm–8:00pm. Zone 7 has been asked to participate in this STEM school's family science night. We look forward to engaging with Marylin Avenue students and their family members.

Please visit www.zone7water.com/calendar for the most up-to-date schedule of public events.

ATTACHMENTS:

General Monthly Analytics Dashboard for Zone7Water.com
Quarterly Online Annual Report Analytics Dashboard Zone7water.com
Quarterly Tri-Valley Water Partners Analytics Dashboard for TrivalleyWater.org
Groundwater Awareness 2024 Outreach Summary
Fix-A-Leak 2024 Outreach Summary

Website Analytics

Mar 1, 2024 - Mar 31, 2024

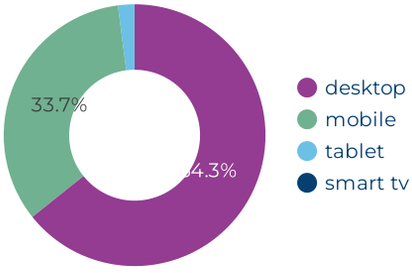
Highlights:

Total users	Views	New users	Engagement rate	Sessions	User engagement
6,852	14,813	6,484	46.54%	9.4K	93:15:24
-6.2%	-13.6%	-5.9%	-1.8%	-6.8%	-28.8%

Most visited pages on the website - users and pageviews

	Page title	Views	Total users
1.	Water Wise Wendy's 2024 Fix-A-Leak Challenge - Zone 7 Water Agency	2,453	1,964
2.	Zone 7 Water Agency - the Tri-Valley region's water wholesaler	2,018	1,064
3.	Examples of a Water Cycle Story - Zone 7 Water Agency	1,054	796
4.	4. Label the Water Cycle - Zone 7 Water Agency	521	445
5.	Construction & Business Opportunities - Zone 7 Water Agency	482	245
6.	Careers - Zone 7 Water Agency	440	287
7.	Lessons Middle School - Groundwater - Zone 7 Water Agency	358	198
8.	Sandy Figuers - Zone 7 Water Agency	312	278
9.	Board Meetings - Zone 7 Water Agency	275	169
10	Rebate: Water-Efficient Lawn Conversion - Zone 7	268	214

Device Type:

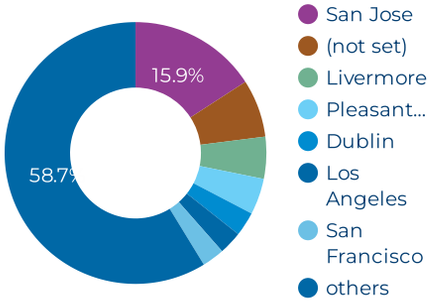


Acquisition source/medium - where traffic sessions come from

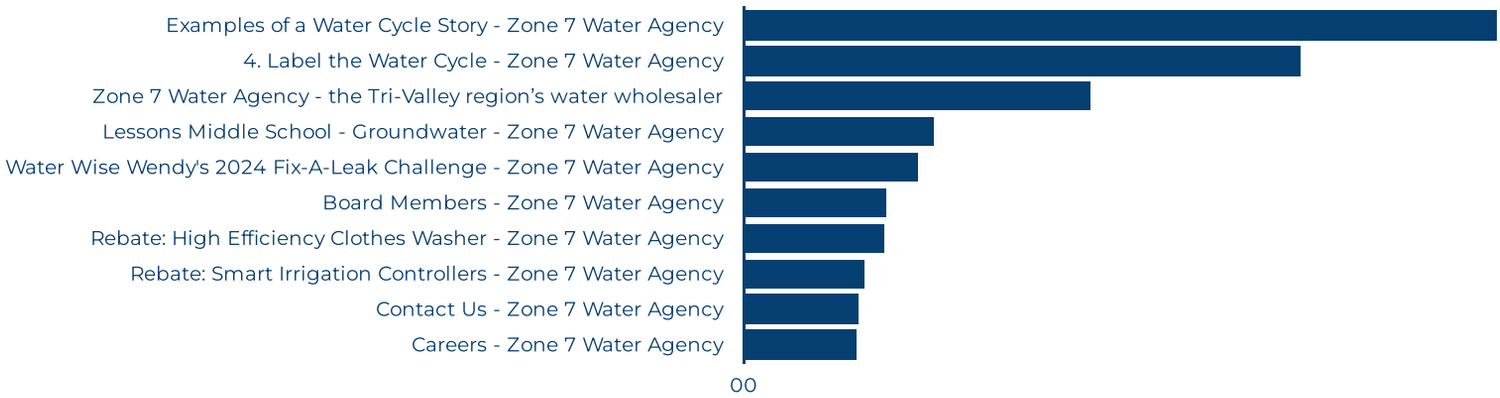
	Session source	Session medium	Sessions
1.	google	organic	3,835
2.	(direct)	(none)	3,706
3.	m.facebook.com	referral	244
4.	bing	organic	237
5.	l.facebook.com	referral	195
6.	fb	paid	85
7.	dsrsd.com	referral	78
8.	rida.tokyo	referral	72
9.	hpsmi.schoology.com	referral	67

1 - 100 / 138

Users by City



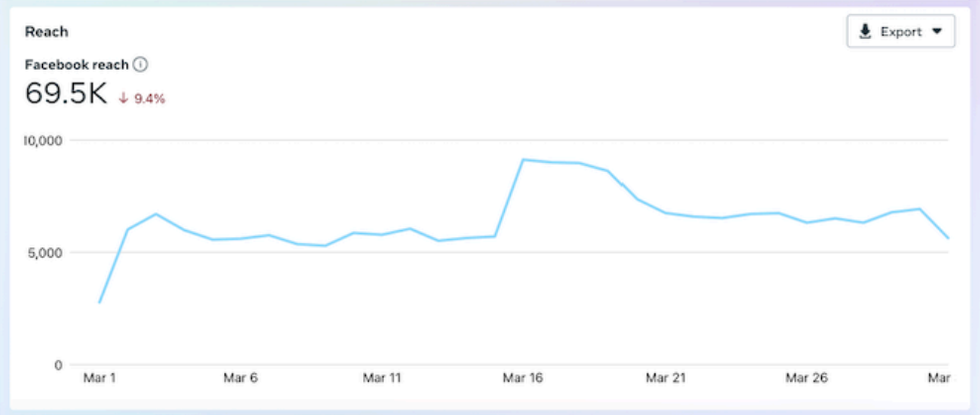
Pages with the most time spent by users

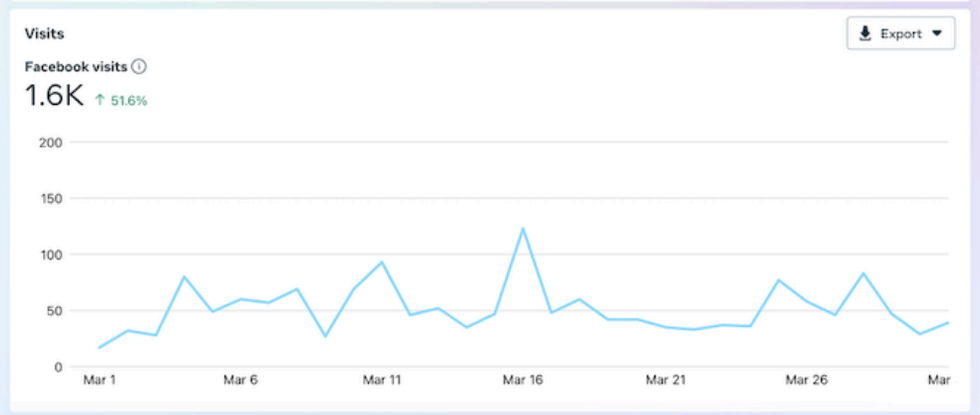


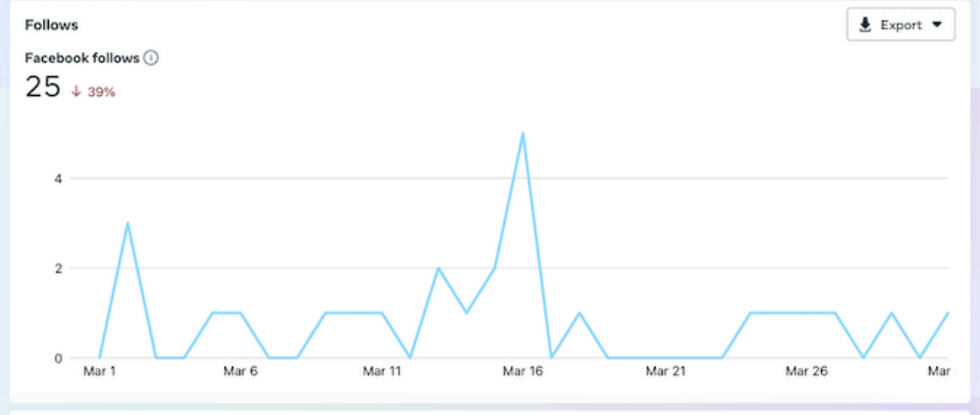
Social Media Pages | March 2023

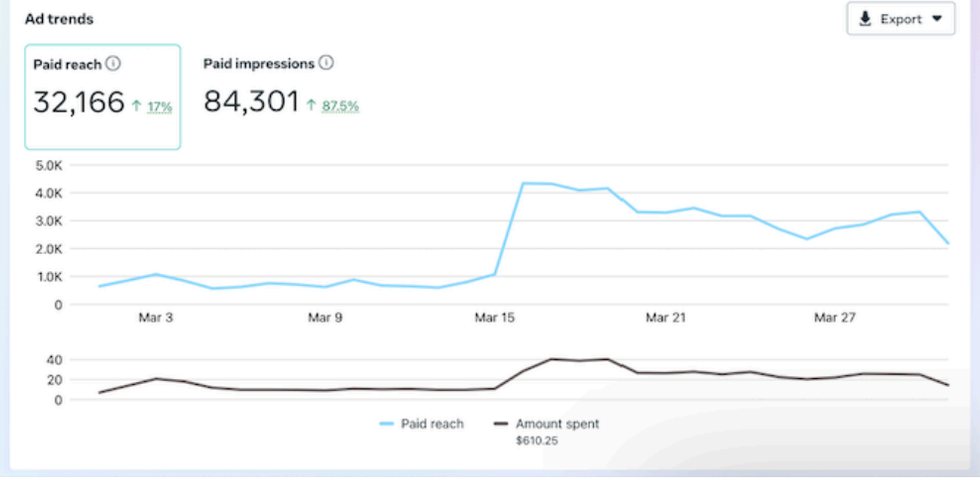
Facebook Snapshot Analytics

Total Posts	Engagement	Clicks	Page Followers
23	386	2,011	1,118









Mailchimp Delivery Analytics

Total Eblasts Sent
2

Total Deliveries
1,871

Avg. Open Rate %
42.5%

Total Clicks
119

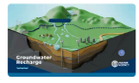
Monthly YouTube Performance

Total Views
43,737

Total Watch Time
989.4 hrs

Impressions
11,090

Top Five Videos of Month

1		Groundwater Recharge - Wondrous World of ... Mar 12, 2024
2		Tri-Valley Water Partners_Our Water's Journey Aug 24, 2023
3		Water Wise Wendy Fix-a-Leak Tip #7 Look fo... Mar 15, 2021
4		Stoneridge Well Ion Exchange PFAS Treatme... Sep 13, 2023
5		Water Wise Wendy Tip Fix-a-Leak #4 Look fo... Mar 16, 2021

Insights | March 2023

Insights & Opportunities

WEBSITE

- Website traffic was down slightly in March, compared to the all time high of total users we experienced in February. However, at 6,852 users, traffic was still up significantly over our monthly average of approximately 4k per month over the past three years.

- A major push on the Fix-A-Leak Challenge drove considerable traffic to the contest landing page, driving it to become the most visited page on the website this month for both number of users and number of page views, above the homepage in both categories which consistently holds that honor.

- The education program and lessons continue to be a popular area of our website with multiple school districts locally and across the country utilizing the lessons on a regular basis.

- Business opportunities posted in the RFP section of the site continued to drive traffic, along with the career section.

- The lawn-conversion rebate page entered the top ten with the beginning of seasonal spring promotion.

SOCIAL MEDIA

- March was another exceptionally high traffic month on Facebook - this was the third highest month on record for total reach, driven largely by the investment in the Fix-A-Leak Challenge, as well as the exceptional engagement in the new Groundwater Recharge video.

- Promoted posts for the annual report, flood preparedness, Water Academy and the Ion Exchange PFAS Treatment facility/video helped drive reach and engagement on social.

- General followers continued to climb with 25 new followers this month.

- Video views on YouTube performed well over expectations this month - the new Groundwater Recharge video added to the Wondrous World of Water series for Groundwater Awareness Week received over 17k views in just over two weeks, with only a modest investment of $250, exceeding the average performance of all other videos in the series in that amount of time. It is the longest video in the series, but we believe audience appreciated the 3D animation and informative content.

- We also promoted the Fix-A-Leak videos to encourage the behaviors modeled in the videos, and started regular promotion of the Wondrous World of Water series and now see Stoneridge videos increasing views as well. This promotion will continue through the year to ensure our investment in content creation is balanced with community outreach and each video is educating the public as intended.

DIRECT MAIL

- The bi-monthly Latest from Zone 7 newsletter was delivered in March, highlighting the Fix-A-Leak Challenge and Groundwater Awareness as the signature articles. The open rate was down slightly, however, the clicks were up significantly, driven by the new contest.

Online Annual Report Analytics

Jan 1, 2024 - Mar 31, 2024

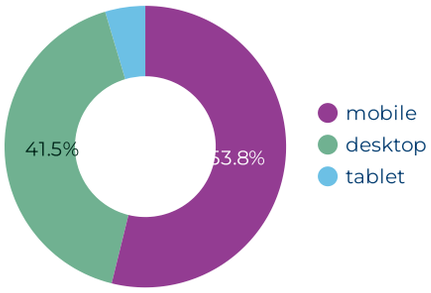
Highlights:

Total users	Views
714	2,244
↑ 643.8%	↑ 281.0%

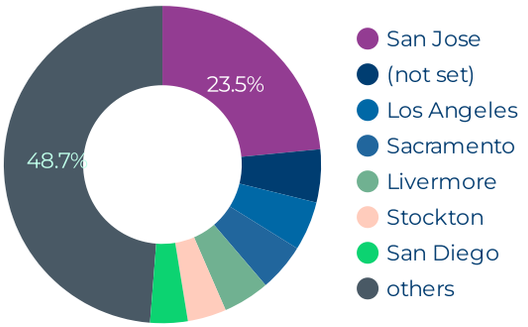
New users	Engaged sessions
703	349
↑ 664.1%	↑ 193.3%

Sessions	User engagement
1K	15:10:15
↑ 371.8%	↑ 475.7%

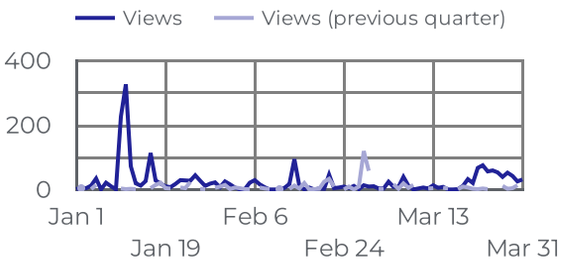
Total Users and Device



Users by City



Traffic compared to last quarter



Most visited pages on the website - users and pageviews

	Page title	Total users ▾	Views
1.	Annual Report Fiscal Year 2022-2023 - Zone 7 Water Agency	613	891
2.	Zone7 At-A-Glance - Annual Report 2023 - Zone 7 Water Agency	72	129
3.	Flood Protection - Annual Report 2023 - Zone 7 Water Agency	72	120
4.	Water Quality - Annual Report 2023 - Zone 7 Water Agency	58	114
5.	Water Reliability Annual Report 2023 - Zone 7 Water Agency	50	99
6.	People - Annual Report 2023 - Zone 7 Water Agency	48	96
7.	Annual Report 2023 - Zone 7 Water Agency Annual Report 2023	46	161
8.	Finance - Annual Report 2023 - Zone 7 Water Agency	36	100
9.	Community - Annual Report 2023 - Zone 7 Water Agency	28	49
10.	Kid Zone	23	56

Acquisition source/medium - where traffic sessions come from

	Session source	Sessions
1.	google	513
2.	(direct)	253
3.	zone7water.com	71
4.	bugherd.com	37
5.	m.facebook.com	25
6.	linkedin.com	24
7.	revekkab2.sg-host.com	18
8.	mailchi.mp	16
9.	us2.admin.mailchimp.com	16
10.	QR	14

1 - 22 / 22

Pages with the most time spent by users

	Page title	User eng...
1.	Water Reliability Annual Report 2023 - Zone 7 Water Agency	01:58:26
2.	Water Quality - Annual Report 2023 - Zone 7 Water Agency	01:43:00
3.	Finance - Annual Report 2023 - Zone 7 Water Agency	01:42:08
4.	Annual Report Fiscal Year 2022-2023 - Zone 7 Water Agency	01:28:57
5.	Flood Protection - Annual Report 2023 - Zone 7 Water Agency	01:28:47

1 - 80 / 80

Insights & Opportunities

Insights on traffic

In the first quarter of this year, from January 1 to March 31, we show:

- 714 total users throughout quarter, compared with 333 total users in first quarter of last year
- 2,244 individual page views, compared with 3365 in the first quarter of last year, however, this year's redesign reduced the total number of pages on the site by condensing the content onto less pages
- 1,000 user sessions, compared to 646 user sessions in first quarter of last year
- 349 engaged sessions compared to 389 engaged sessions in first quarter of last year

This year we have invested in a small search engine marketing campaign to drive traffic to the website to help increase our outreach to the community. As we refine our efforts and optimize our digital ad strategy we will focus on ensuring we increase engagement to increase the amount of time users are spending on the site.

TRI VALLEY WATER PARTNERS

Quarterly Website Analytics

Jan 1, 2024 - Mar 31, 2024

Highlights:

Total users
8,073
2,219.8%

Views
16,503
45.5%

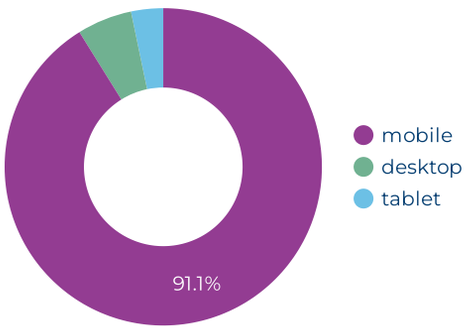
New users
8,007
2,018.3%

Engagement rate
14.92%
No data

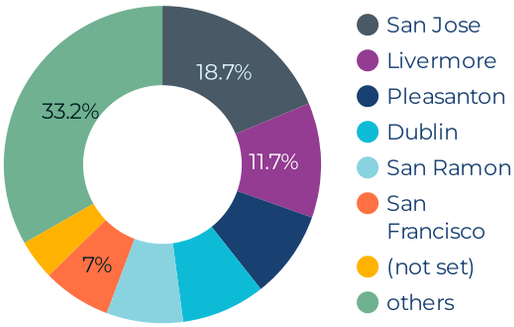
Sessions
9K
N/A

User engagement
37:15:39
-32.0%

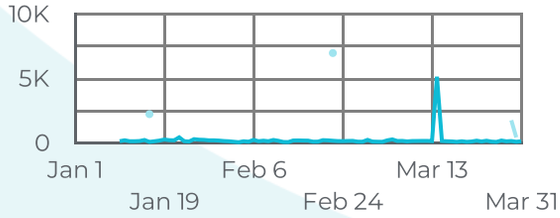
Total Users and Device:



Users by City



Traffic compared to last QTR



Most visited pages on the website - users and pageviews

	Page title	Total users	Views
1.	Tri-Valley's Water Supply | Tri-Valley Water Partners	5,376	7,234
2.	(not set)	158	5,010
3.	Tri-Valley's Water Supply | Tri-Valley Water	2,219	2,847
4.	Tri-Valley Water Partners | Delivering water to our community	316	574
5.	Delta Conveyance Project | Tri-Valley Water Partners	18	169
6.	Sites Reservoir Projects | Tri-Valley Water Partners	13	109
7.	Tri-Valley Water Supply Reliability Potential Solutions	17	96
8.	Tri-Valley Water Partners | Providing water for our community	68	95
9.	Our Water's Journey | Tri-Valley Water Partners	76	87
10.	Los Vaqueros Reservoir Expansion | Tri-Valley Water Partners	19	66

Acquisition source/medium - where traffic sessions come from

	Session source	Session m...	Sessions
1.	google	cpc	5,723
2.	LIVESPARK	FB	2,807
3.	(direct)	(none)	421
4.	google	organic	118
5.	(not set)	(not set)	42
6.	m.facebook.com	referral	41
7.	bugherd.com	referral	40
8.	LIVINDE	BANNER	36
9.	PLEAWEEKLY	BANNER	34
10.	baidu	organic	32

1 - 31 / 31

Pages with the most time spent by users

	Page title	User engagement
1.	(not set)	24:37:07
2.	Tri-Valley's Water Supply | Tri-Valley Water Partners	03:05:22
3.	Tri-Valley Water Partners | Delivering water to our commun...	01:57:28
4.	Tri-Valley's Water Supply | Tri-Valley Water	01:22:54
5.	Sites Reservoir Projects | Tri-Valley Water Partners	01:16:34

1 - 34 / 34

Insights & Opportunities

- The Tri-Valley media campaign has been continuing to drive site traffic, although we see the performance leveling off at this point.

- We have shifted investment on videos to focus on the longer formats so that even if we have less overall views, we are driving audience towards the most valuable content with complete messages.

- The new solutions pages for major potential projects are now up on the website and we are ready to shift to phase II of the campaign.

- The refreshed media should help renew interest and traffic, along with shifting the landing page to the solutions area of the website.

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

2024 Groundwater Awareness Week Outreach Summary

In honor of national Groundwater Awareness Week, Zone 7 Water Communications worked collaboratively with the Groundwater Resources Division to refresh the existing materials, create new videos and expand efforts to educate the community on the significance of the Livermore Valley Groundwater Basin.

Objectives

1) Implement the annual Groundwater Awareness Week outreach campaign to educate the Tri-Valley community on the value of having a local groundwater basin.
2) Help the community understand the relationship between protecting local source water and keeping the groundwater basin clean.
3) Increase appreciation for the sustainable groundwater management process, including groundwater recharge specifically and Zone 7's management of the basin.

Implementation

The centerpiece of this year's campaign was a new animated video added to the Wondrous World of Water series titled Groundwater Recharge. This video animates the groundwater recharge process in 3D, beginning with providing a baseline understanding of Zone 7's use of imported water, the difference between artificial and natural recharge, the layers of an aquifer, and the importance of sustainable groundwater management.

In addition, staff updated accompanying infographics, participated in DWR's groundwater awareness video, developed a proactive outreach campaign to deliver the materials and messaging to the community, and made a major announcement via press release in partnership with Congressmen Eric Swalwell and Mark DeSaulnier regarding the award of a $959,752 federal grant to help fund PFAS treatment at Chain of Lakes Wells.

Results - 42,934 gross impressions

Groundwater Web Pages Traffic
115 users/115 page views

YouTube Video Performance
36,694 impressions/17,661 views

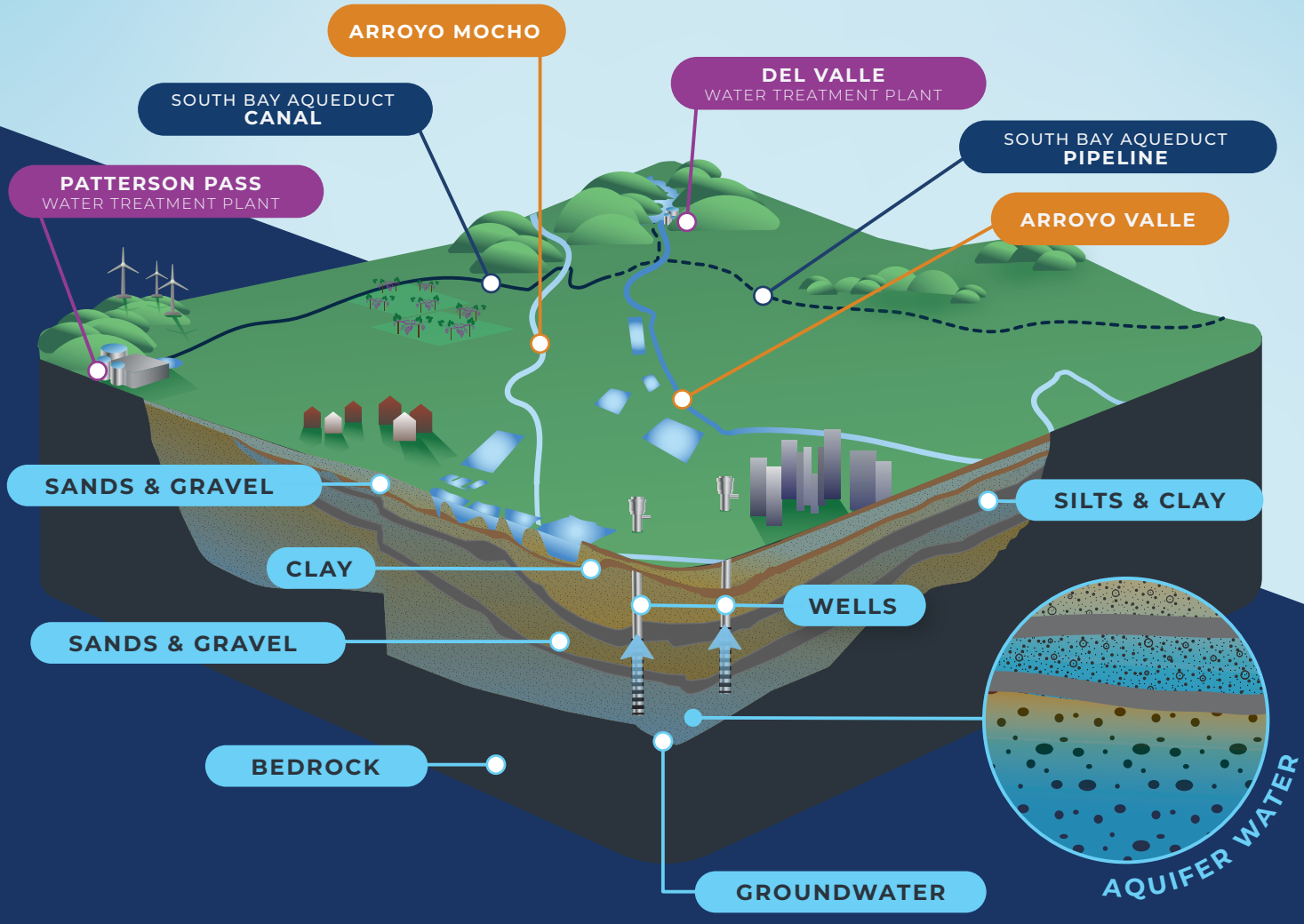
MailChimp E-Newsletter
937 sends/637 opens

Facebook Engagement
Facebook: 5,188 impressions/5,156 reach/59 clicks

Though the new Groundwater Recharge video is the longest in the Wondrous World of Water series, it is already the second most viewed video in the series. The vide has received over 17k views in just three weeks, coming in behind the Ozone Treatment video, the very first in the Wondrous World series posted in 2020, which currently has just over 25k. The promotional plan included a very limited investment which helped propel the video to the top five videos of all time on Zone 7's YouTube channel.

On the following pages, we have included samples of all updated assets and links to where you can view both videos, the infographics, press release and other updated materials.

LIVERMORE VALLEY
GROUNDWATER BASIN
Summary

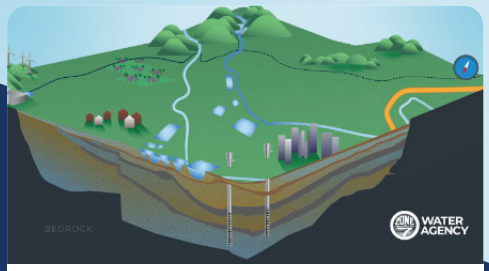


Layers Infographic

Dive into the Wondrous World of Water...

to learn how in the world we recharge our groundwater basin.

The Tri-Valley is fortunate to have the local Livermore Valley Groundwater Basin as the local source of water supply.



This basin is an important water management tool in helping us ensure water supply reliability, especially during droughts. It allows us to store water when available to use when we need it most.

Water we've previously stored in the basin, along with your conservation efforts, helps sustains us through dry periods when we typically receive little to no imported water from the State Water Project or other sources.

In "wet" years when imported water is available, we recharge the basin with any excess water by releasing it into the Arroyo. It's like having an emergency savings account for our water supply needs.

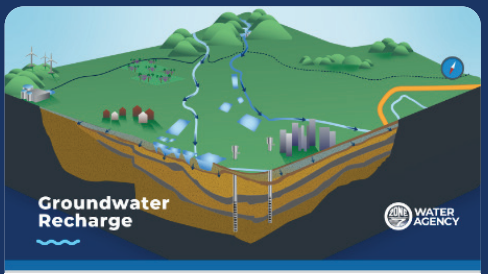
Imported water, which normally makes up about 70% of our supply, travels through the Delta...

and arrives via the South Bay Aqueduct - a critical piece of infrastructure.

Special turnouts along the South Bay Aqueduct allow us to release that water directly into our local arroyos.

Recharge Storyboard

Video Art Development



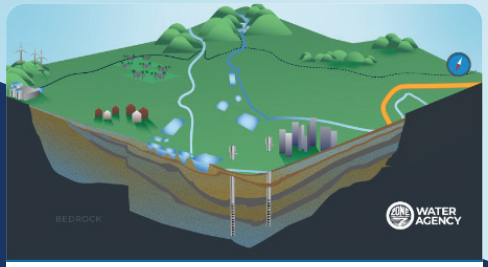
Water released into Arroyo Mocho and Arroyo Del Valle then begins the recharge journey.

ZONE 7 Wondrous World of Water Video Series | Groundwater Recharge Animation Storyboard

First Water percolates into the upper aquifer, which is made up of layers of sand and gravel...

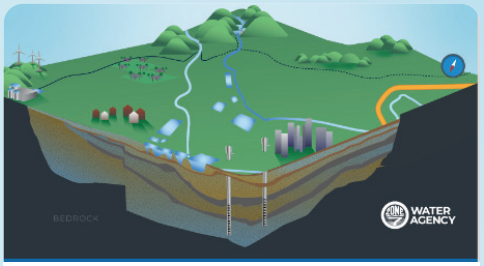
bound by layers of clay.

Water is naturally filtered as it gradually continues it journey through layers of gravel, sand, silt, and clay...



working its way down into the lower aquifer unit, migrating down to 500 feet over many years.

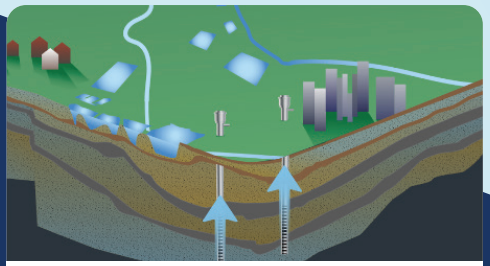
Some of the water in the basin comes in naturally via rainfall and runoff, which is captured in Lake Del Valle and the Chain of Lakes. This natural recharge from local runoff provides groundwater supply for our retailers and local well users.



However, Zone 7 only pumps out water that was previously recharged into the basin from imported supplies.

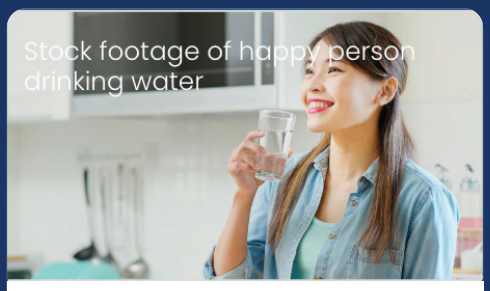
We draw from the groundwater basin using our well system to pump water out when imported surface water supplies are limited. This type of groundwater management will continue to keep our groundwater basin healthy and sustainable and maintains water reliability for our community even in times of drought.

Small perforations in the sides of the wells allow water from the aquifers to enter the well casing.



The water is pumped up hundreds of feet through one of our ten wells.

The water is treated to meet drinking water standards before it enters the distribution system. Our network of monitoring wells allow us to continually test the groundwater...



so clean, safe water can be delivered to the homes and businesses of the Tri-valley community.

Our Groundwater Basin makes a world of difference in making sure our community has the water we need, when we need it.
Learn more about the wondrous world of water at zone7water.com/groundwater

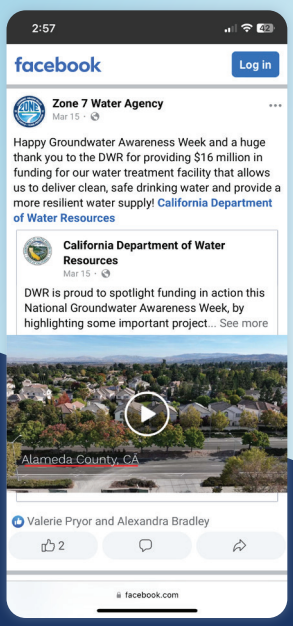
Groundwater Recharge Video

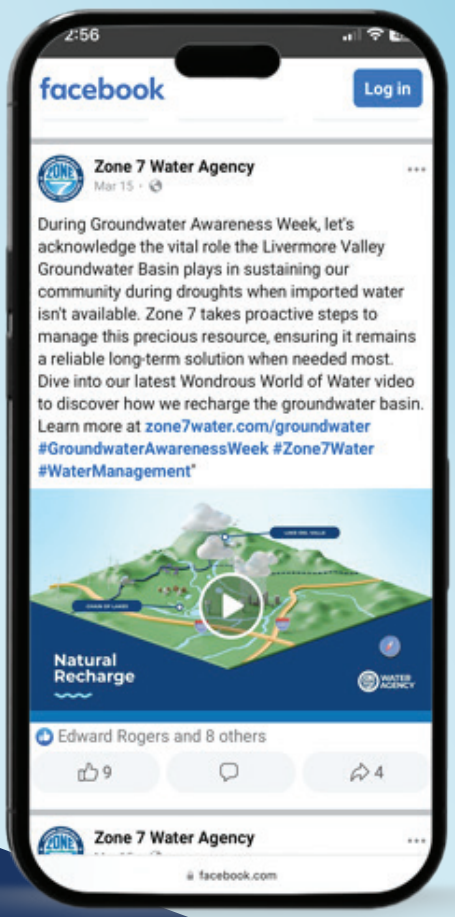
Watch the Video

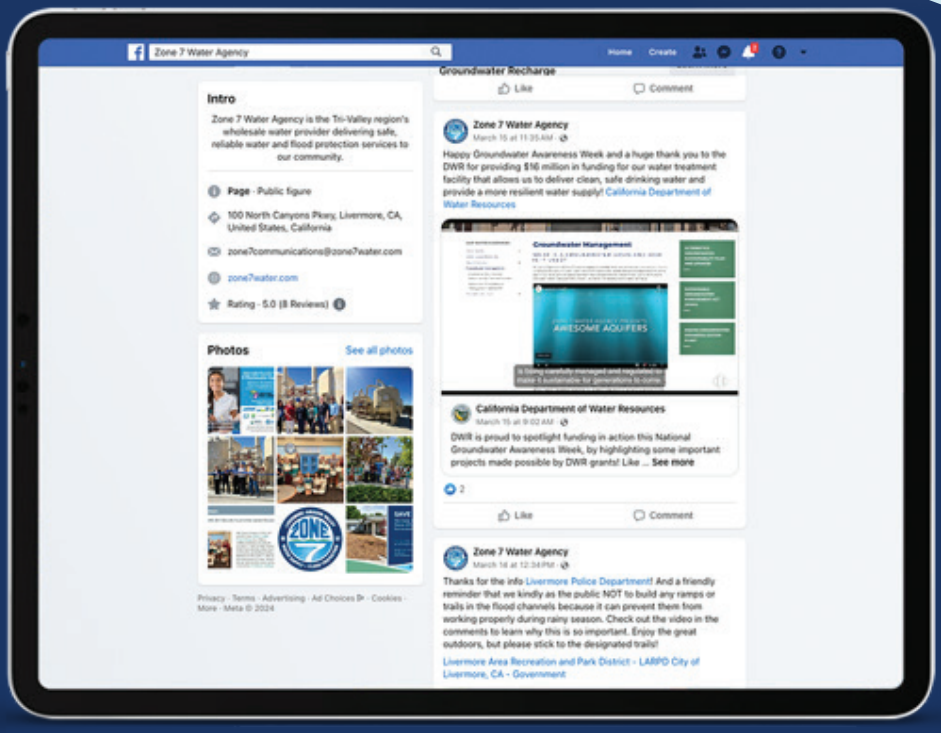
DWR Groundwater Awareness Video

Watch the Video

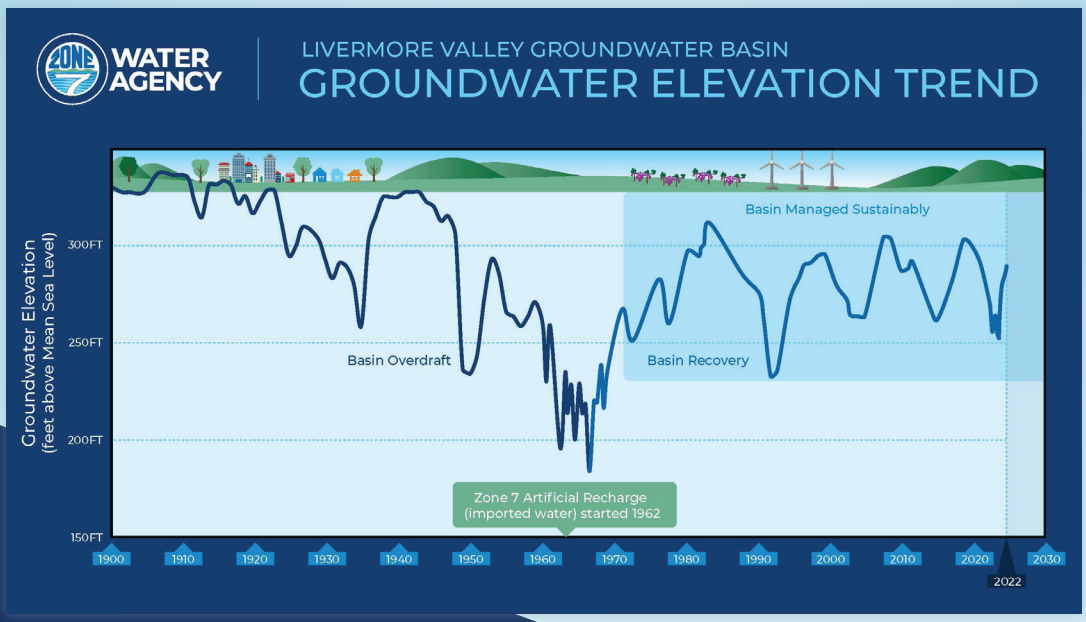
Social Media Posts



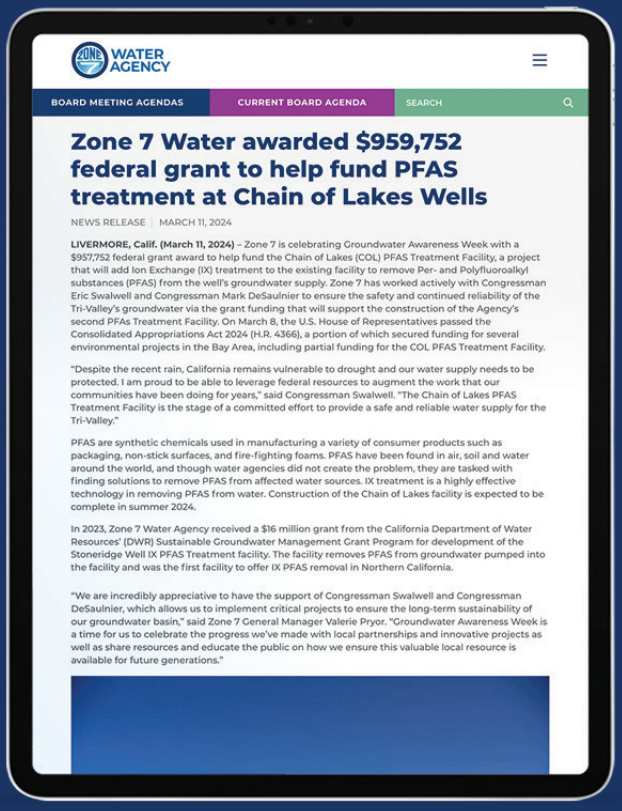




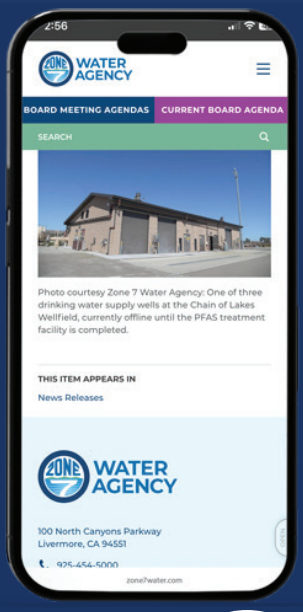
Management Infographic



Press Release



Read the Release



ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

2024 Fix-A-Leak Challenge & Fix-A-Leak Week Outreach Summary

The Zone 7 Water Communications team expanded upon Fix-A-Leak Week this year with a new Water Wise Wendy Fix-A-Leak Challenge 2024 in partnership with the retailers. The new contest encouraged residents to find and fix leaks to save water and win prizes throughout March, in addition to the annual promotional outreach during the EPA's Fix-A-Leak Week.

Objectives

1) Implement annual Fix-a-Leak Week promotional campaign to raise water conservation awareness and educate people on the importance of finding leaks around their homes.
2) Increase student participation in leak-finding activities by hosting a simple enter to win contest that will be promoted through various media channels.

Implementation

Zone 7's water-saving expert, Water-Wise Wendy, lead participants on a leak-detecting adventure with a downloadable checklist available at a newly developed website landing page: zone7water.com/challenge. Throughout March, participants completed each of the different leak-detection challenges around their homes. Participants who completed the challenge and submitted the form with documentation online were eligible for a chance to win prizes.

The top 3 winners will receive a package with a Stanley Flowstate Tumbler, a complete set of 2024 Girl Scout Cookies, and a home improvement gift certificate $200, $100, and $50 for 1st through 3rd place, with winners selected at random.

Results - 5,444,281 gross impressions

Website Landing Page Traffic
1,991 users/2,745 page views

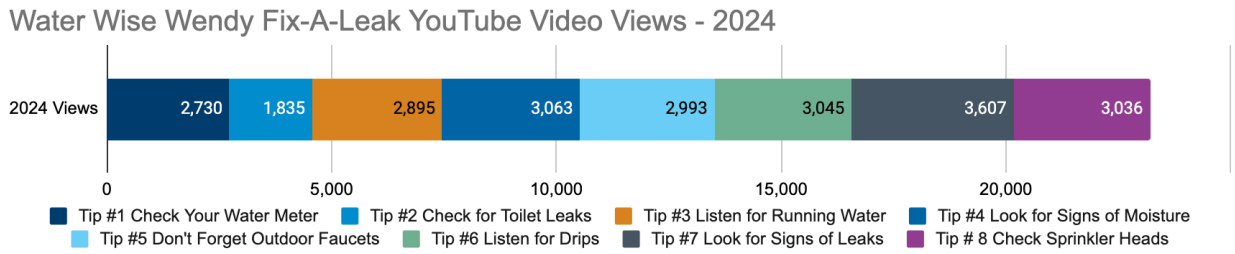
Google Ad Performance
5,189,616 impressions/1,437 interactions

YouTube Video Performance
43,783 impressions/
23,204 combined views

Social Media Engagement
Facebook: 73,295 impressions/31,774 reach/510 clicks
NextDoor: 33,365 impressions

MailChimp E-Newsletter
2,231 sends/1,215 opens

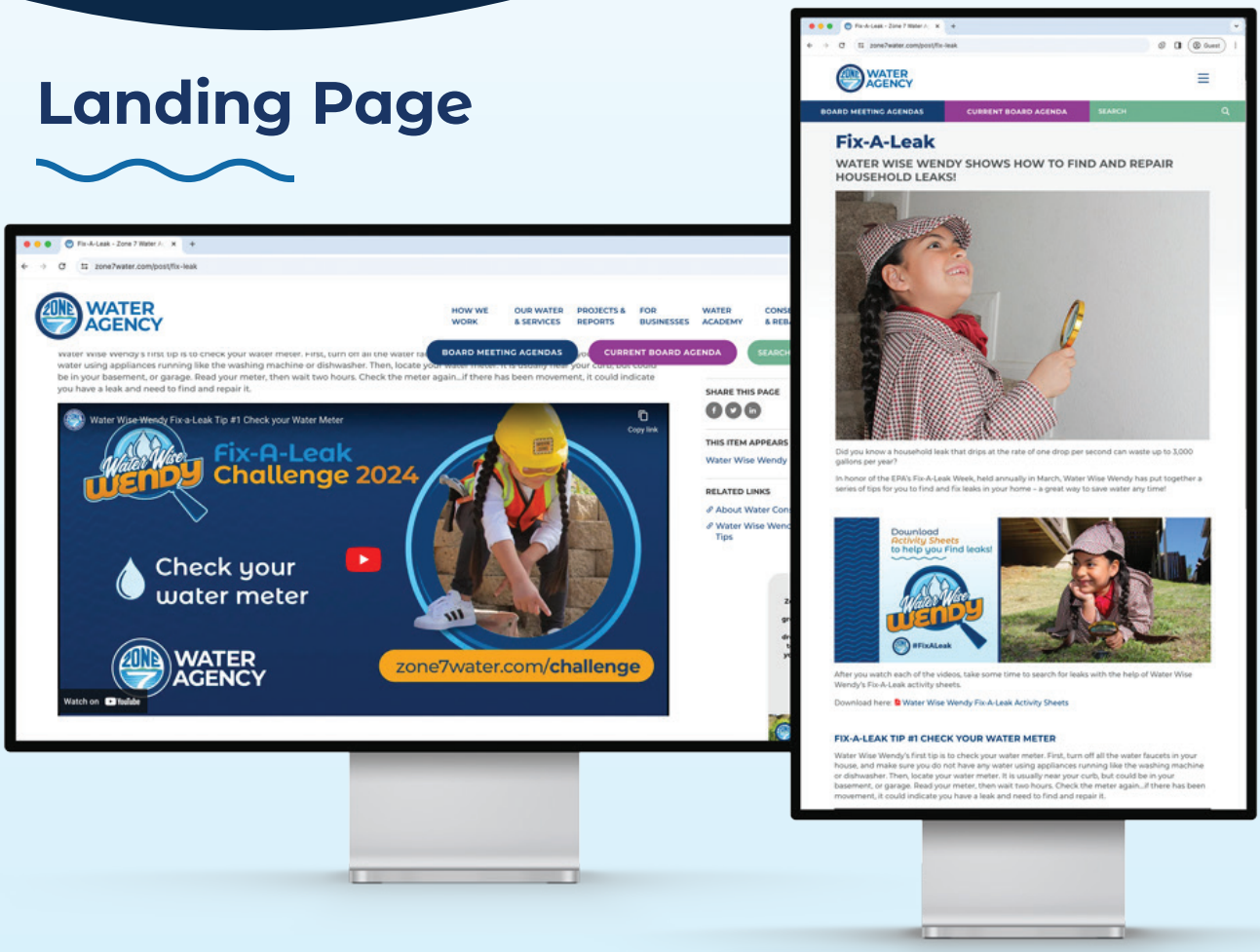
Patch.com Ads
100,000 impressions



We have included samples of assets and links to where you can view the videos, web page, ads, press release and other materials used to promote the contest and tips on the following pages.

Fix-A-Leak Challenge 2024 summary

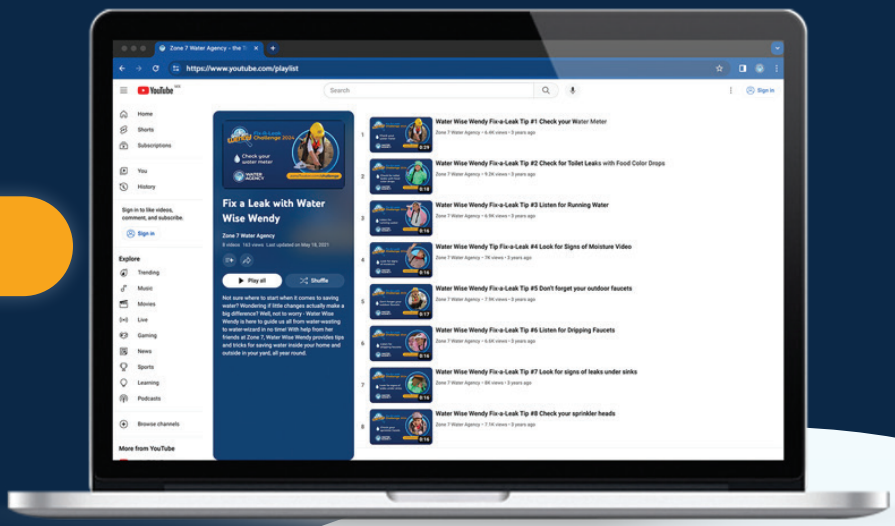
Landing Page



zone7water.com/fixaleak

WATER AGENCY

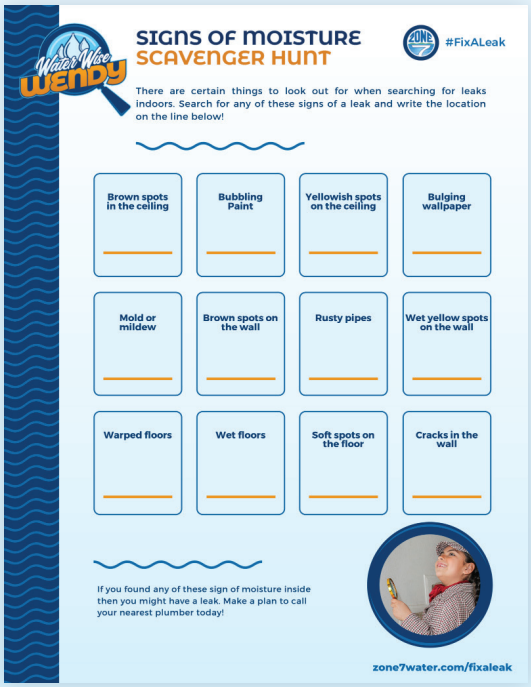
YouTube Videos



Go to Playlist

https://bit.ly/fix-a-leak

Scavenger Hunt Activity Sheet



SIGNS OF MOISTURE
SCAVENGER HUNT

#FixALeak

There are certain things to look out for when searching for leaks indoors. Search for any of these signs of a leak and write the location on the line below!

Brown spots in the ceiling	Bubbling Paint	Yellowish spots on the ceiling	Bulging wallpaper
Mold or mildew	Brown spots on the wall	Rusty pipes	Wet yellow spots on the wall
Warped floors	Wet floors	Soft spots on the floor	Cracks in the wall

If you found any of these sign of moisture inside then you might have a leak. Make a plan to call your nearest plumber today!

zone7water.com/fixaleak

Food Coloring Experiment Sheet

FIND LEAKS WITH
FOOD COLORING!

#FixALeak

Saving water is crucial during this historic drought! Toilet leaks waste valuable water. Here's a fun way to check for leaks using common household items.

WHAT YOU'LL NEED:

- A toilet (of course!)
- Food coloring drops (pick a color that is easily noticeable)
- Gloves (you don't want to dye your hands purple, do you?)
- An adult (remember to always have adult supervision for safety)

DID YOU KNOW?

Toilets account for the largest amount of indoor leaks. An undetected toilet leak could waste as much as 5 gallons of water per minute!

HOW TO CHECK:

1. Open the back tank of your toilet.
2. Add a few drops of food coloring into the tank.
3. Wait ten minutes (it seems like forever, I know).
4. Now check the bowl. If any color leaked into the bowl, then you have a leak!

Don't worry! Just replace your flapper and you're good to go!

zone7water.com/fixaleak

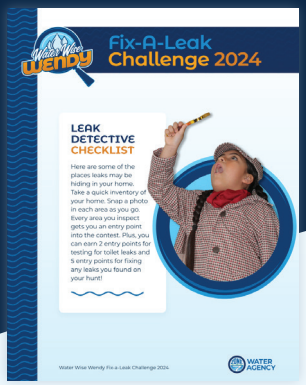
Water Wise Wendy | Zone 7 Water Agency

Photography

Water Wise Wendy | Zone 7 Water Agency

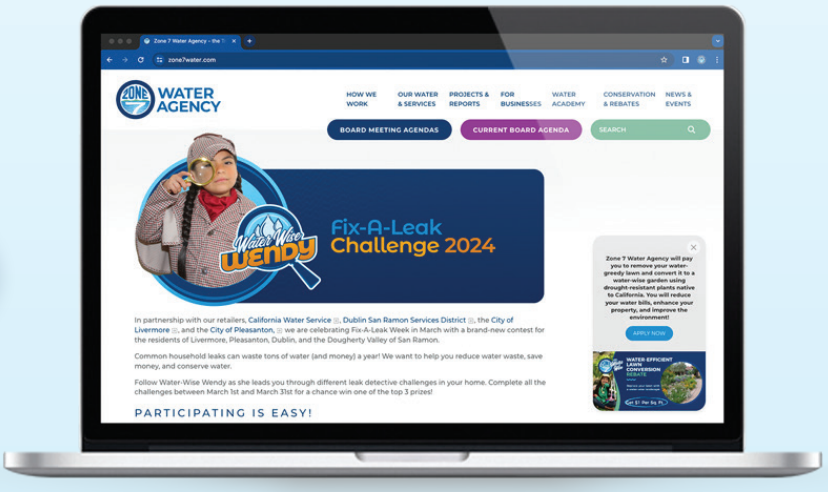
Challenge Flyer

Challenge Checklist



Challenge Landing Page

zone7water.com/challenge



Water Wise Wendy | ZONE 7 WATER AGENCY

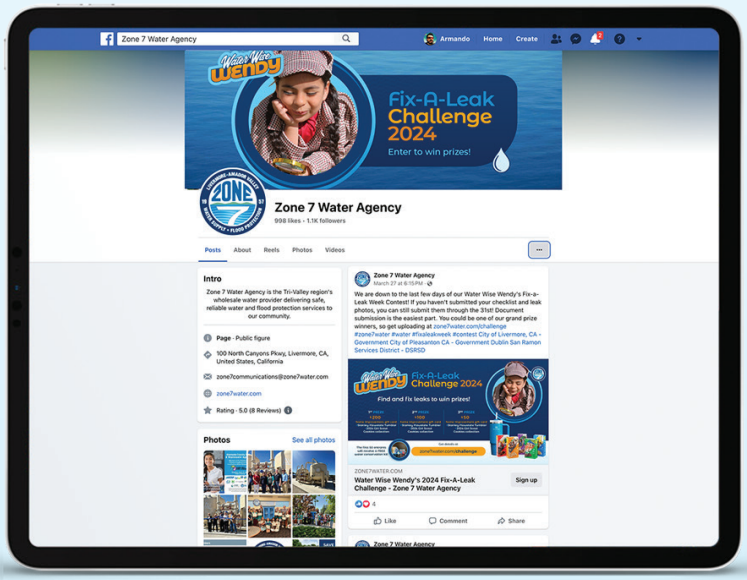
Google and Patch Ads

Water Wise Wendy | ZONE 7 WATER AGENCY

Reel

Watch Reel

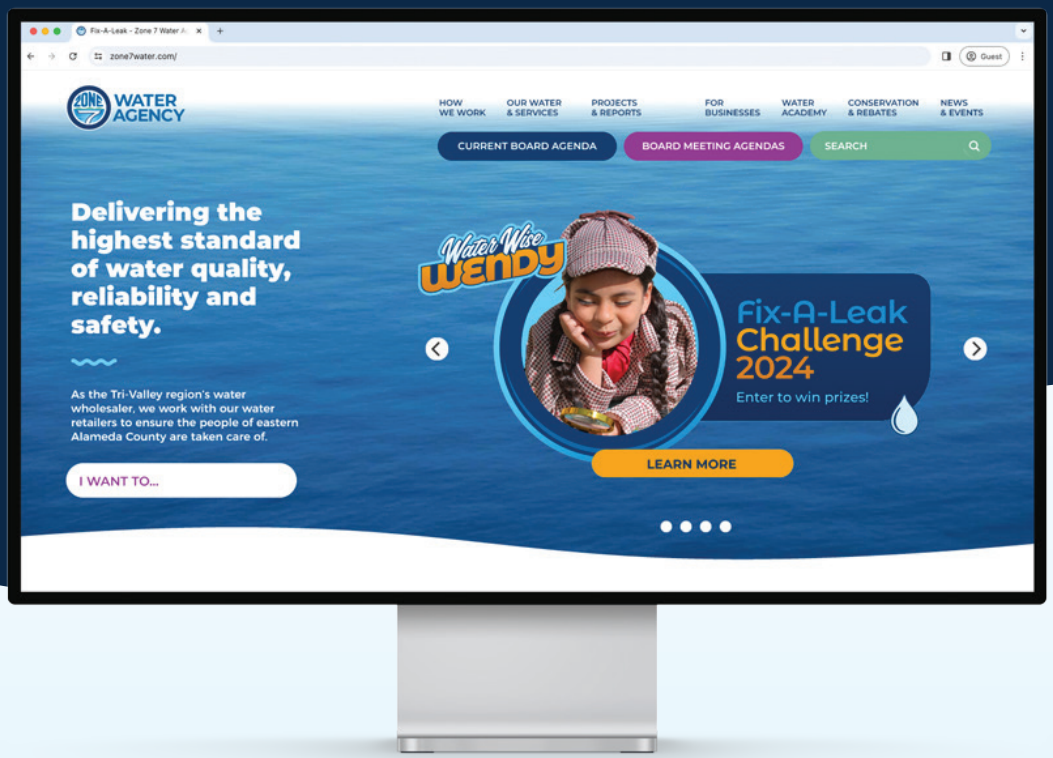
Social Media Promo Graphics



Temp Video Thumbnails

Water Wise Wendy | Zone 7 Water Agency

Homepage Slider + Elfsight Popup



Prizes Reel

Watch Reel

Water Wise WENDY | ZONE 7 WATER AGENCY

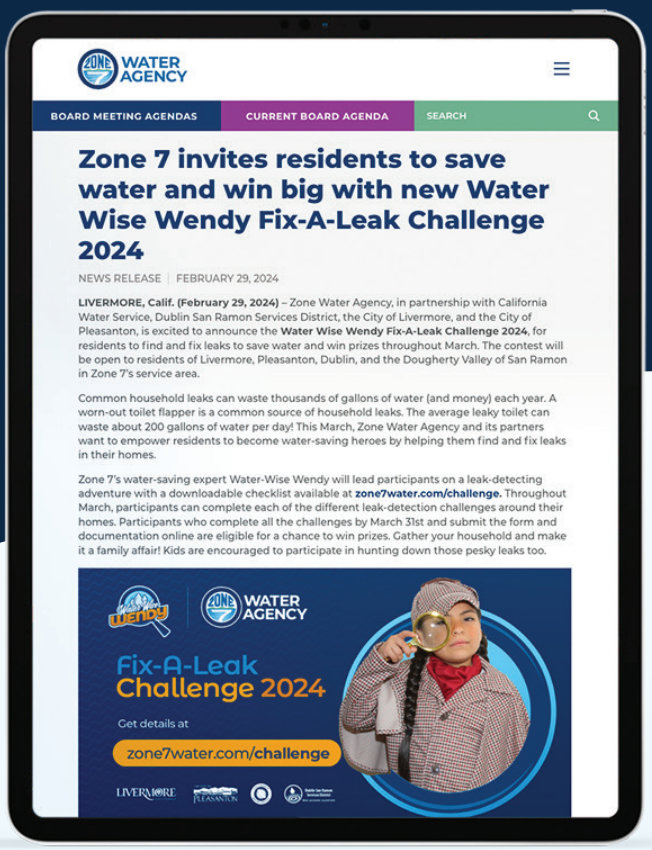
Prize Static Graphic for Social Media

Prize Ad Carousel

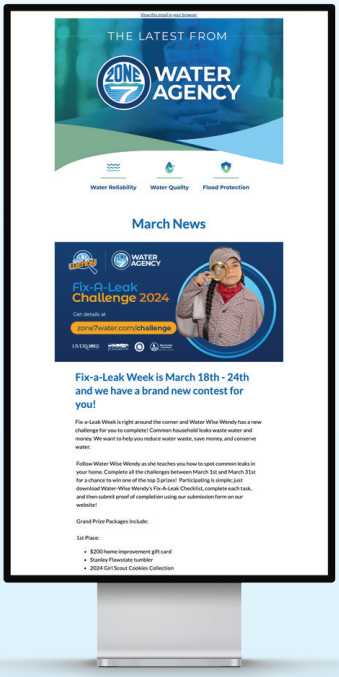
Water Wise WENDY | ZONE 7 WATER AGENCY

Challenge Press Release

Read the Release

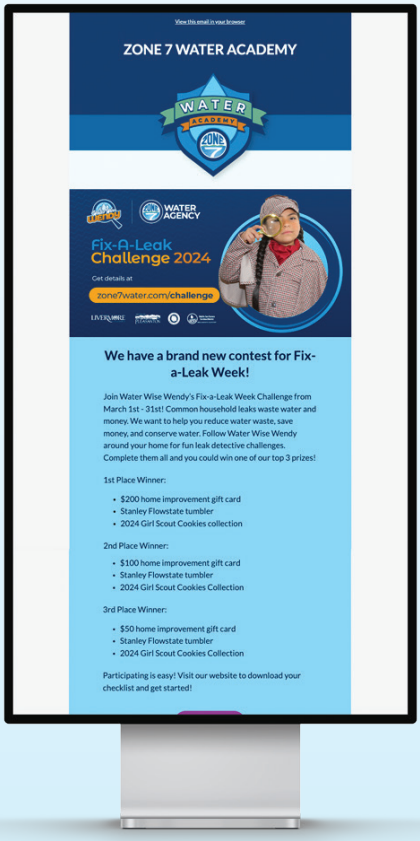


March Newsletter



View the Newsletter

Eblast



View the E-Blast

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

ITEM NO. 17c

ORIGINATING SECTION: Office of the General Manager
CONTACT: Carol Mahoney/Valerie Pryor

AGENDA DATE: April 17, 2024

SUBJECT: Legislative Update

SUMMARY:

Zone 7 staff, with the support of Agency consultants, monitors legislation that is being considered in Sacramento, as well as other political and regulatory activities of interest. This item supports Strategic Plan, Goal F – Stakeholder Engagement, engage our stakeholders to foster understanding of their needs, the Agency, and its function. California's Assembly, Senate, and Committees began the second year of their two-year legislative cycle on January 3, 2024. The attached is the legislative executive summary of bills of potential interest prepared by The Gualco Group, Inc.

Included in this summary are certain bills of potential interest to Zone 7 that are either under review or have position recommendations from other organizations like the Association of California Water Agencies (ACWA), California Special Districts Association (CSDA), and California Municipal Utilities Association (CMUA); however, only Zone 7 positions are listed in the summary to avoid confusion. As a matter of course, Zone 7 staff will provide information and educational materials on specific bills upon request or direction. If staff will be or has provided information on a bill to our advocate or a legislative office, it will be noted in the Executive Summary.

Due to continuing concerns about Per- and Polyfluoroalkyl Substances (PFAS) and their regulation, attached are notes from the Association of Metropolitan Water Agencies from the Senate Environmental and Public Works Committee on *Examining PFAS as Hazardous Substances* from March 20, 2024. This provides useful information regarding the potential regulation of PFAS under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

RECOMMENDED ACTION:

Information only.

ATTACHMENTS:

Gualco Legislative Executive Summary – for April 2024
Association of Metropolitan Water Agencies Hearing Notes

EXECUTIVE SUMMARY
State Legislation

Prepared for the Zone 7 Water Agency
by The Gualco Group, Inc.

Bill	Topic	Synopsis	Staff Recommendation	Status of the Bill/Comments as of 04/01/2024
BROWN ACT LEGISLATION				
AB 817 (Pacheco)	**Open meetings: teleconferencing: subsidiary body**	This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.	Watch	Senate Committee on Rules

AB 2302 (Addis)	**Open meetings: local agencies: teleconferences**	Current law imposes prescribed restrictions on remote participation by a member under alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets.	Watch	Set for hearing 04/10/2024 Assembly Committee on Local Government
SB 537 (Becker)	**Open meetings: multijurisdictional, cross-county agencies: teleconferences**	The bill would authorize the legislative body of a multijurisdictional, cross-county agency, as specified, to use alternate teleconferencing provisions if the eligible legislative body has adopted an authorizing resolution, as specified. The bill would also require the legislative body to provide a record of attendance of the members of the legislative body, the number of community members in attendance in the teleconference meeting, and the number of public comments on its internet website within 10 days after a teleconference meeting, as specified. The bill would require at least a quorum of members of the legislative body to participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction.	Watch	Assembly Floor – Inactive File
GENERAL				
AB 1211 (Mathis)	**Safe Drinking Water State Revolving Fund: internet website information: updates**	Current law requires the State Water Resources Control Board, at least once every 2 years, to post information on its internet website regarding implementation of the Safe Drinking Water State Revolving Fund Law and expenditures from the Safe Drinking Water State Revolving Fund, as specified This bill would require the board to post the information at least annually.	Watch	Senate Committee on Environmental Quality

AB 1820 (Schiavo)	**Housing development projects: fees and exactions**	Current law requires a housing development project be subject only to the ordinances, policies, and standards adopted and in effect when the preliminary application was submitted. This bill would authorize a development proponent that submits a preliminary application for a housing development project to request a preliminary fee and exaction estimate, as defined, and would require the local agency to provide the estimate within 10 business days of the submission of the preliminary application.	Watch	Set for hearing 04/10/2024 Assembly Committee on Housing and Community Development
AB 1828 (Waldron)	**Personal income taxes: voluntary contributions: Endangered and Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account: Native California Wildlife Rehabilitation Voluntary Tax Contribution Fund: covered grants**	Current law, until January 1, 2025, allows an individual taxpayer to contribute amounts in excess of the taxpayer's personal income tax liability for the support of specified funds and accounts, including, among others, to the Endangered and Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account, a continuously appropriated account established in the Fish and Game Preservation Fund, or until December 1 of a calendar year that the Franchise Tax Board determines the amount of contributions estimated to be received will not at least equal the minimum contribution amount of $250,000. This bill would extend the operability of the taxpayer contribution described above until the sooner of January 1, 2032, or until December 1 of a calendar year that the Franchise Tax Board determines the amount of contributions estimated to be received will not at least equal the minimum contribution amount of $250,000.	Watch	Assembly Floor

AB 1957 (Wilson)	**Public contracts: best value construction contracting for counties**	Current law also authorizes certain counties (including Alameda) to use a best value construction contracting method to award individual annual contracts, not to exceed $3,000,000, for repair, remodeling, or other repetitive work to be done according to unit prices, as specified. Current law establishes procedures and criteria for the selection of a best value contractor and requires that bidders verify specified information under oath. Current law requires the board of supervisors of a participating county to submit a report that contains specified information about the projects awarded using the best value procedures described above to the appropriate policy committees of the Legislature and the Joint Legislative Budget Committee before March 1, 2024. Current law repeals the pilot program provisions on January 1, 2025. This bill would instead authorize any county of the state to utilize this program and would remove the January 1, 2025, sunset date, thereby extending the operation of those provisions indefinitely.	Watch	Assembly Committee on Local Government
AB 2285 (Rendon)	**Natural resources: equitable outdoor access: 30x30 goal: urban nature-based projects**	This bill would provide that, to advance and promote environmental and conservation policies and budget actions, the Governor's office, state agencies, and the Legislature, when distributing resources, shall aspire to recognize the coequal goals and benefits of the 30x30 goal and Outdoors for All, and would require consideration to include, among other things, higher land value acquisition and development costs per acre, the acute health needs of a local population due to historic lack of greenspace access and development externalities, local park needs assessment plans, and the availability of mobility options near a proposed land conservation site. The bill would require state funding agencies, including certain state conservancies and the Wildlife Conservation Board, when programming and awarding funds to revise, modify, or amend guidelines as necessary to meet the state's goals, to allow for urban nature-based projects on degraded lands to be eligible and competitive for state funds.	Watch	Assembly Committee on Water, Parks, and Wildlife

AB 2320 (Irwin)	**Wildlife Connectivity and Climate Adaptation Act of 2024: wildlife corridors**	This bill, the Wildlife Connectivity and Climate Adaptation Act of 2024, would require the Natural Resources Agency, as part of an annual report, to identify key wildlife corridors, as defined, in the state, connections between large blocks of natural areas and habitats, progress on protecting additional acres of wildlife corridors, and goals for wildlife corridor protection in the next 5 years, as provided.	Watch	Set for hearing 04/04/2024 Assembly Committee on Water, Parks, and Wildlife
AB 2409 (Papan)	**Office of Planning and Research: permitting accountability transparency dashboard**	Would require the Office of Planning and Research, on or before January 1, 2026, to create and maintain, as specified, a permitting accountability transparency internet website (dashboard). The bill would require the dashboard to include a display for each permit to be issued by specified state agencies for all covered projects. The bill would define various terms for these purposes. The bill would also require the dashboard to include, but not be limited to, information for each permit to be issued by a state agency that is required for the completion of the project, including, among other requirements, the permit application submission date. The bill would require each state agency with a responsibility for issuing a permit for a covered project to provide information in the appropriate time and manner as determined by the office.	Watch	Assembly Committee on Water, Parks, and Wildlife
AB 2561 (McKinnor)	**Local public employees: vacant positions**	Would require each public agency with bargaining unit vacancy rates exceeding 10% for more than 90 days within the past 180 days to meet and confer with a representative of the recognized employee organization to produce, publish, and implement a plan consisting of specified components to fill all vacant positions within the subsequent 180 days. The bill would require the public agency to present this plan during a public hearing to the governing legislative body and to publish the plan on its internet website for public review for at least one year.	Watch	Assembly Committee on Public Employment and Retirement

SB 903 (Skinner)	**Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances**	Would, beginning January 1, 2030, prohibit a person from distributing, selling, or offering for sale a product that contains intentionally added PFAS, as defined, unless the Department of Toxic Substances Control has made a determination that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is used. The bill would specify the criteria and procedures for determining whether the use of perfluoroalkyl and polyfluoroalkyl substances ("PFAS") in a product is a currently unavoidable use, for renewing that determination, and for revoking that determination.	Watch	Set for hearing 04/03/2024 Senate Committee on Environmental Quality
SB 1072 (Padilla)	**Local government: Proposition 218: remedies**	This bill would require, if a property-related fee or charge creates revenues in excess of the local government's reasonable cost of providing the specific benefit or specific government service, that the excess revenues be used only to reduce the subsequently adopted and following property-related fee or charge.	Watch	Senate Committee on Local Government
NATURAL RESOURCES BOND				
AB 305 (Villapudua)	**California Flood Protection Bond Act of 2024**	General Obligation Bond - $4,500,000,000	Watch	Senate Committee on Natural Resources and Water
AB 1567 (Garcia)	**Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2024**	General Obligation Bond - $15,995,000,000	Watch	Senate Committee on Natural Resources and Water

SB 638 (Eggman)	**Climate Resiliency and Flood Protection Bond Act of 2024**	General Obligation Bond - $6,000,000,000	Watch	Assembly Committee on Water, Parks, & Wildlife
SB 867 (Allen)	**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**	General Obligation Bond – $15,500,000,000	Watch	Assembly Committee on Natural Resources
UTILITY MANAGEMENT				
AB 457 (Patterson)	**Surplus Land Act: exempt surplus land: leases**	Expands the definition of "exempt surplus land" to include a parcel that (1) is identified in the local agency's circulation element or capital improvement program for future roadway development, (2) is no larger than 2 acres, (3) is zoned for retail commercial use, and the use of the parcel is consistent with the underlying zoning, and (4) abuts a state highway right-of-way.	Watch	Held at Senate Desk

SB 937 (Wiener)	**Development projects: permits and other entitlements: fees and charges**	Current law extended by 18 months the period for the expiration, effectuation, or utilization of a housing entitlement, as defined, that was issued before, and was in effect on, March 4, 2020, and that would expire before December 31, 2021, except as specified. Current law provides that if the state or a local agency extended the otherwise applicable time for the expiration, effectuation, or utilization of a housing entitlement for not less than 18 months, as specified, that housing entitlement would not be extended an additional 18 months pursuant to these provisions. This bill would extend by 18 months the period for the expiration, effectuation, or utilization of a housing entitlement, as defined, that was issued before January 1, 2024, and that will expire before December 31, 2025, except as specified. The bill would toll this 18-month extension during any time that the housing entitlement is the subject of a legal challenge.	Watch	Set for hearing 04/03/2024 Senate Committee on Local Government
WATER RIGHTS				
AB 460 (Bauer-Kahan)	**State Water Resources Control Board: water rights and usage: interim relief: procedures**	Authorizes the State Water Resources Control 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.	Watch	Senate Committee on Natural Resources and Water
AB 1272 (Wood)	**State Water Resources Control Board: drought planning**	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.	Watch	Held at Senate Desk

AB 1563 (Bennett)	**Groundwater sustainability agency: groundwater extraction permit: verification**	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.	Watch	Senate Committee on Governance and Finance
WATER SUPPLY				
AB 1573 (Friedman)	**Water conservation: landscape design: model ordinance**	Requires updated model ordinance to include provisions that require that plants included in a landscape design plan be selected based on their adaptability to climatic, geological, and topographical conditions of the project site, as specified. The bill would also exempt landscaping that is part of a culturally specific project, as defined, ecological restoration projects that do not require a permanent irrigation system, mined-land reclamation projects that do not require a permanent irrigation system, and existing plant collections, as part of botanical gardens and arboretums open to the public, from the model ordinance.	Not Favor	Senate Floor
AB 1827 (Papan)	**Local government: fees and charges: water: higher-consumptive water parcels**	This bill would provide that the fees or charges for property-related water service imposed or increased, as specified, may include the incrementally higher costs of water service due to specified factors, including the higher water usage demand of parcels. The bill would provide that the costs associated with higher water usage demands, the maximum potential water use, or a projected peak water usage demand may be allocated using any method that reasonably assesses the water service provider's cost of serving those parcels that are increasing potential water usage demand, maximum potential water use, or project peak water use demand.	Watch	Assembly Committee on Local Government

SB 366 (Caballero)	**The California Water Plan: long-term supply targets**	Would revise and recast certain provisions regarding The California Water Plan to, among other things, require the Department of Water Resources 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.	Watch	Assembly Committee on Water, Parks, and Wildlife
SB 1110 (Ashby)	**Urban retail water suppliers: informational order: conservation order**	Current law authorizes the State Water Resources Control Board, on and after January 1, 2024, to issue informational orders pertaining to water production, water use, and water conservation to an urban retail water supplier that does not meet its urban water use objective. Current law requires the board to consider certain information in determining whether to issue an informational order. This bill would require the board to additionally consider lower cost actions the water supplier has implemented or will implement in order to help the water supplier achieve overall water supply resiliency in determining whether to issue an informational order.	Watch	Senate Committee on Natural Resources and Water
SB 1255 (Durazo)	**Public water systems: needs analysis**	Current law requires the State Water Resources Control Board to annually adopt a fund expenditure plan, as provided, and requires expenditures from the fund to be consistent with the fund expenditure plan. Current law requires the state board to base the fund expenditure plan on data and analysis drawn from a specified drinking water needs assessment. This bill would require the state board to develop a needs analysis of the state's public water systems on or before May 1, 2025, and on or before May 1 of each year thereafter.	Watch	Set for hearing 04/24/2024 Senate Committee on Environmental Quality

SGMA				
AB 828 (Connolly)	**Sustainable groundwater management: managed wetlands**	The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Current law defines various terms for purposes of the act. This bill would add various defined terms for purposes of the act, including the terms "managed wetland" and "small community water system."	Watch	Senate Committee on Rules
AB 2079 (Bennett)	**Groundwater extraction: large-diameter, high-capacity wells: permits**	Under current law, if a county, city, or water agency, where appropriate, fails to adopt an ordinance establishing water well, cathodic protection well, and monitoring well drilling and abandonment standards, the model ordinance adopted by the state board is required to take effect on February 15, 1990, and is required to be enforced by the county or city and have the same force and effect as if adopted as a county or city ordinance. This bill would require a local enforcement agency, as defined, to perform specified activities at least 30 days before determining whether to approve a permit for a new large-diameter, high-capacity well, as defined.	Watch	Assembly Committee on Water, Parks, and Wildlife
SB 1156 (Hurtado)	**Groundwater sustainability agencies: financial disclosures**	This bill would require members of the executive team, board of directors, and other groundwater management decision makers of groundwater sustainability agencies to annually disclose any economic or financial interests pursuant to the Political Reform Act of 1974 that may reasonably be considered to affect their decision-making related to groundwater management, as provided.	Watch	Set for hearing 04/09/2024 Senate Committee on Natural Resources

ASSOCIATION OF METROPOLITAN WATER AGENCIES

Senate Environment and Public Works Committee
Full Committee Hearing
Examining PFAS as Hazardous Substances
March 20, 2024

WHAT YOU NEED TO KNOW:

- Members from both sides of the aisle expressed concern about increased costs on ratepayers to pay for CERCLA liability.
- It is unprecedented that EPA chose to regulate PFOA and PFOS as hazardous substances under CERCLA before regulating PFAS under the Resource Conservation and Recovery Act (RCRA), Safe Drinking Water Act (SDWA), and the Clean Water Act (CWA).
- Regarding CERCLA contribution protection, utilities cannot get a settlement from EPA under CERCLA unless EPA designates utilities as a potentially responsible party. Thus, utilities need to be brought into the case, and once utilities are in as a potentially responsible party, liability is joint, and several utilities could be responsible for the entire cleanup cost.
- Read AMWA's statement for the hearing here.
- Watch the full hearing here.

KEY POLICY ISSUES:

- Water Systems PFAS Liability Protection Act or S.1430: The bill would shield drinking water and wastewater systems from CERCLA liability related to the proper disposal of water treatment byproducts containing PFAS.
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA): CERCLA's major emphasis is on the cleanup of inactive hazardous waste sites and the liability for cleanup costs on arrangers and transporters of hazardous substances and on current and former owners of facilities where hazardous substances were disposed.
- PFAS Designation as a Hazardous Substance under CERCLA: EPA is proposing to designate two PFOA and PFOS, including their salts and structural isomers -- as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This proposed rulemaking would increase transparency around releases of these harmful chemicals and help to hold polluters accountable for cleaning up their contamination.
- Resource Conservation and Recovery Act (RCRA): RCRA gives EPA and states the authority to control hazardous waste from the "cradletograve." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste.
- Freedom of Information Act (FOIA): The Freedom of Information Act (5 U.S.C. § 552) provides a right of access to the public of government records.

WITNESSES:

- The Honorable James Kenney, Secretary of New Mexico Department of Environment
- Ms. Kate R. Bowers, Legislative Attorney at American Law Division, Congressional Research Service
- Mr. Scott Faber, Senior Vice President of Government Affairs at Environmental Working Group
- Mr. Michael D. Witt, General Counsel at Passaic Valley Sewerage Commission on behalf of the Water Coalition Against PFAS
- Mr. Robert Fox, Partner, Manko Gold Katcher Fox LLP, on behalf of the National Waste and Recycling Association and the Solid Waste Association of North America

WITNESS TESTIMONY:

- The Honorable James Kenney stated he is the Cabinet Secretary at the New Mexico Environment Department. He has worked for 20+ years looking at chemical plants and defense facilities at the center of PFAS discussions. PFAS are ultimately ending up in the environment, and they bioaccumulate in bodies, land, water, and food. In 2001, he testified that RCRA should be used to address PFAS contamination FIRST, before CERCLA. He continues to advocate that PFAS is best addressed under RCRA as starting point either through direct congressional action or continued EPA rulemaking. RCRA is implemented largely by the states, whereas CERCLA is primarily implemented by multiple federal agencies with less involvement from EPA and states. Under CERCLA, implementation of rules allows the Department of Defense to police itself, which has produced inconsistent results. His fifth day on the job, New Mexico was slapped with a lawsuit to undermine RCRA authority for cleanup of PFAS by the Federal government, and they are now in their fifth year of that lawsuit costing $8 million dollars in defensive litigation. Given his experience with RCRA and CERCLA, Congress should take immediate action to list PFAS as hazardous waste under RCRA and should modify CERCLA to ensure EPA is the sole implementing agency, not the Department of Defense. This will give states the ability to address the polluter and ensure states are able to implement rules with discretion. Read his full testimony here.

- Ms. Kate Bowers stated she is a Legislative Attorney at Congressional Research Service. CERCLA authorizes EPA to clean up contaminated sites and to compel polluters who contaminated sites to perform or pay for clean up activities. Private parties that incur cleanup costs may seek to recoup costs from other parties or from the Superfund trust fund. This dynamic is created to ensure that there will be parties who can bear the cost of cleaning up contamination and that all responsible parties who are able can be required to share those costs. For a party to be liable for clean-up costs under CERCLA, several requirements must be met. There must be a release or threatened release of a hazardous substance in the environment, there must also be a response action or cleanup or response costs at the site. Only certain parties with a connection to the contamination must be held liable, and those parties are often called potentially responsible parties (PRPs), include current operators or owners of a site, past owners and operators, arrangers, and transporters. CERCLA allows any person, including EPA, states, local governments, tribes, and private parties, to sue a PRP to recover response costs that they have incurred. It also allows a party that has been required to pay response costs to assert a contribution claim to compel other PRPs to bear an equitable share of those costs. Parties that have resolved their CERCLA liability to the US or a state cannot then be held liable for contribution claims by other PRPs regarding matters addressed in that settlement. Liability under CERCLA is only associated with releases or threatened releases of hazardous substances, and a substance may be considered hazardous based on either designation under another statute or a direct designation pursuant to CERCLA itself. The proposed PFAS designations would represent the first use of EPA's direct designation authority under CERCLA. Designation of one or more PFAS as a hazardous substance would subject releases of PFAS to

the statues reporting requirements and liability framework. Designation would not trigger a public or private cleanup, alter the CERCLA response process or applicable cleanup standards or determine the liability of any party. If the preconditions of liability are met, and no defenses or exemptions apply, entities that are associated with facilities or sites where PFAS were produced, used, or disposed could be held liable in the event of a PFAS hazardous substance designation. Since CERCLA liability extends to the federal government, this also includes federal agencies that released PFAS. The determination of a party's liability is site specific; therefore, it is not possible to determine liability in the abstract given its site-specific nature. CERCLA also provides an exemption to CERCLA liability for response costs designated to a federally permitted release. EPA has also stated they will be pursuing enforcement discretion against passive receivers, but enforcement discretion does not alter the scope of liability nor does its bar states, local governments, states, or private parties from taking action against a PRP. If a party has not resolved its liability by settling with EPA or a state, it won't receive protection from future contribution claims. Read her full testimony here.

- Mr. Scott Faber said the manufacturers of PFAS hid their harms from the public and Congress. As a result, PFOA and PFOS were not added to the list of hazardous substances decades ago because of this. Instead of taking action to reduce PFAS contamination, industry leaders are trying to convince Congress to create more loopholes. Environmental Working Group states legal loopholes are the problem, not the solution. Responsible stewardship of hazardous substances is nothing new to water utilities and waste managers. Sixty-six hazardous substances are found in drinking water systems. If water utilities are already addressing these other hazardous substances, what is different about PFOA and PFOS. The law allows EPA to use their discretion to assign responsibility to polluters, which is what EPA has always done. In a recent letter, EPA wrote that the agency will focus its enforcement efforts on manufacturers and does not intend to pursue passive receivers. The superfund law is also designed to ensure public and private companies are good stewards of hazardous substances, and an exemption would remove a powerful incentive for utilities to be good stewards of toxic chemicals. Congress has never created a superfund exemption for a specific chemical, not even for notorious pollutants such as PCBs. Read his full testimony here.

- Mr. Michael Witt is the General Counsel at Passaic Valley Sewage Commission (PVSC) in Newark, New Jersey. PVSC is one of the oldest environmental agencies in the United States, operating the fifth largest wastewater plant in the nation, serving 1.5 million people. He is testifying on behalf of the Water Coalition Against PFAS, a coalition comprised of water sector associations. Water utilities were created to protect public health and the environment, and ironically, it is the act of doing that that exposes utilities to liability under CERCLA. Utilities do not manufacture or profit from PFAS, but industry did for decades. Utilities passively receive PFAS through drinking water supplies and influent, exposing each and every utility to potential liability under CERCLA, thus exposing ratepayers to pay for the problem of funding PFAS cleanups, which is simply wrong. The coalition is asking congress to provide water systems with liability protections under CERCLA for PFAS to help ensure polluters, not the public, pays for cleanups. As EPA and state agencies develop PFAS standards for water, utilities will be implementing these standards through costly treatment upgrades and will be working hard to do this and keep rates affordable. Liability will come on top of that despite investments. Some express the opinion that if utilities just comply with federal permits, they won't face CERCLA liability, but that is not the case. The existing CERCLA exemptions tied to federal permits generally require that PFAS be directly included in permits before it can provide any liability shield, but agencies are still trying to address PFAS in permits. CERCLA is also retroactive and can look-back and keep utilities on the hook for remediating decades

worth of PFAS that chemical companies have pumped into water, air, and land. He is also aware that EPA has proposed to exercise enforcement discretion. PVSC welcomes that policy, but it is not enough and does not carry the force of law and could change tomorrow. The enforcement cleanup only applies to EPA cleanup, not by private parties. PVSC has been involved in the largest superfund case to date for the last 28 years. From 1951- 1969, the Diamond Alkali manufactured agent orange on the banks of the Passaic River, resulting in TCDD as a byproduct, one of the most toxic synthetic chemicals humans know how to make. TCDD is persistent in the environment, and PVSC does not manufacture, use, or profit from TCDD. Diamond Alkali intentionally dumped TCDD into the Passaic River, causing billions of dollars in remediation damages. Diamond Alkali has been able to drag hundreds of PRPs into clean up. It is insulting to say that utilities need CERCLA to be good stewards of hazardous substances; it is also unmoored from reality, and it does not take into account that utilities are already under permits under CWA and SDWA to provide standards for utilities, including modifying treatment systems, not into lawsuits. Read his full testimony here.

- Mr. Robert Fox has practiced environmental law for 38 years and has taught superfund law for 27 years. His clients include all different municipalities, including the City of New York. EPA has proposed listing PFOA and PFOS as hazardous substances under CERCLA. PFAS are ubiquitous and are disposed of in landfills, making them a passive receiver of the proposed hazardous substance. There is no practical way for landfills to identify or segregate household waste, including PFAS from general waste. Listing PFAS compounds directly as hazardous substances under CERCLA is unprecedented. CERCLA defines hazardous substances by including any substance already regulated pursuant to federal and environmental statutes like RCRA, SDWA, and CWA. EPA is instead proposing to regulate PFAS as hazardous substance before finalizing regulatory standards under current authorities. There are no current standards for PFAS compounds in permits for landfill leachate. The liquid found in landfills that is either managed through permits to a publicly owned treatment works (POTW) or discharged directly pursuant to an NPDES permit. CERCLA designation would produce retroactive and prospective liability on landfills that currently do not have any PFAS requirements in their permits. Landfills, POTWs, and water treatment plants are interdependent public services. POTWs managing leachate from landfills and discharges from other sources generate biosolids, while POTWs routinely and increasingly handle biosolids by disposal of landfills is a practical matter that CERCLA designation, in the absence of congressional relief, would compel landfills to restrict inbound waste with elevated levels of PFAS compounds including spent water filtration systems, biosolids, and contaminated soils from CERCLA sites including DOD sites. As a result, EPA's goal of remediating PFAS contamination will be delayed and frustrating. CERCLA liability will completely disrupt the well-established municipal waste infrastructure in this country. Certain waste will have no place to go, and increased disposal costs will turn CERCLAs objectives from a polluter pays policy to a community pays reality. The solid waste sector is not looking for relief where the groundwater in landfills have been impacted by PFAS compounds due to disposal. They are looking for a tailored CERCLA liability shield in a permitted or contained discharge. Landfills would only be exempt if they meet discharge requirements and uphold federally permitted release from CERCLA liability. Landfills are proactively piloting treatment technologies for PFAS and leachate. This type of exemption for CERCLA is nothing new, including eleven CERCLA exemptions over forty years. EPA has stated they will exercise enforcement discretion for certain passive receivers renders a necessary need for a statutory exemption given the enforcement discretion is insufficient. If EPA chooses to take no action, the passive receiver will have no protection from a suit brought by any other PRP. Even if EPA settles with the passive receivers, prevailing case law shows that settlement will not protect passive

receivers against suits brought by other PRPs that have not settled with EPA or other contribution claims. Read his full testimony here.

FOCUS OF KEY MEMBERS:

- Chairman Tom Carper (D-Del.) stated that Americans use PFAS in many forms, including nonstick pans, carpet and fabric, and raincoats. PFAS are likely in our bodies and the food we eat. More than 9,000 PFAS chemicals have been manufactured and used around the world. PFAS chemicals have also made life easier, but it has come at a significant cost, given its inability to break down in the environment, putting lives at risk. Many of these chemicals are toxic, and the lasting effect of PFAS contamination has had a major impact on livelihoods. He salutes utilities that are bearing the brunt of this contamination and doing everything they can to remediate it while providing safe and clean water services. Congress included more than $10 billion to respond to PFAS. EPA proposed to designate two PFAS as hazardous substances under CERCLA, providing the government with the authority to hold polluters accountable for clean up of hazardous sites. The designation could have potential unintended impacts on water utilities and could be responsible for downstream contamination because they are filtering it out of water. Water utilities do not use PFAS at all but could be held responsible for downstream contamination. EPA has never enforced an action against a passive recipient of contamination under the superfund law, but entities are concerned they could be saddled with expensive lawsuits that could take years to rectify. Communities around America are scrambling to protect people from PFAS, but utilities are understandably worried about legal costs that polluters should be paying to rectify PFAS contamination, not passive receivers. According to the Minnesota Pollution Control Agency it costs anywhere from $3 million to $18 million to remove PFAS from wastewater. We need strategic national policies to determine the spread of PFAS contamination, identify health threats, and explore best methods to destroy PFAS and find a path forward to make polluters pay, not innocent entities.

  Chairman Carper questioned what consensus the witnesses have on this issue. Secretary Kenney stated that the Clean Air Act, RCRA, and CWA are foundational statues that should be built upon and adding CERCLA on top of that provides another layer of protection, but that is a time dependent approach. Ms. Bowers stated they agree that parties could be held liable under CERCLA, and if the committee chooses to explore additional exemptions in the form of a liability protection, it would be necessary to go beyond the enforcement discretion EPA intends to apply. Mr. Faber said millions of people are drinking too much PFAS in their tap water and that we should quickly finalize the drinking water standard and avoid making this problem bigger by allowing manufactures to continue discharging chemicals with no limits at all. Mr. Witt says he is encouraged, and there is not much disagreement among the panel. The issue he sees is how to get there, and the water sector wants to be a part of the solution to this problem. Liability needs to be put on manufacturers and producers of PFAS, and hope is not a good plan. Mr. Fox stated listing PFOA and PFOS before its regulated under other statutes is out of sequence, and it has never been done before. The guiding principle under superfund is polluter pays, and the sector doesn't want to create a situation where the public is paying rather than polluters.

  Chairman Carper said when determining responsibility for chemical contamination when cleanup is required, the EPA first tries to identify the parties responsible for contamination. The PRP is found for anyone who touched the contaminant in some way. Chairman Carper asked if there are already legal mechanisms to solve the utility liability question, what is different about PFAS contamination, and why should EPA treat PFAS contamination differently than other contaminants. Mr. Witt said there are not many effective ways for water sector utilities to avoid liability

in this case. Further, permits discussed only go forward; they don't go back, and CERCLA liability goes backward. Mr. Witt said water utilities can list PFAS in their permits, and many utilities do; however, the problem is that there are no set limits for anything yet, so utilities are disclosing discharge, but nobody is telling them what to do with the waste yet. Mr. Witt said New Jersey has been very proactive on PFAS and proactive with the regulated community to set limits and understand industrial discharges. Mr. Fox agreed and said PFAS are ubiquitous, it is the most common chemical in usage, and it is in everyday products. Additionally, there are no standards for utilities to comply with the federally permitting release exemption, given that no standard has been set yet. EPA Is proposing to hold utilities jointly and severally liable for handling PFAS as hazardous substances. However, utilities have not had the chance to meet a standard they were supposed to adhere to, as it hasn't been established yet, which is inequitable.

Finally, Chairman Carper asked if there are any lessons learned from other countries regarding PFAS. Secretary Kenney said utility operator training in the US is not on the front lines of our education systems, and other countries prioritizing public service from a STEM perspective is something the US could invest more in. When moving something like PFAS from the waste ledger to another commodity like the tech market, PFAS will be managed appropriately. Ms. Bowers said she does not have information currently but can investigate it. Mr. Faber said other countries are racing to eliminate needless uses of PFAS in consumer products. The burden should be on industry to prove that PFAS are necessary to commerce rather than leaving the burden of proof on federal agencies. Mr. Witt stated when technical issues arise in Europe, they focus resources better than the U.S., and that is a lesson to be learned on PFAS. There was a PFAS working group in EPA around developing technologies, and a collaboration effort needs to exist to get on the same page. Mr. Fox emphasized that when addressing environmental issues in Europe, there is a significant interdependence. Hence, rather than focusing solely on individual components, it's crucial to consider the interconnectedness among municipal waste agencies.

- Ranking Member Shelley Moore Capito (R-W.V.) said addressing the challenges of PFAS is one of her highest environmental policy priorities. PFAS have been used in almost every industrial application since the 1940s, and therefore, the committee must remediate past contamination and limit future uses of the chemical. She firmly believes that the most effective means to tackle PFAS is bipartisan collaboration. Last year, EPA announced two PFAS will be designated as hazardous substances under CERCLA. CERCLA was created after foundational environmental statues and puts forth joint, several, and retroactive liability to clean up particular contaminated sites, instating polluter pays. Congress established CERCLA as a last stop in deeming a substance as hazardous only after it was first regulated by other statues. Despite having years to evaluate and regulate PFAS, EPA is considering designating PFAS as hazardous substances under CERCLA before designating them under any other federal environmental statute. A CERCLA first approach does not allow EPA the flexibility to exempt certain entities from liability. Although she does appreciate enforcement discretion, a statutory fix is needed to protect passive receivers like water systems and waste management utilities. Congress must step in to address the overly broad sweep of CERCLA liability as congress has done in the past eleven times previously. The CERCLA listing will put water utilities in an untenable position where they must treat the water for PFAS, and therefore, concentrating PFAS in filters that landfills will not take due to liability concerns. Without congressional action, a wave of lawsuits could potentially raise taxes and utility rates on millions of Americans to enrich trial lawyers. To effectively address PFAS, the committee must provide liability protections for passive receivers in their PFAS package.

  EPA says enforcement discretion has the intent to focus on polluter pays. She questioned Mr. Witt's experience with enforcement discretion to protect the utility. Mr. Witt said it has not worked because even if EPA does not sue you, everyone else involved in superfund can sue you. PVSC has spent over $4.6 million in legal fees over the last eight years to clean up the Diamond Alkali site. Sen. Capito questioned if a utility has a certain level they can't pass through and utilities have the technology to purchase filters, and they catch PFAS in their filters, what

disproportionate problems would they have at a small system, and how are PFAS destroyed, including once its caught, what do you do with it. Mr. Fox stated municipal solid waste landfills will not take that material unless they have passive receiver exemptions. The material will have to go to hazardous waste landfills or incinerators if they will accept the material. The hazardous waste treatment is much more expensive, up to 8 times more expensive excluding transportation costs, given that they will have no place to send the waste.

Finally, Sen. Capito asked about the safety of PFAS and what the Safe Drinking Water Standard will mean in this discussion for CERCLA. Secretary Kenney said it will set a north star for anyone treating drinking water since they will have to meet that standard, requiring technology investments. Ms. Bowers said the SDWA standard could be incorporated for clean up under CERCLA, but that decision is site-specific. Mr. Faber said even if the SDWA standard is approved today, utilities will have 3-5 years to get into compliance. While utilities should not be sending their carbon filters to subtitle D landfills, they can and should send them to subtitle C hazardous waste landfills. Mr. Witt said the SDWA designation is an important step forward and it is about putting the right standard before others. Mr. Fox said it is a sequencing issue that PFAS need to be regulated under other standards first before CERCLA.

Sen. Capito said the hearing is a public forum to get into the core of the PFAS CERCLA issue. She believes there is agreement that passive receivers are not the focus of the law. Third parties under CERCLA do not feel that EPA writing a letter of enforcement discretion provides the bright line needed for passive receivers.

- Sen. Debbie Stabenow (D-Mich.) stated Michigan certainly has challenges with PFAS. She questioned if CERCLA liability will change anything about DOD's cleanup responsibilities, site prioritization, or the speed of remediation. Ms. Bowers said that is likely correct that DOD is required to respond to pollutants and contaminants, so PFAS designation as a hazardous substance would not change this. Senator Stabenow questioned what congress can do to ensure more expeditious clean-up of DOD sites. Secretary Kenney said with 715 bases nationally, DOD is only cleaning up to 70 ppt, well above the proposed drinking water standard. Therefore, the cleanup is not adequate or protective of the science EPA is using that CERCLA is perpetuating, further proving why regulating PFAS in bedrock environmental laws before CERCLA is important. Mr. Faber said one of the benefits of designating releases of PFOA and PFOS as hazardous substances is that releases will now have to be disclosed. When DOD transfers a property to a citizen, they will now have to disclose the presence of PFOS and PFOA on sites. While DOD is treating PFAS as hazardous substances, the designation will create further disclosure and transparency.

- Sen. Pete Ricketts (R-Neb.) stated the Environmental Working Group's current lobbying is against the polluter pays model, given their opposition of passive receiver exemptions. He questioned the change that Environmental Working Group made in their lobbying. Mr. Faber said it is a mistake to refer to entities as passive receivers, given that they can elect to refuse certain waste and require customers to pretreat waste and provide records for what is included in waste. Not all water utilities are as responsible as PVSC, including Newark, Jackson, and Flint, along with other utilities that are not responsibly managing hazardous waste. Mr. Faber said Congress amended CERCLA to address the contribution rides and shield parties from being subject to additional litigation for matters addressed in a settlement, providing a powerful incentive for utilities to settle with EPA, so the agency can focus on real polluters. Senator Ricketts asked why PVSC is still in litigation, given what Mr. Faber just said. Mr. Witt responded that nothing is as simple as communities would like it to be, especially under CERCLA, given it is one of the most confusing federal laws in existence. There are still avenues for liability that private actors can use to keep public actors involved in lawsuits. Public entities are ratepayers, and PVSC has $4.6 million spent that is not going into ensuring the sustainability of the utility or providing rate assistance. It takes a lot of time for EPA to settle,

resulting in public actors incurring all these legal costs. Sen. Ricketts questioned Mr. Fox's view on the agriculture industry's desire for a liability shield. Mr. Fox said the exemption would not protect the agriculture industry for land applications of sewer sludge, causing retroactive liability along with meeting standards that have not been applied yet. Mr. Fox said if a private party has not been sued, they do not have contribution protection, even if they do get contribution protection, it does not protect them from another PRP who has not been sued or settled to make an action against the settling passive receiver, providing no contribution protection against the passive receiver.

- Senator Ben Cardin (D-M.D.) questioned what Congress can do to bring PFAS destruction technology to the market faster and provide resources so water treatment plants can make necessary improvements. Mr. Faber said congress has already provided $10 billion in the Bipartisan Infrastructure Law to help utilities, but there is now $13 billion in counting that utilities have recovered through PFAS litigation. Therefore, more resources are coming through private recovery on a state level and will be paying more. Congress will likely need to provide more money, but it will be costly; however, people's health is more important. Sen. Cardin asked specifically about small water utilities bearing the brunt of this cost. Mr. Faber said EPA found that only a few thousand systems out of many thousands are out of compliance with the drinking water standard. Mr. Fox said that landfills are solution providers, and once there are liability shields for landfills and PFAS standards for leachate to have liability relief, you need to meet those standards. Thus, creating technological incentives to create technology to treat PFAS properly. Landfills, however, are not waiting for that; in anticipation they have pilot studies testing out different technologies to destroy PFAS contamination. Establishing a drinking water standard will provide incentives for passive receivers to produce technology. Municipal industries are interdependent.

- Sen. Alex Padilla (D-Calif.) said addressing PFAS pollution is a priority. Further, that morning, he spoke to several water agencies at the Association of Metropolitan Water Agencies, where this was a key topic of conversation. Sen. Padilla is also focusing on affordability through his chairmanship of the Fisheries, Water, and Wildlife subcommittee. He asked how EPA has historically used its enforcement discretion to protect passive receivers. Mr. Faber said EPA has indicated that they do not plan to go after water utilities, which is nothing new. Mr. Faber said EPA has not yet released their enforcement discretion policy that will accompany this final rule; therefore, Congress should ask to see that before determining to amend CERCLA. Mr. Faber said the Environmental Working Group filed a FOIA request this morning to get all of the settlements that EPA has completed with passive receivers to show Congress the receipts of quick settlement under CERCLA. Senator Padilla asked to walk the committee through the options available for water utilities, where a liable party brought them into a third-party contribution claim. Ms. Bowers stated if EPA has not entered a settlement, resolving the utilities liability under CERCLA. Then, that utility could still be liable under CERCLA assuming no other exemptions apply. If another entity has incurred cleanup costs or have resolved its liability that entity would have the opportunity to file a third-party contribution claim under an existing lawsuit or a new lawsuit as a PRP, and if those parties have not resolved their liability to EPA or a state under CERCLA then they could still be liable for a lawsuit.

- Sen. Jeff Merkley (D-Ore.) said the final regulation for PFAS is expected the first week of April, along with a follow up memo about enforcement strategy. He questioned if Congress should read this before exempting certain passive receivers under CERCLA. Mr. Faber said when EPA issues a hazardous substance designation, they will also issue an enforcement discretion memo that will memorialize how EPA plans to address liability of passive receivers. Sen. Merkley asked if Congress does pass a liability shield for utilities, given the court cost can be so significant, would that relieve the utility from testing for certain chemicals and to inform the public of those tests. Mr. Faber said utilities are currently testing tap water for PFAS, once PFAS are regulated under SDWA, utilities will have a duty to test for PFAS and share results with the public. Sen. Merkley said the PFAS chemical family has

hundreds of elements and asked if that affects the ability to test or if one test can identify all different types of PFAS. Mr. Faber said EPA developed a drinking water standard that includes a mixture of long chain and short chain PFAS so that the treatment technology implemented will reduce many of the PFAS chemicals. Further Mr. Faber said adopting stringent treatment technology will remove other co-contaminates from water. Sen. Merkley asked how the risk of PFAS in drinking water compares to the risk of PFAS in commerce. Mr. Faber said the most effective way to reduce the amount of PFAS in blood is to finalize the drinking water standard. Mr. Faber also said Congress needs to close the loophole that allows companies to use PFAS in unnecessary ways.

- Sen. Cynthia Lummis (R-Wyo.) asked why a nationwide enforcement policy does not adequately address liability concerns for passive receivers. Mr. Fox said if there is no settlement with the passive receiver, they are completely open to any lawsuit by a third party, even if the passive receiver has settled with the government and obtained contribution protection. If the third party has not settled or obtained contribution protection, then they can sue already settled utilities, so it does not provide that protection. Further, he said that in the past, there was an EPA policy around enforcement discretion not to go against prospective purchasers who wanted to redevelop brownfield sites. It was a cumbersome policy, resulting in Congress's decision to amend CERCLA to create an exemption under specific circumstances. Sen. Lummis questioned if it's true that Congress has amended CERCLA liability in response to the increase of inefficiencies and administrative costs associated with implementing a nationwide enforcement discretion policy and he said absolutely. Sen. Lummis said there are volumes of case law attached to designating a contaminant under RCRA, CWA, and SDWA, but there is no precedent to establish a hazardous substance under CERCLA, is that correct? Mr. Fox said there is no precedent in 44 years of CERCLA for EPA to ever designate anything directly without it first being designated under other bedrock environmental statutes. Sen. Lummis asked if using a tailored approach under RCRA to address some liability concerns of passive receivers, is it a problem that EPA has dedicated minimal resources into using RCRA to regulate PFAS. Mr. Fox said there are two proposed regulations under RCRA that would solve part of this problem: one is to list nine separate PFAS compounds as hazardous constituents under RCRA, and another to say that those compounds could be subject to RCRA corrective action so, EPA could use their authority at RCRA corrective action sites to clean up sites. Many DOD sites are RCRA corrective action sites. Sen. Lummis questioned if loopholes and exemptions accurately portray the role of PVSC in relation to PFAS contamination. Mr. Witt said he absolutely disagrees with that characterization that water systems are polluters of PFAS. Mr. Witt said utilities cannot tell people they can't take their sewage anymore when it is coming directly from people's homes. Water systems can't tell landfills they won't take leachate, and landfills will have to find some other way to dump it somewhere. If wastewater treatment facilities can't take this material, which is their job, where is the waste going to go, and who will be treating it? Congress wants wastewater systems to treat it, given this is what their job is, and they want to be a part of the solution to PFAS; but when utilities must fight long lasting CERCLA cases, they can't do their job of being good environmental stewards. Mr. Witt also said regarding contribution protection that utilities cannot get a settlement from EPA under CERCLA unless EPA designates utilities as a PRP, so it doesn't just exist. Utilities need to be brought into the case, and once utilities are in as a PRP, liability is joint and several, utilities could be responsible for the entire cleanup cost.

  Sen. Lummis said CERCLA establishes liability on those who dispose of hazardous substances, so the court created a useful products exclusion, is that correct? Ms. Bowers said this doctrine refers to the potential liability of a manufacturer under CERCLA, but it does not determine a manufacturer as potentially liable merely because it manufactured a product. Sen. Lummis asked if this exclusion could be used by a manufacturer to potentially escape liability under CERCLA. Ms. Bowers said the way the doctrine works is that if a manufacturer produces a useful product, sells the product, distributes it, and disposes it downstream in the environment by another user or purchaser, unless there is evidence the manufacturer sold the product as waste specifically with the intent to

dispose of the product, then the manufacturer would not be held liable for downstream release. Sen. Lummis followed up and asked if no manufacturer is liable under CERCLA for PFAS, then who would be held liable. Ms. Bowers said it is not necessarily the case that no manufacturer would be liable, and if a release occurred as part of the manufacturing process, then the manufacturer could be held liable under CERCLA as an owner or operator under that category. So, it is not that no manufacturer is liable but rather that if a manufacturer created a product and it was eventually released downstream by a different manufacturer or user, then they are not liable for CERCLA liability unless the party sold the product with the intent of it being disposed. Sen. Lummis asked if the witness could envision the useful products exclusion to escape liability of manufacturers of PFAS. Ms. Bowers said it is difficult to answer the question given it has more to do with what happens to a product after it is manufactured in the way that it is used, which is not something the courts have characterized as a loophole but more as a characterization of CERCLA given that was not the original intent of the law.

Finally, Sen. Lummis asked Mr. Fox and Mr. Witt to share what they would like to leave with the committee that has not been asked yet. Mr. Fox said landfills are solution providers, and thus, the narrowly tailored exemption avoids the law of unintended consequences regarding leachate discharges and need an exemption to not be retroactively liable for a release that does not currently have standards. However, once those standards are in place, they will only meet the exemption if they meet the discharge requirements, providing proper incentives for landfills to create technology that meets discharge limits. Mr. Witt is optimistic about what he has heard from the witnesses and stated that if utilities want to hope that EPA will not go after them through enforcement discretion, then that's well and fine, but it can change. Utilities want to protect themselves so they can focus their resources and customer resources on putting treatment systems in place to begin resolving the PFAS problem and not face litigation on the backend.

- Sen. Sheldon Whitehouse (D-R.I.) questioned if there are steps passive receivers can take to preemptively protect themselves or reduce exposure to third party liability under CERCLA. Ms. Bowers said utilities can get a federally permitted release exemption. Which provides that if a release is in accordance with permits, then there is no liability under CERCLA to be associated under that release. Specific types of permits are enumerated under CERCLA, including CWA permits, however, it is very site specific. Sen. Whitehouse questioned whether there are other chemicals, ubiquitous in the environment like PFAS, and potential lessons learned. Mr. Faber said there are more than 800 hazardous substances, more than 600 are being produced, and over 300 are still being produced in high volume. Hundreds are already found in landfills, and 66 are found in drinking water systems. Specifically, water utilities can certainly require customers to pretreat their waste, which would help reduce liability. Water utilities could have gone to state regulators to modify NPDES to include PFAS. Water utilities could have amended permits to address liability for PFAS.

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

ITEM NO. 17d

ORIGINATING SECTION: Integrated Planning
CONTACT: Sal Segura/Ken Minn

AGENDA DATE: April 17, 2024

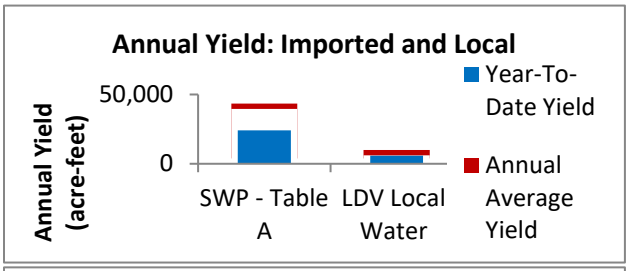
SUBJECT: Monthly Water Inventory and Water Budget Update

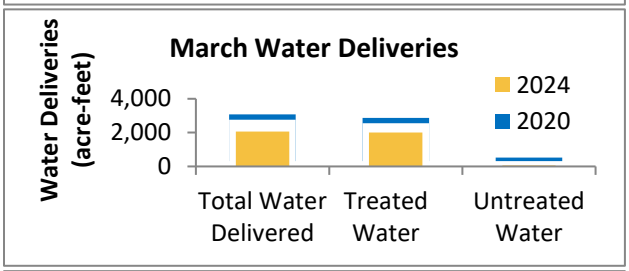
SUMMARY:

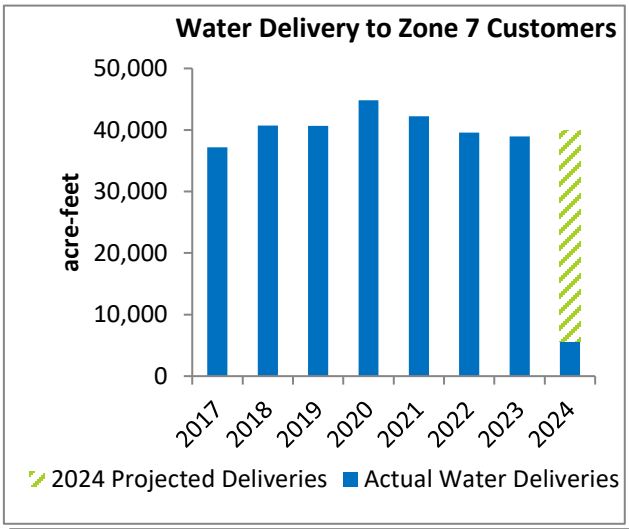
To support the Mission to deliver safe, reliable, efficient, and sustainable water, Zone 7 Water Agency (Zone 7) has been managing water supplies. This report summarizes current water supply, usage, and storage conditions to support Strategic Plan Goal A – Reliable Water Supply and Infrastructure and is to implement Strategic Plan Initiative #2 – Evaluate and develop appropriate new water supply and reliability opportunities.

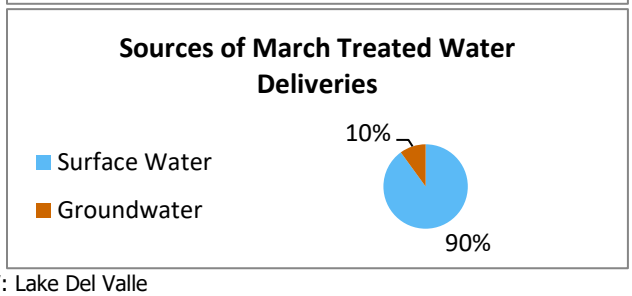
An overall analysis of the annual water supply is included in the 2024 Annual Sustainability Report. A summary of Long-term water supply planning is also included in the Urban Water Management Plan (UWMP), which is updated every five years and assesses water supply reliability for a 20-year time horizon. The next update of UWMP is due on July 1, 2026. The plans and evaluations consider the various sources of supply and storage available to Zone 7 locally, in State Water Project (SWP) facilities, and in Kern County storage and recovery programs.

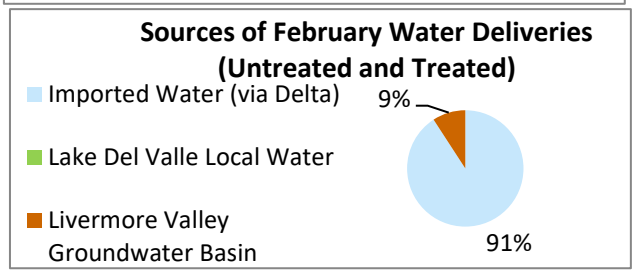
Summaries of 2024 Water Supplies, Deliveries, and Available Water (As of March 2024)











LDV: Lake Del Valle

ZONE 7 WATER INVENTORY AND WATER BUDGET (March 2024)

Supply and Demand *(See Table 1, Table , Figure 1, Figure 2, Figure 3, and Figure 4)*

- Monthly totals: 2,180 acre-feet (AF) delivered to customers (1,920 AF treated production and 60 AF untreated deliveries) and 200 AF to recharge.
- Total treated water production increased by 12% compared to last month.
- Treated water sources were 90% surface water and 10% groundwater this month.
  - Treatment plant production was 18.2 million gallons per day (MGD).
  - Wellfield production was 2.1 MGD.

Comparison of Demands: 2024 vs 2020 baseline *(See Table 1)*

- In March 2024, Zone 7's overall water demands were 28% less compared to the same time in 2020: treated water production was 25% less, and estimated untreated deliveries were 71% less than March 2020.

Table 1: March 2024 comparison – Treated and Untreated Demands

	Treated Production	Untreated Delivery	Total
March 2024 (AF)	1,920	60	1,980
March 2020 (AF)	2,550	210	2,760
March 2024 vs March 2020	25% less	71% less	28% less

Imported Water *(See Table and Table 3)*

- On March 22, 2024, the 2024 State Water Project was increased from 15% to 30%. This is the second revision of the year and up from the initial allocation of 10%. The allocation is subject to revision as the water year progresses.

Table 2: Available Water Supplies for 2024 (as of April 1, 2024)

Source	Acre-Feet
Table A (Based on 30% allocation)	24,190
Water Transfers/ Exchanges	0
SWP Carryover + Backed Up Water (Preliminary Estimate)	27,950*
Lake Del Valle (Carryover + 2024 Yield)	10,700
Livermore Valley Groundwater Basin (Above MTs AF/% Full)	122,700/ 97%
Kern Storage and Recovery Programs	95,600
Total	**281,140**

* This amount will be adjusted when the contractual water transfer is complete
MT: Minimum Thresholds

Groundwater *(See Table 3 and Figure 5)*

- The Livermore Valley Groundwater Basin comprises four subbasins. The Basin's estimated maximum storage capacity is 254,000 AF including the capacity below the Minimum Thresholds established in the Alternative Groundwater Sustainability Plan. The estimated storage capacity above the Minimum Thresholds (operational storage) is 126,000 AF. Currently, the Basin is at approximately 97% of its storage capacity above minimum thresholds (122,700 AF out of 126,000 AF).
- It is important to note that all of the storage above the Minimum Thresholds (MT's) is not accessible with Zone 7's existing wells as 80% of Zone 7's groundwater facilities are in the Amador West subbasin. Furthermore, the presence of Per- and polyfluoroalkyl substances (PFAS) compounds in the groundwater basin limits the use of some wells.
- Zone 7 wellfield pumping was 200 AF, making up 10% of the treated supply.
- Estimated groundwater basin overflow on the west side of the Basin is 0 AF in March.
- In March, Zone 7 recharged approximately 200 AF through releases into the Arroyos.

Local Surface Water *(See Table 3 and Figure 6)*

- Zone 7's (preliminary) water storage in Lake Del Valle at the end of March is approximately 10,700 AF.
    - Zone 7 captured approximately 2,650 AF in Lake Del Valle in March.

Stream Outflow *(See Table 3)*

- Surface runoff exceeded the 10 cubic feet per second (CFS) baseflow at the Arroyo de la Laguna at the Verona stream gauge for the entire month of March, resulting in a stream outflow of 7,900 AF.

  Note: some surface flows out of the Livermore-Amador Valley are mandated for other downstream purposes.

Local Precipitation *(See Figure 7)*

- 2.84 inches of precipitation were recorded at Livermore Airport in March.
- Thus far in Water Year 2024, Livermore has received 12.96 inches of rain, or 103% of the average for Water Year to Date.

Sierra Precipitation *(See Figure 8)*

- 10.1 inches of precipitation was recorded in the Northern Sierras in March. The historical average precipitation in March is 8.1 inches.
- Cumulative precipitation in the Northern Sierra for Water Year 2024 is 42.9 inches or 96% of the seasonal average to date.

Sierra Snowpack *(See Figure 9)*

- Snowpack in the Northern Sierras is 119% of the average for March 29 at 33.9 inches of snow water equivalent.

Lake Oroville *(See Figure 10)*

- Lake Oroville was at 88% of total capacity (124% of average) as of March 31.
  - Storage: 3,109,468 AF
  - Storage as a percentage of total capacity increased by 5% over the month of March.

San Luis Reservoir *(See Figure 11)*

- San Luis Reservoir was at 73% capacity (84% of average) as of March 31.
  - Storage: 1,485,252 AF
  - SWP's share of storage is approximately 518,000 AF
  - Storage as a percentage of total capacity increased 5% over the month of March.

NOTE: *Numbers presented are estimated and subject to refinement over the course of the year.*

Table 3: Quarterly Water Inventory

Water Inventory for Zone 7 Water Agency

Note: Values are rounded. All units in AF unless noted otherwise. Subject to adjustment over the year.

	2023 *Jan-Dec*	2024 - Q1 *Jan-Mar*	2024 - YTD *Jan-Dec*
Source			
Incoming Supplies			
State Water Poject (SWP) - Table A	47,376	0	0
State Water Project - Article 21	2,360	0	0
Lake Del Valle Local Water	4,310	1,000	1,000
Water Transfers/Exchanges [1]	-1,000	0	0
Subtotal	**53,046**	**1,000**	**1,000**
From Storage			
State Water Project - Carryover	1,630	4,250	4,250
Livermore Valley Groundwater Basin	1,670	840	840
Kern Storage and Recovery Programs	0	0	0
Subtotal	**3,300**	**5,090**	**5,090**
Total Supply	**56,346**	**6,090**	**6,090**
Water Use			
Customer Deliveries			
Treated Water Demand [2]	34,060	5,480	5,480
Untreated Water Demand	4,870	110	110
Subtotal	**38,930**	**5,590**	**5,590**
To Storage			
Livermore Valley Groundwater Basin Recharge	8,850	500	500
Kern Storage and Recovery Programs	10,000	0	0
Subtotal	**18,850**	**500**	**500**
Total Water Use	**57,780**	**6,090**	**6,090**
Available Water Supplies			
Incoming Supplies	**End-of-2023**		
SWP - Table A (%)	100%	30%	30%
SWP - Table A Remaining	33,200	24,190	24,190
Water Transfers/Exchanges [1]	-1,000	0	0
Subtotal	**32,200**	**24,190**	**24,190**
Storage Balance	**End-of-2023**		
SWP Carryover + Backed Up Water [3]	32,200	27,950	27,950
Lake Del Valle Local Water	5,000	10,700	10,700
Livermore Valley Groundwater Basin [4]	118,500	122,700	122,700
Kern Storage and Recovery Programs	95,600	95,600	95,600
Subtotal	**251,300**	**257,000**	**257,000**
Total Available Water	**283,500**	**281,190**	**281,190**
Watershed Conditions	**End-of-2023**		
Precipitation at Livermore Station (in)	13.8	9.77	9.77
Lake Del Valle Local Water Net Yield	2,300	6,750	-4,000
Measured Change in Groundwater Basin Storage	17,700	4,200	-118,500
Surface Water Outflow [5]	166,810	33,890	33,890

[1] In 2023, Zone 7 executed a transfer agreement with the Westside Districts

[2] Includes a small amount of unaccounted-for water.

[3] Backed Up Water is recovered water from Kern Storage and Recovery Programs that is moved to San Luis Reservoir for storage.

[4] Storage volume is based on most recent groundwater level data; amount shown excludes 128,000 AF of emergency storage.

[5] Surface Water Outflow is estimated based on flow at USGS gage Arroyo De La Laguna at Verona.

Figure 1: Monthly Treated Water Production in Acre-Feet (AF)

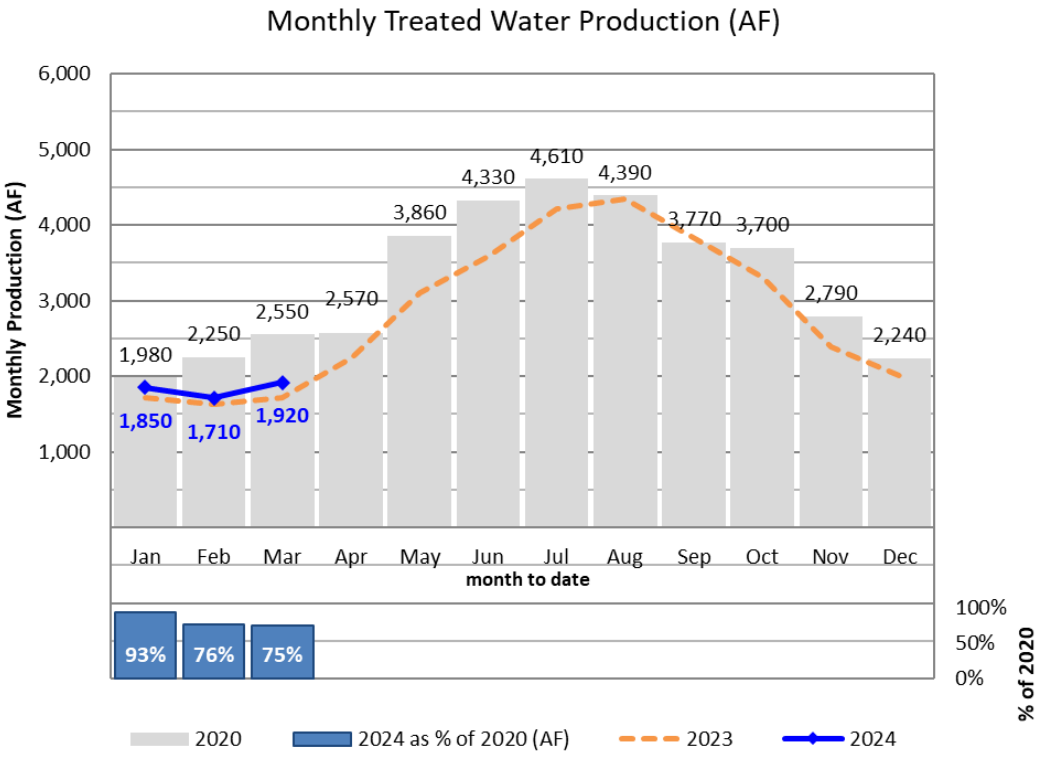


Figure 2: Monthly Treated Water Production in Average Million Gallons Per Day (MGD)

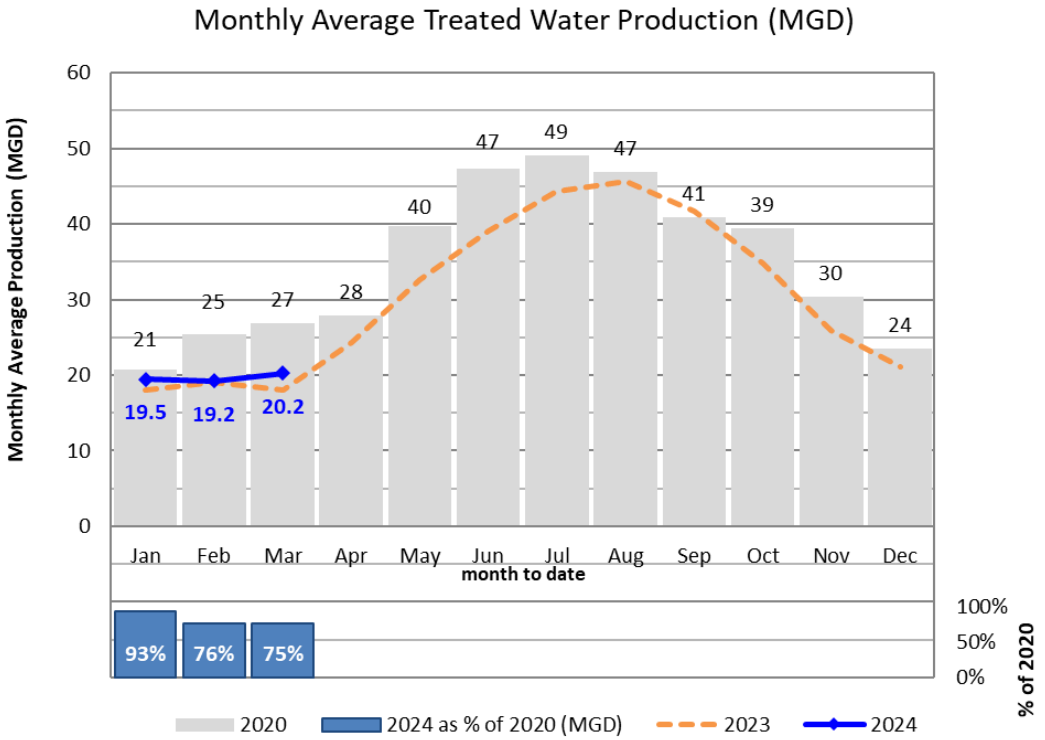
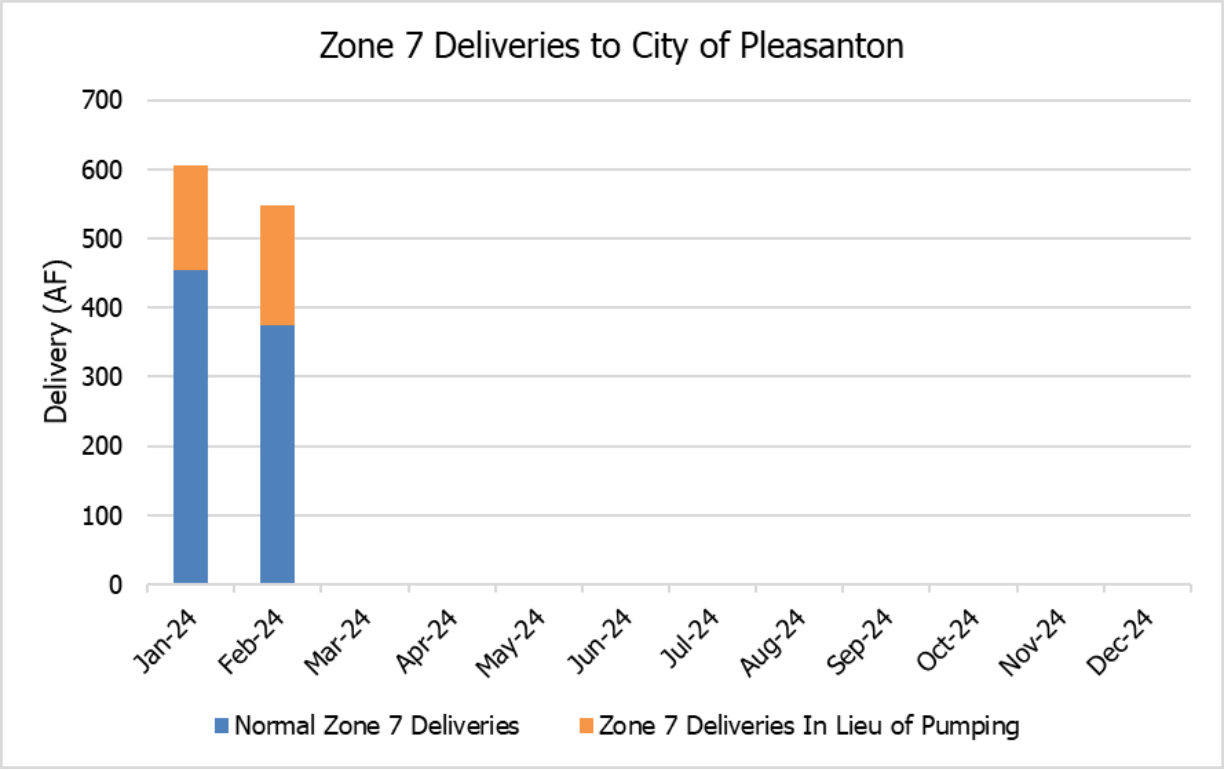
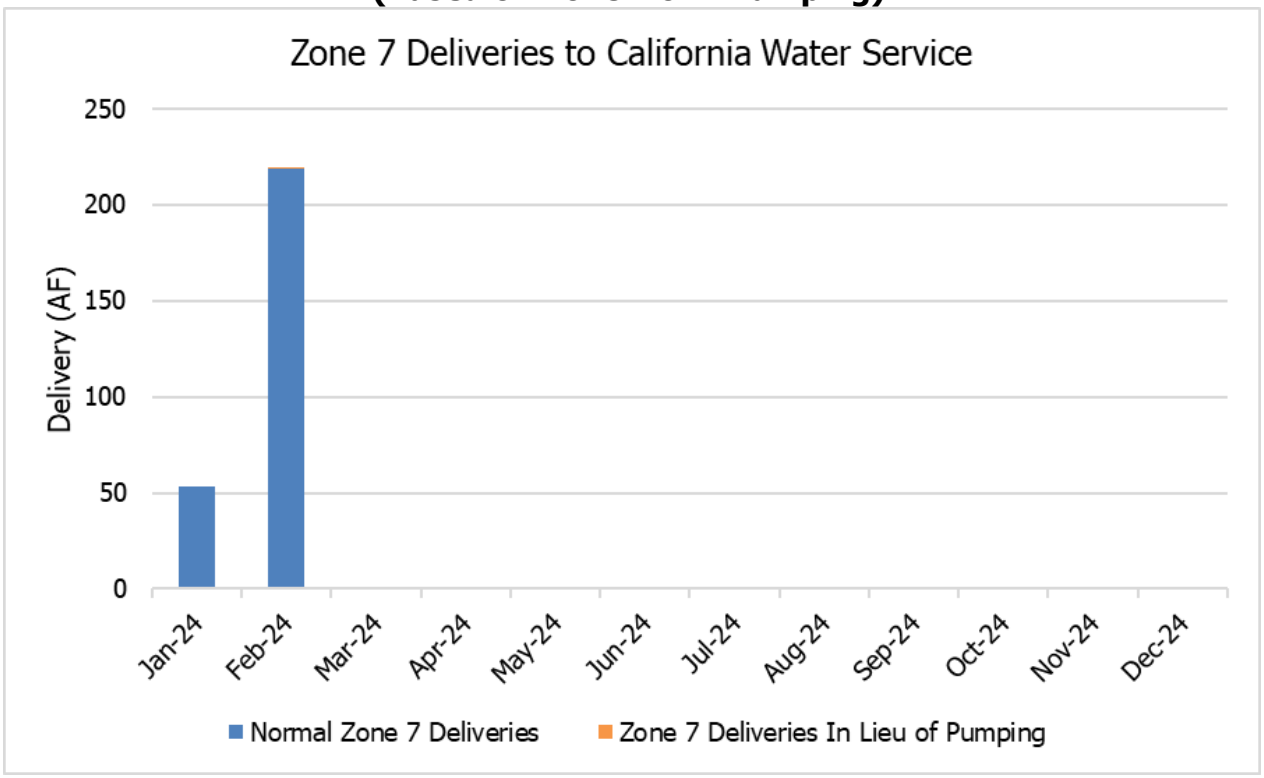


Figure 2: Pleasanton Estimated In-Lieu Demand (Based on 2018-2021 Pumping)



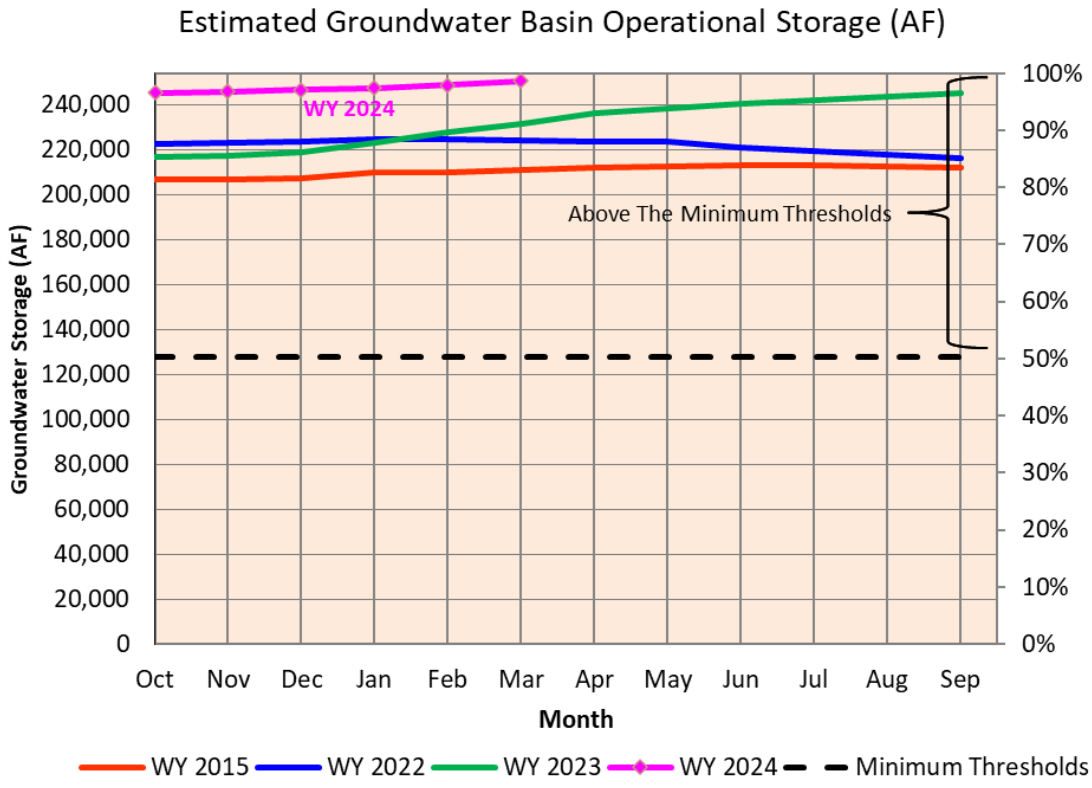
*Pleasanton's pumping data for March is not yet available and will be reflected in future inventories.

Figure 3: California Water Service Estimated In-Lieu Demand (Based on 2018-2021 Pumping)



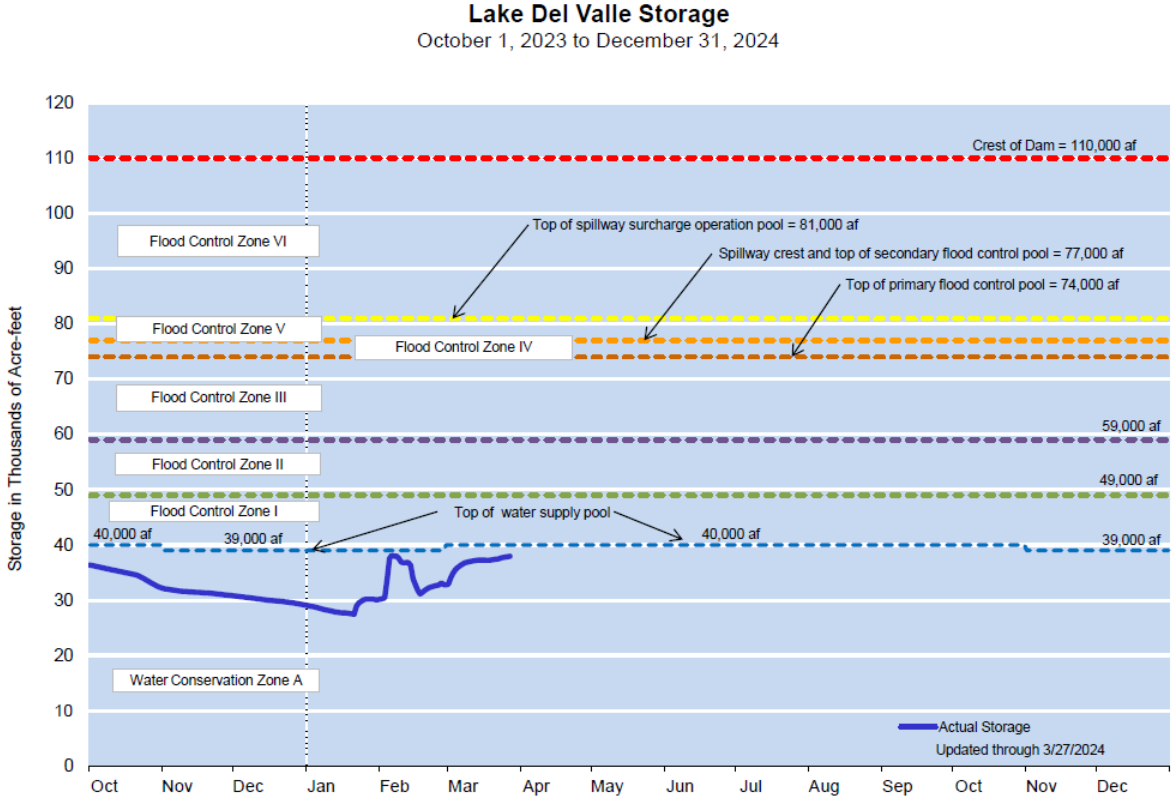
*Cal Water's pumping data for March is not yet available and will be reflected in future inventories.

Figure 4: Livermore Valley Groundwater Basin Storage*



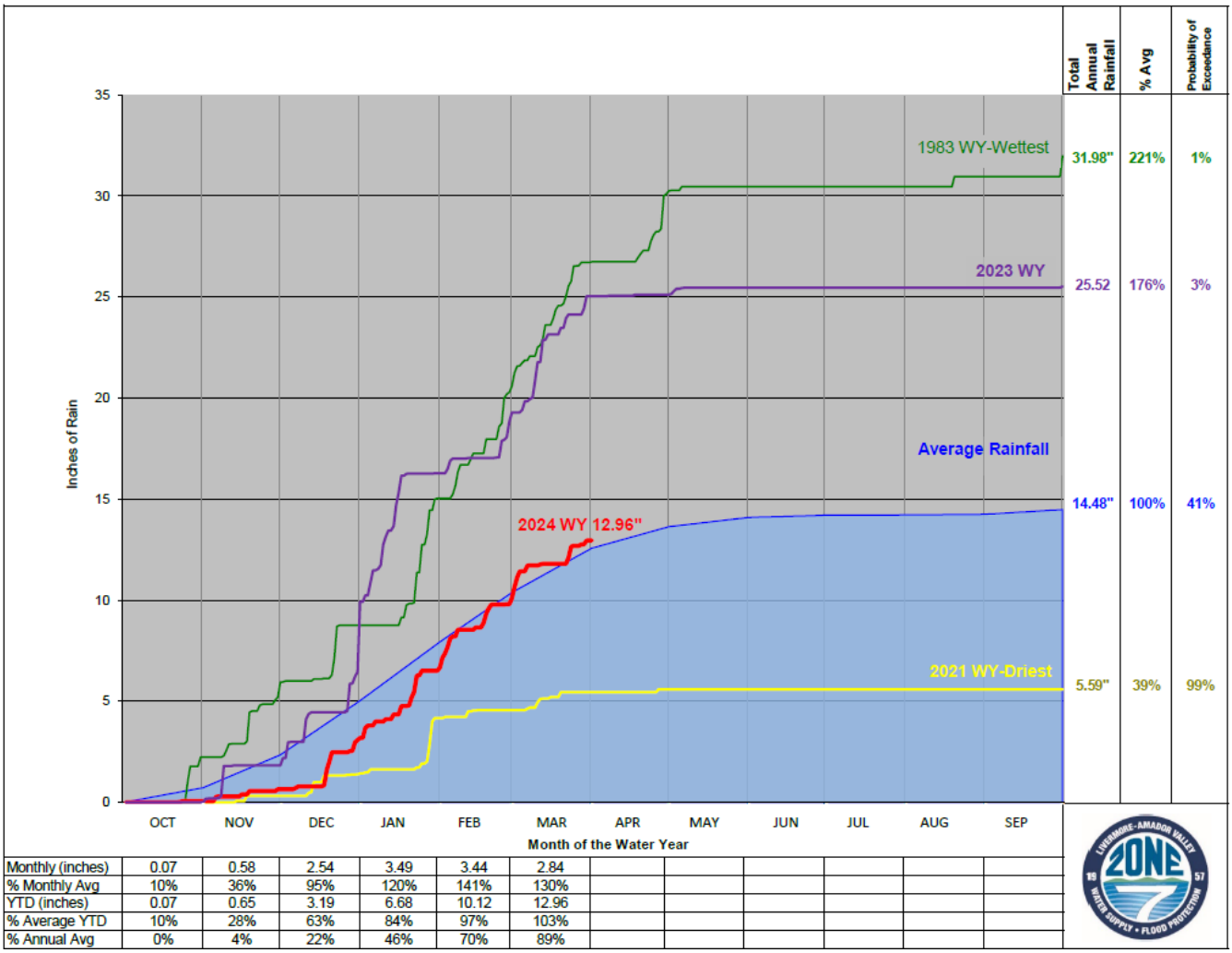
*The estimated groundwater basin storage represents the combined total storage from all four subbasins.

Figure 5: Lake Del Valle Storage



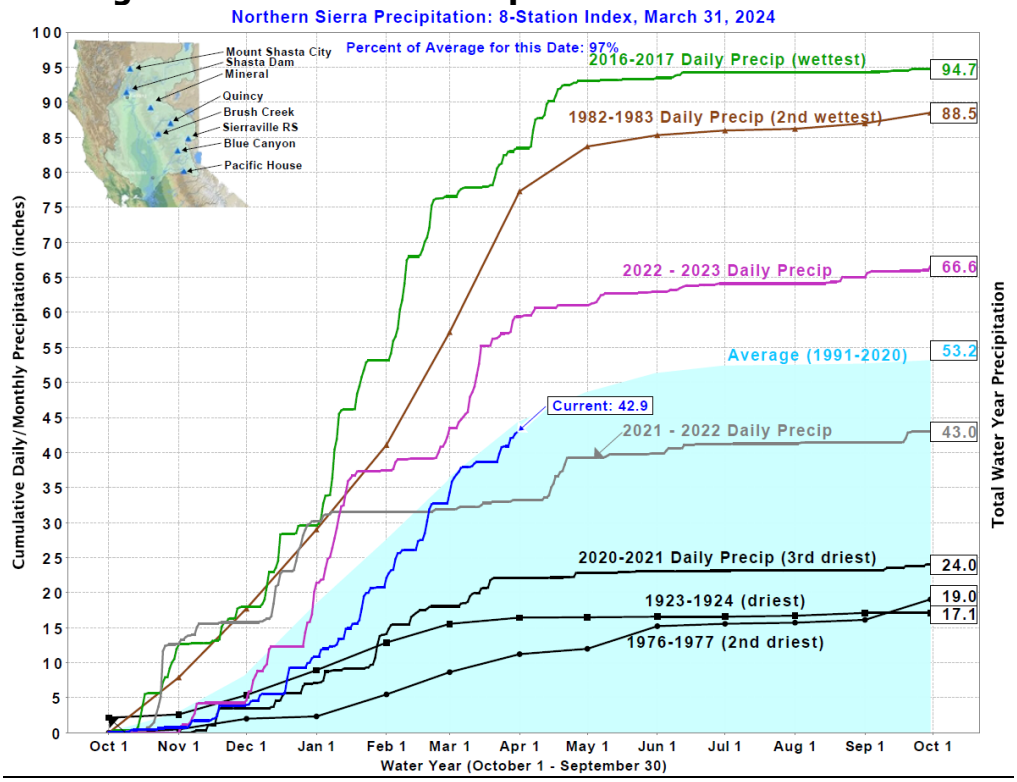
(Source : https://water.ca.gov/-/media/DWR-Website/)

Figure 6: Local Precipitation



Monthly (inches)	0.07	0.58	2.54	3.49	3.44	2.84						
% Monthly Avg	10%	36%	95%	120%	141%	130%						
YTD (inches)	0.07	0.65	3.19	6.68	10.12	12.96						
% Average YTD	10%	28%	63%	84%	97%	103%						
% Annual Avg	0%	4%	22%	46%	70%	89%						

Figure 7: Cumulative Precipitation in the North Sierra



(Source : http://cdec.water.ca.gov/cgi-progs/products/PLOT_ESI.pdf)

Figure 8: Sierra Snowpack

NORTH	
Data as of March 29, 2024	
Number of Stations Reporting	26
Average snow water equivalent (Inches)	33.9
Percent of April 1 Average (%)	119
Percent of normal for this date (%)	118

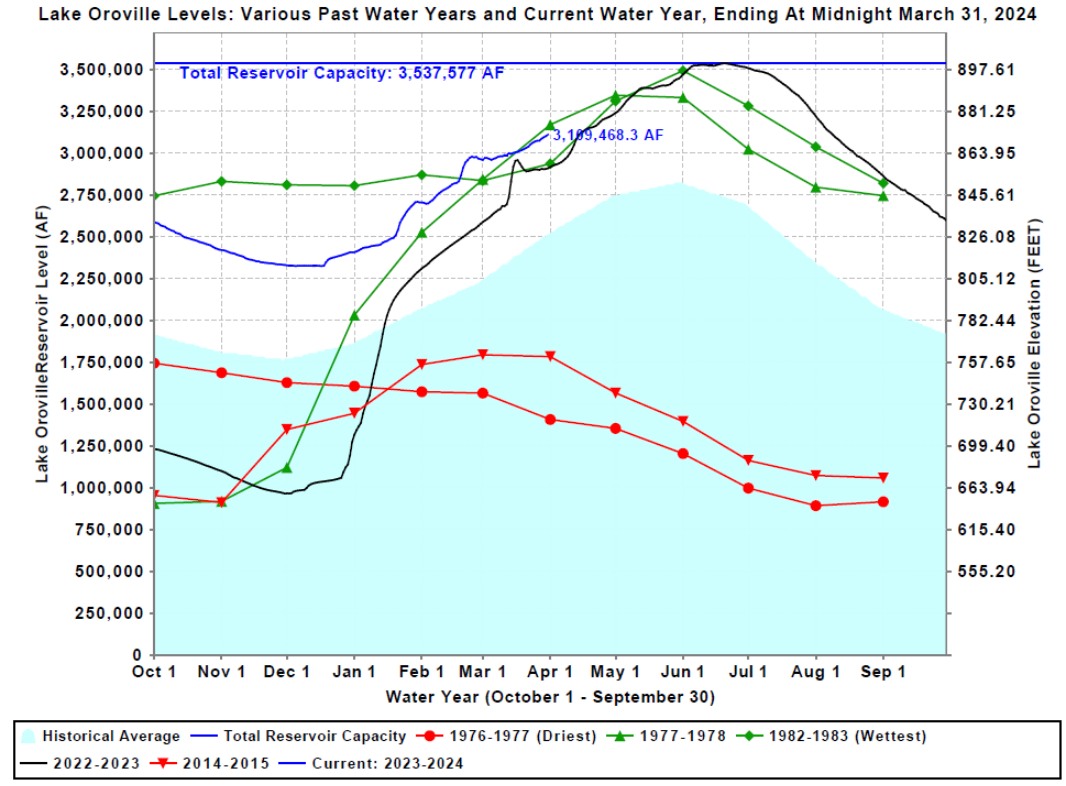
CENTRAL	
Data as of March 29, 2024	
Number of Stations Reporting	49
Average snow water equivalent (Inches)	27.5
Percent of April 1 Average (%)	102
Percent of normal for this date (%)	101

SOUTH	
Data as of March 29, 2024	
Number of Stations Reporting	27
Average snow water equivalent (Inches)	20.5
Percent of April 1 Average (%)	94
Percent of normal for this date (%)	94

STATE	
Data as of March 29, 2024	
Number of Stations Reporting	102
Average snow water equivalent (Inches)	27.3
Percent of April 1 Average (%)	105
Percent of normal for this date (%)	104

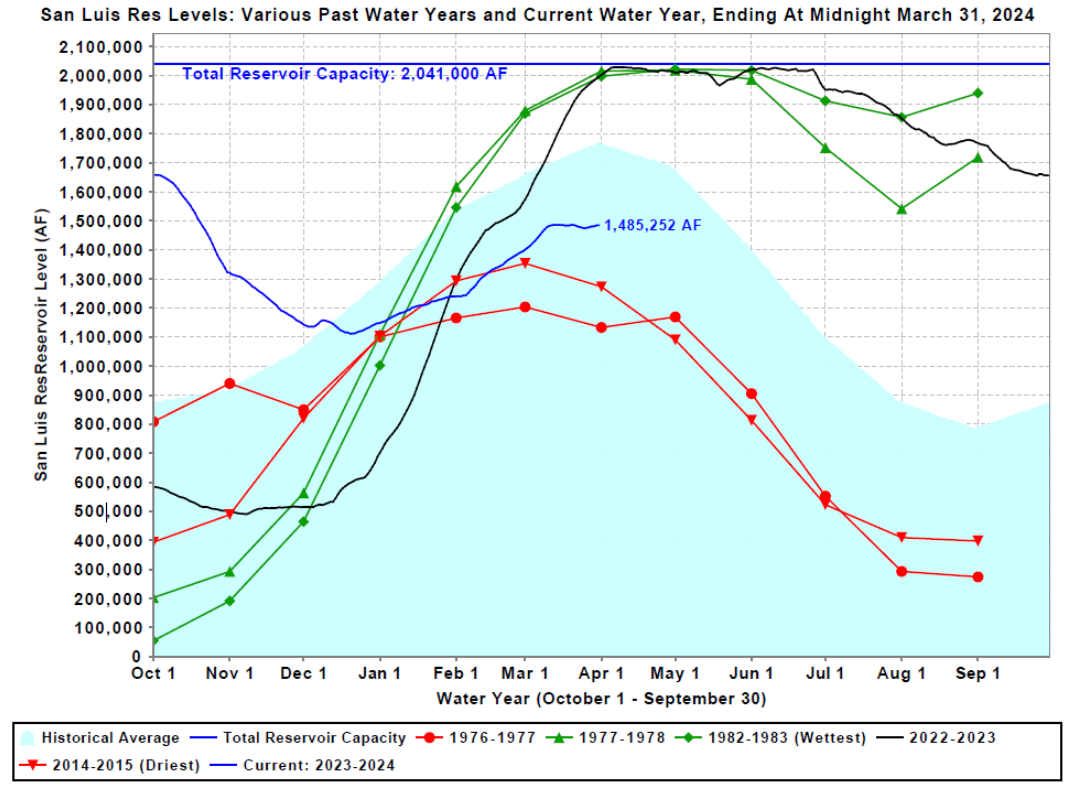
(Source : https://cdec.water.ca.gov/reportapp/javareports?name=swccond.pdf)

Figure 10: Lake Oroville Storage



(Source : https://cdec.water.ca.gov/resapp/ResDetail.action?resid=ORO

Figure 11: San Luis Reservoir Storage



(Source : https://cdec.water.ca.gov/resapp/ResDetail.action?resid=SNL)