



# S A W P A

SANTA ANA WATERSHED PROJECT AUTHORITY

11615 Sterling Avenue, Riverside, California 92503 • (951) 354-4220

## SPECIAL NOTICE REGARDING CORONAVIRUS DISEASE 2019 (COVID-19) AND PARTICIPATION IN PUBLIC MEETINGS

On March 4, 2020, Governor Newsom declared a State of Emergency resulting from the threat of COVID-19. Governor Newsom issued Executive Order N-25-20 (3-12-20) and Executive Order N-29-20 (3-17-20) which temporarily suspend portions of the Brown Act relative to conducting of public meetings. Subsequent thereto, Governor Newsom issued Executive Order N-33-20 (3-19-20) ordering all individuals to stay at home or at their place of residence. Accordingly, it has been determined that all Board and Committee meetings of the Santa Ana Watershed Project Authority held pursuant to the Brown Act will be conducted virtually, including meetings of the:

- SAWPA Commission
- PA 22, PA 23, and PA 24 Committees
- OWOW Steering Committee

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### REGULAR MEETING OF THE COMMISSION TUESDAY, MAY 19, 2020 – 9:30 A.M.

#### PUBLIC PARTICIPATION

Public participation is welcome and encouraged. You may participate in the May 19, 2020 meeting of the SAWPA Commission by telephone\* and virtually through the Zoom app as follows:

| Meeting Access Via Computer (Zoom):                                                                                                       | Meeting Access Via Telephone*:                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• <a href="https://sawpa.zoom.us/j/91855154861">https://sawpa.zoom.us/j/91855154861</a></li> </ul> | <ul style="list-style-type: none"> <li>• 1 (669) 900-6833</li> </ul>          |
| <ul style="list-style-type: none"> <li>• Meeting ID: 918 5515 4861</li> </ul>                                                             | <ul style="list-style-type: none"> <li>• Meeting ID: 918 5515 4861</li> </ul> |

If you are unable to participate by telephone\* or virtually, you may also submit your comments and questions in writing for the Commission’s consideration by sending them to [publiccomment@sawpa.org](mailto:publiccomment@sawpa.org) with the subject line “Public Comment Item #” (insert the agenda item number relevant to your comment) or “Public Comment Non-Agenda Item”. Submit your written comments by 6:00 p.m. on Monday, May 18, 2020. All public comments will be provided to the Chair and may be read into the record or compiled as part of the record.

**\*IMPORTANT PRIVACY NOTE: Participation in the meeting via the Zoom app is strongly encouraged. Please keep in mind: (1) This is a public meeting; as such, the virtual meeting information is published on the World Wide Web and available to everyone. (2) Should you participate remotely via telephone, your telephone number will be your “identifier” during the meeting and available to all meeting participants. Participation in the meeting via the Zoom app is strongly encouraged; there is no way to protect your privacy if you elect to call in to the meeting. The Zoom app is a free download.**

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# S A W P A

SANTA ANA WATERSHED PROJECT AUTHORITY

11615 Sterling Avenue, Riverside, California 92503 • (951) 354-4220

**PURSUANT TO THE PROVISIONS OF EXECUTIVE ORDER N-25-20 ISSUED BY GOVERNOR GAVIN NEWSOM ON MARCH 12, 2020, AND EXECUTIVE ORDER N-29-20 ISSUED BY GOVERNOR GAVIN NEWSOM ON MARCH 17, 2020, ANY COMMISSION MEMBER MAY CALL INTO THE COMMISSION MEETING WITHOUT OTHERWISE COMPLYING WITH THE BROWN ACT'S TELECONFERENCING REQUIREMENTS.**

## **VIRTUAL ACCESSIBILITY FOR THE GENERAL PUBLIC:**

**Due to the spread of COVID-19, and until further notice, the Santa Ana Watershed Project Authority will be holding all upcoming Board and Committee meetings by teleconferencing and virtually through Zoom.**

**This meeting will be accessible as follows:**

| <b>Meeting Access Via Computer (Zoom)*:</b>                                                                                                                                                     | <b>Meeting Access Via Telephone*:</b>                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li><a href="https://sawpa.zoom.us/j/91855154861">https://sawpa.zoom.us/j/91855154861</a></li> </ul>                                                         | <ul style="list-style-type: none"> <li>1 (669) 900-6833</li> </ul>          |
| <ul style="list-style-type: none"> <li>Meeting ID: 918 5515 4861</li> </ul>                                                                                                                     | <ul style="list-style-type: none"> <li>Meeting ID: 918 5515 4861</li> </ul> |
| <p><b>*Participation in the meeting via the Zoom app (a free download) is strongly encouraged; there is no way to protect your privacy if you elect to call in by phone to the meeting.</b></p> |                                                                             |

**All votes taken during this meeting will be conducted by oral roll call.**

## **REGULAR COMMISSION MEETING TUESDAY, MAY 19, 2020 – 9:30 A.M.**

### **AGENDA**

**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE (David J. Slawson, Chair)**

**2. ROLL CALL**

**3. PUBLIC COMMENTS**

Members of the public may address the Commission on items within the jurisdiction of the Commission; however, no action may be taken on an item not appearing on the agenda unless the action is otherwise authorized by Government Code §54954.2(b).

**4. ITEMS TO BE ADDED OR DELETED**

Pursuant to Government Code §54954.2(b), items may be added on which there is a need to take immediate action and the need for action came to the attention of the Santa Ana Watershed Project Authority subsequent to the posting of the agenda.

**5. CONSENT CALENDAR**

All matters listed on the Consent Calendar are considered routine and non-controversial and will be acted upon by the Commission by one motion as listed below.

- A. [APPROVAL OF MEETING MINUTES: MAY 5, 2020](#) ..... 7  
**Recommendation:** Approve as posted.

**6. NEW BUSINESS**

- A. [UPDATED PERSONNEL HANDBOOK \(CM#2020.31\)](#) ..... 11  
**Presenter:** Andrew D. Turner, Lagerlof LLP | Karen Williams, DGM/CFO  
**Recommendation:** Approve the updated and revised Personnel Handbook.
  
- B. [INLAND EMPIRE BRINE LINE RATE RESOLUTION \(CM#2020.34\)](#) ..... 179  
**Presenter:** Carlos Quintero  
**Recommendation:** Adopt Resolution No. 2020-06 establishing the new Inland Empire Brine Line rates to be effective July 1, 2020 (FY20-21).
  
- C. [SANTA ANA RIVER WATERSHED WEATHER MODIFICATION FOR WATER SUPPLY FEASIBILITY STUDY | MILESTONE REPORT \(CM#2020.35\)](#) ..... 231  
**Presenter:** Mark Norton  
**Recommendation:** Receive this status report on the Santa Ana River Watershed Weather Modification for Water Supply Feasibility Study by North American Weather Consultants Inc. and concur there is sufficient justification to complete the study.
  
- D. [CLAIM FOR MONEY/DAMAGES | CLAIMANT LARRY McKENNEY](#) ..... 341  
**Presenter:** Rich Haller  
**Recommendation:** Deny the government tort claim of Claimant Larry McKenney for money/damages submitted May 6, 2020, pursuant to California Government Code Section 910.
  
- E. [COVID-19 EMERGENCY DECLARATION | STATUS UPDATE](#)  
**Presenter:** Rich Haller  
**Recommendation:** Receive and file.

**7. INFORMATIONAL REPORTS**

**Recommendation:** Receive for information.

- A. [CASH TRANSACTIONS REPORT – MARCH 2020](#) ..... 345  
**Presenter:** Karen Williams
  
- B. [INTER-FUND BORROWING – MARCH 2020 \(CM#2020.32\)](#) ..... 353  
**Presenter:** Karen Williams
  
- C. [PERFORMANCE INDICATORS/FINANCIAL REPORTING – MARCH 2020 \(CM#2020.33\)](#) ..... 359  
**Presenter:** Karen Williams
  
- D. [GENERAL MANAGER REPORT](#) ..... 381
  
- E. [STATE LEGISLATIVE REPORT](#) ..... 387  
**Presenter:** Rich Haller
  
- F. [CHAIR’S COMMENTS/REPORT](#)



**G. COMMISSIONERS' COMMENTS**

**H. COMMISSIONERS' REQUEST FOR FUTURE AGENDA ITEMS**

**8. CLOSED SESSION**

**A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(2)**

Name of Party: Larry McKenney

**9. ADJOURNMENT**

Americans with Disabilities Act: If you require any special disability related accommodations to participate in this meeting, call (951) 354-4220 or email [kberry@sawpa.org](mailto:kberry@sawpa.org). 48-hour notification prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility for this meeting. Requests should specify the nature of the disability and the type of accommodation requested.

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet are available for public inspection during normal business hours at the SAWPA office, 11615 Sterling Avenue, Riverside, and available at [www.sawpa.org](http://www.sawpa.org), subject to staff's ability to post documents prior to the meeting.

**Declaration of Posting**

I, Kelly Berry, Clerk of the Board of the Santa Ana Watershed Project Authority declare that on May 13, 2020, a copy of this agenda has been uploaded to the SAWPA website at [www.sawpa.org](http://www.sawpa.org) and posted at the SAWPA office, 11615 Sterling Avenue, Riverside, California.

/s/

\_\_\_\_\_  
 Kelly Berry, CMC

**2020 SAWPA Commission Meetings/Events**

First and Third Tuesday of the Month

(NOTE: Unless otherwise noticed, all Commission Workshops/Meetings begin at **9:30 a.m.** and are held at SAWPA.)

|                  |                                            |                 |                                    |
|------------------|--------------------------------------------|-----------------|------------------------------------|
| <b>January</b>   |                                            | <b>February</b> |                                    |
| 1/7/20           | <del>Commission Workshop</del> [cancelled] | 2/4/20          | Commission Workshop                |
| 1/21/20          | Regular Commission Meeting                 | 2/18/20         | Regular Commission Meeting         |
| <b>March</b>     |                                            | <b>April</b>    |                                    |
| 3/3/20           | Commission Workshop                        | 4/7/20          | Commission Workshop                |
| 3/17/20          | Regular Commission Meeting                 | 4/21/20         | Regular Commission Meeting         |
| <b>May</b>       |                                            | <b>June</b>     |                                    |
| 5/5/20           | Commission Workshop                        | 6/2/20          | Commission Workshop                |
| 5/19/20          | Regular Commission Meeting                 | 6/16/20         | Regular Commission Meeting         |
| <b>July</b>      |                                            | <b>August</b>   |                                    |
| 7/7/20           | Commission Workshop                        | 8/4/20          | Commission Workshop                |
| 7/21/20          | Regular Commission Meeting                 | 8/18/20         | Regular Commission Meeting         |
| 7/28 – 7/31/20   | ACWA Spring Conference, Monterey           |                 |                                    |
| <b>September</b> |                                            | <b>October</b>  |                                    |
| 9/1/20           | Commission Workshop                        | 10/6/20         | Commission Workshop                |
| 9/15/20          | Regular Commission Meeting                 | 10/20/20        | Regular Commission Meeting         |
| <b>November</b>  |                                            | <b>December</b> |                                    |
| 11/3/20          | Commission Workshop                        | 12/1/20         | Commission Workshop                |
| 11/17/20         | Regular Commission Meeting                 | 12/1 – 12/4/20  | ACWA Fall Conference, Indian Wells |
|                  |                                            | 12/15/20        | Regular Commission Meeting         |

# SAWPA COMPENSABLE MEETINGS

**IMPORTANT NOTE:** Due to the spread of COVID-19, and until further notice, the Santa Ana Watershed Project Authority will be holding all upcoming meetings by teleconferencing. Participation information will be included on each posted agenda or meeting notice.

Commissioners and Alternate Commissioners will receive compensation for attending the meetings listed below, pursuant to the Commission Compensation, Expense Reimbursement, and Ethics Training Policy.

**IMPORTANT NOTE:** These meetings are subject to change. Prior to attending any meetings listed below, please confirm meeting details by viewing the website calendar using the following link:

<https://sawpa.org/sawpa-calendar/>

## MONTH OF: May 2020

| DATE    | TIME     | MEETING DESCRIPTION                     | LOCATION               |
|---------|----------|-----------------------------------------|------------------------|
| 5/5/20  | 10:00 AM | PA 24 Committee Mtg                     | VIRTUAL/TELEPHONICALLY |
| 5/12/20 | 8:30 AM  | PA 22 Committee Mtg                     | CANCELLED              |
| 5/13/20 | 9:30 AM  | Basin Monitoring Program Task Force Mtg | VIRTUAL/TELEPHONICALLY |
| 5/19/20 | 1:30 PM  | MSAR TMDL Task Force Mtg                | VIRTUAL/TELEPHONICALLY |
| 5/28/20 | 11:00 AM | OWOW Steering Committee Mtg             | VIRTUAL/TELEPHONICALLY |

## MONTH OF: June 2020

| DATE    | TIME     | MEETING DESCRIPTION                           | LOCATION |
|---------|----------|-----------------------------------------------|----------|
| 6/2/20  | 8:30 AM  | PA 23 Committee Mtg                           | PENDING  |
| 6/2/20  | 10:00 AM | PA 24 Committee Mtg                           | PENDING  |
| 6/9/20  | 8:30 AM  | PA 22 Committee Mtg                           | PENDING  |
| 6/18/20 | 4:00 PM  | LESJWA Board of Directors Mtg                 | PENDING  |
| 6/24/20 | 9:00 AM  | Lake Elsinore/Canyon Lake TMDL Task Force Mtg | PENDING  |
| 6/24/20 | 1:30 PM  | Basin Monitoring Program Task Force Mtg       | PENDING  |

*Please Note:* We strive to ensure the list of Compensable Meetings set forth above is accurate and up-to-date; the list is compiled based on input from SAWPA staff and Department Managers regarding meeting purpose and content.



**SAWPA COMMISSION  
REGULAR MEETING MINUTES  
MAY 5, 2020**

**COMMISSIONERS PRESENT**

David J. Slawson, Chair, Eastern Municipal Water District  
Kati Parker, Vice Chair, Inland Empire Utilities Agency  
Kelly E. Rowe, Secretary-Treasurer, Orange County Water District  
Brenda Dennstedt, Western Municipal Water District  
T. Milford Harrison, San Bernardino Valley Municipal Water District

**COMMISSIONERS ABSENT**

None.

**ALTERNATE COMMISSIONERS  
PRESENT; NON-VOTING**

June D. Hayes, Alternate, San Bernardino Valley Municipal Water District

**STAFF PRESENT**

Rich Haller, Karen Williams, Mark Norton, David Ruhl, Carlos Quintero,  
Dean Unger, Lucas Gilbert, Kelly Berry

**OTHERS PRESENT**

Andrew D. Turner, Lagerlof, LLP

The Regular Commission meeting of the Santa Ana Watershed Project Authority was called to order at 9:31 a.m. by Chair Slawson on behalf of the Santa Ana Watershed Project Authority, 11615 Sterling Avenue, Riverside, California. The record will reflect this meeting was conducted virtually.

**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Pursuant to the provisions of Executive Order N-25-30 issued by Governor Gavin Newsom on March 12, 2020, and Executive Order N-29-20 issued by Governor Gavin Newsom on March 17, 2020, any Commission member may call into the Commission meeting without otherwise complying with the Brown Act's teleconferencing requirements.

Executive Order N-33-20 issued by Governor Gavin Newsom on March 19, 2020, ordered all individuals to stay at home or at their place of residence. In concert with state and local efforts to prevent the spread of COVID-19, and until further notice, the Santa Ana Watershed Project Authority will be holding all Board and Committee meetings by teleconference and virtually through the Zoom app.

As set forth on the posted meeting agenda, this Commission meeting was accessible to the public by teleconference and through Zoom. Members of the public who were unable to participate by teleconference or virtually were invited to submit comments and questions in writing via email for the Commission's consideration. All votes taken during this meeting were conducted via oral roll call.

**2. ROLL CALL**

An oral roll call was duly noted and recorded by the Clerk of the Board.

**3. PUBLIC COMMENTS**

There were no public comments; there were no public comments received via email.

**4. ITEMS TO BE ADDED OR DELETED**

There were no added or deleted items.

5. **CONSENT CALENDAR**

A. **APPROVAL OF MEETING MINUTES: APRIL 21, 2020**

**Recommendation:** Approve as posted.

B. **TREASURER'S REPORT – MARCH 2020**

**Recommendation:** Approve as posted.

**MOVED**, approve the Consent Calendar.

Result: **Adopted by Roll Call Vote (Unanimously)**  
Motion/Second: Harrison/Dennstedt  
Ayes: Dennstedt, Harrison, Parker, Rowe, Slawson  
Nays: None  
Abstentions: None  
Absent: None

6. **NEW BUSINESS**

A. **COVID-19 EMERGENCY DECLARATION | STATUS UPDATE**

Rich Haller provided an oral status update on SAWPA's response to the COVID-19 emergency declaration. Morale remains high; staff are healthy and SAWPA continues to primarily work remotely utilizing Zoom virtual meeting software. SAWPA will plan staff's return to the office pursuant to applicable guidelines as they are issued.

This item was for informational and discussion purposes; no action was taken on Agenda Item No. 6.A.

B. **GRANT OF DEED FROM WESTERN MUNICIPAL WATER DISTRICT (WMWD) FOR BILLBOARD SITE (CM#2020.30)**

Carlos Quintero provided the PowerPoint presentation contained in the agenda packet on pages 18 – 23. Staff will seek Commission approval of project costs in June; construction will commence the end of June and take place during days when the SAWPA office is closed.

**MOVED**, authorize the General Manager to accept the Grant of Deed from Western Municipal Water District (WMWD) for a portion of APN 132-020-038 (Billboard site); and record the Grant of Deed at the Riverside County Recorder's Office.

Result: **Adopted by Roll Call Vote (Unanimously)**  
Motion/Second: Dennstedt/Harrison  
Ayes: Dennstedt, Harrison, Parker, Rowe, Slawson  
Nays: None  
Abstentions: None  
Absent: None

7. **INFORMATIONAL REPORTS**

The following oral/written reports/updates were received and filed.

A. **CHAIR'S COMMENTS/REPORT**

There were no comments/reports from the Chair.

B. **COMMISSIONERS' COMMENTS**

There were no Commissioner comments.

**C. COMMISSIONERS' REQUEST FOR FUTURE AGENDA ITEMS**

There were no Commissioner requests for future agenda items.

**8. CLOSED SESSION**

There was no Closed Session.

**9. ADJOURNMENT**

There being no further business for review, Chair Slawson adjourned the meeting at 9:45 a.m.

**Approved at a Regular Meeting of the Santa Ana Watershed Project Authority Commission on Tuesday,  
May 19, 2020.**

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David J. Slawson, Chair

Attest:

---

Kelly Berry, CMC  
Clerk of the Board

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## COMMISSION MEMORANDUM NO. 2020.31

**DATE:** May 19, 2020

**TO:** SAWPA Commission

**SUBJECT:** Updated Personnel Handbook

**PREPARED BY:** Andrew D. Turner, Lagerlof LLP  
Karen Williams, DGM/CFO

### RECOMMENDATION

It is recommended that the Commission approve the updated and revised Personnel Handbook.

### DISCUSSION

The Personnel Handbook comprises many of the basic employment policies of SAWPA. It serves as a policy statement by the agency, a reference for employees, and an orientation for new employees. The current Personnel Handbook is in need of revision due to changes in legal requirements and new management practices within the agency.

The current Personnel Handbook was updated and approved September 18, 2012. Since that time, there have been many changes in both Federal and State employment law. One of the reasons SAWPA hired the law firm Lagerlof LLP, was to review the current Personnel Handbook, determine which policies should be included in the handbook and which should be stand-alone policies, and provide an updated and revised Personnel Handbook.

After a thorough review of the Personnel Handbook and all personnel related policies Lagerlof felt the existing Personnel Handbook was fairly comprehensive and generally well-done. They also felt that it was important for all personnel-related policies be contained in a single Handbook. Many of SAWPA's personnel-related policies were in some cases stand alone policies or included as onboarding documents. They have incorporated the stand-alone policies into the updated Handbook, updated wage and hour, leave, employee benefits, employee relations, and intern policies to be consistent with current law. The new handbook has been completely re-organized and has clarified text throughout the document.

Some of the major changes to the handbook include:

- Created Sections and organized handbook in a logical manner
- Updated all policies to comply with current law
- Included reasonable accommodation requirements (lactation)
- Removed the Cell Phone Purchase Policy which is no longer being used
- Clarified the Retiree Medical Benefits Section
- Expanded the Personal Appearance Policy
- Added the Working Off-Site Policy (reference only)
- Removed Travel and Expense and Credit Card Policies (referenced only)
- Added Appendix 3 – Reimbursement Caps so when caps change the handbook doesn't need to be approved in full, only the Appendix. See chart below for reimbursement amounts.

| <b><i>Expense<br/>Reimbursement</i></b> | <b>Current<br/>Handbook</b> | <b>Updated<br/>Handbook</b> | <b>Change</b> |
|-----------------------------------------|-----------------------------|-----------------------------|---------------|
| <i>Medical Cap</i>                      | Not listed                  | \$1,781.93                  | No Change     |
| <i>Wellness Program</i>                 | \$125.00                    | \$150.00                    | \$25.00       |
| <i>Professional Memberships</i>         | \$200.00                    | \$300.00                    | \$100.00      |
| <i>Work Boot Reimbursement</i>          | \$165.00                    | \$175.00                    | \$10.00       |
| <i>Education Reimbursement</i>          | \$1,400.00                  | \$1,400.00                  | No Change     |

The updated handbook meets all legal requirements.

**RESOURCE IMPACTS**

None.

Attachments:

1. PowerPoint Presentation
2. Personnel Handbook (2020)
3. Personnel Handbook (2012)
4. Lagerlof Memorandum – Personnel Policies 10-19-19





# Personnel Handbook Update

Item No. 6.A. | May 19, 2020

Presented by: Karen Williams, DGM/CFO

## Recommendation

It is recommended that the Commission approve the updated and revised Personnel Handbook.

# Personnel Handbook Update



- Current Personnel Handbook was updated and approved September 18, 2012
- Lagerlof LLP was hired to review and update the Personnel Handbook and all personnel-related policies.
- The review found the following:
  - Handbook was fairly comprehensive and generally well done
  - Need to coordinate stand-alone policies with those in the handbook
  - Handbook needs to be organized
  - Handbook needs to be updated to be consistent with current law and current practice

# Personnel Handbook Update



## What Hasn't Changed

- Content of Personnel Handbook (just updated)
- Employee Benefits are the same as current handbook

Updated Personnel Handbook meets all legal requirements including



# Personnel Handbook Update



## Changes to the Personnel Handbook

- Created Sections and organized handbook in a logical manner
- Incorporated and consolidated stand-alone policies
- Updated to be consistent with current law
  - Wage and Hour Policies
  - Leave Policies (New Parent Leave 2018)
  - Intern Policy
- Clarified Retiree Medical Benefits section
- Expanded the Personal Appearance Policy

# Personnel Handbook Update



## Changes to the Personnel Handbook

- Added
  - Reasonable Accommodations - Lactation
  - Working Off-Site Policy (referenced only)
  - Political Activities
  - Smoking/Vaping
  - Workplace Violence
  - Appendix 3 – Reimbursement Caps
- Removed
  - Cell Phone Purchase Policy
  - Travel and Expense Policy (referenced only)
  - Credit Card Policy (referenced only)

# Appendix 3 - Reimbursement Caps

Added Appendix 3 for when reimbursement caps are changed only the appendix would need to be brought back for approval

| Expense Reimbursement    | Current Handbook | Updated Handbook | Change    |
|--------------------------|------------------|------------------|-----------|
| Medical Cap              | Not listed       | \$1,781.93       | No change |
| Wellness Program         | \$125.00         | \$150.00         | \$25.00   |
| Professional Memberships | \$200.00         | \$300.00         | \$100.00  |
| Work Boots               | \$165.00         | \$175.00         | \$10.00   |
| Education Reimbursement  | \$1,400.00       | \$1,400.00       | No change |

## Recommendation

It is recommended that the Commission approve the updated and revised Personnel Handbook.





Questions?

**SANTA ANA WATERSHED PROJECT AUTHORITY**

**PERSONNEL HANDBOOK**

Amended and Adopted on May \_\_\_\_, 2020  
(This Personnel Handbook supersedes all previously adopted Personnel Handbooks)



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# **I. HANDBOOK OVERVIEW AND INTERPRETATION**

## **1. Welcome!**

Welcome! As an employee of the Santa Ana Watershed Project Authority (SAWPA), you are an important member of a team effort. We hope that you will find your position with SAWPA rewarding, challenging, and productive.

SAWPA was formed in 1968 to plan and build facilities to protect water quality in the Santa Ana River Watershed. The organization is a joint powers authority (JPA) composed of five major water/wastewater districts (“member agencies”) located in the Santa Ana River Watershed: Eastern Municipal Water District, Inland Empire Utilities Agency, Orange County Water District, San Bernardino Valley Municipal Water District, and Western Municipal Water District.

The Santa Ana River is the largest stream system in southern California. The river begins high in the San Bernardino Mountains and flows over 100 miles southwesterly where it discharges to the Pacific Ocean in Huntington Beach. The Santa Ana River Watershed, which receives an average annual rainfall of about 13 inches, covers over 2,840 square miles of widely varying terrain. This area includes parts of San Bernardino, Riverside, and Orange Counties, and a small portion of Los Angeles County.

## **2. Organization**

The affairs of SAWPA are governed by a Commission, composed of representatives from each of the five member agencies. The General Manager is directly responsible to the SAWPA Commission for the administration of policies established by the governing board. To assist the General Manager, SAWPA employs a staff consisting of administrative, technical, and other personnel as required to support agency priorities and activities. All references to the General Manager shall include the General Manager’s designee(s).

## **3. Right to Revise the Personnel Handbook**

This personnel handbook contains the employment policies and practices of SAWPA in effect at the time of publication. This document defines and describes policies and procedures for employees of SAWPA. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded.

SAWPA reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this handbook or in any other document, except for the policy of at-will employment. However, any such changes must be in writing and must be approved by the Commission.

Any written changes to this Handbook will be distributed to all employees so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way alter the provisions of this handbook.

Nothing in this personnel handbook or in any other personnel document, including benefit plan descriptions, creates or is intended to create a promise or representation of continued employment or any other benefits for any employee. This Handbook is not an employment contract, and signing an

acknowledgement of receipt of this handbook is not the execution of a contract.

Your supervisor or manager will be happy to answer any questions you may have.

## II. INTRODUCTION TO EMPLOYMENT

### 1. Equal Employment Opportunity

SAWPA is an equal opportunity employer and makes employment decisions on the basis of merit. We want to have the most qualified persons in every job. SAWPA policy prohibits unlawful discrimination based on race, color, creed, gender, gender identity, religion, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition including genetic characteristics, sexual orientation, or any other consideration made unlawful by federal, state, or local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. All such unlawful discrimination is **prohibited**.

SAWPA is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to **all** persons involved in SAWPA operations and prohibits unlawful discrimination by any employee of SAWPA, including supervisors and coworkers.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, SAWPA will make reasonable accommodations for the known physical or mental disabilities of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact SAWPA Human Resources and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. SAWPA then will conduct an investigation to identify the barriers that interfere with the equal opportunity of the applicant or employee to perform his or her job. SAWPA will attempt to identify possible accommodations, if any, that will help eliminate the limitation. SAWPA will take every opportunity to ensure that reasonable accommodations are made, without imposing undue hardship.

If you believe you have been subjected to any form of unlawful discrimination, submit a written complaint to your supervisor or the individual with day-to-day personnel responsibilities. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact the General Manager. SAWPA will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation.

If SAWPA determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action also will be taken to deter any future discrimination. SAWPA will not retaliate against you for filing a complaint in good faith and will not knowingly permit retaliation by management employees or your coworkers.

## 2. Employment Conditions

Applicants and employees must provide the necessary documentation to prove identity and the right to work in the United States in accordance with Federal Immigration and Naturalization laws. Failure to provide such documentation will result in disqualification from selection and/or immediate termination. All applicants shall complete and submit a separate SAWPA Employment Application for each position applied. All new employees must complete a new hire packet.

Employment of any applicant requires the approval of the General Manager, and all letters conveying an offer of employment and/or terms and conditions of SAWPA employment, shall be specifically approved and signed by the General Manager.

The SAWPA JPA authorizes the SAWPA Commission to employ staff under the following language:

*Duties of Officers and Employees. Each and all (SAWPA) officers, employees, and assistants shall serve at the pleasure of the Commission, and shall perform such duties and shall have such powers as the Commission may determine.*

## 3. At-Will Employment Status

SAWPA personnel are employed on an at-will basis. Employment may be terminated with or without cause, without a right to a review or an appeal (except as provided for in the Disciplinary Action Section on page 36), and with or without advance notice at any time by the employee or SAWPA. Nothing in this handbook shall limit the right to terminate at-will employment. No manager, supervisor, or employee of SAWPA has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment on other than at-will terms. Only the SAWPA Commission has the authority to make any such agreement, which is binding only if it is in writing.

## 4. Introductory Period

Every regular employee shall serve an introductory period of six months, exclusive of time off for leaves of absence. During this time, the employee's job-related skills, knowledge and abilities, and overall job performance shall be evaluated to help determine whether or not continued employment will be offered. Effective on the first day of the month following completion of the introductory period, and if the employee's performance has been satisfactory and their retention is approved by the General Manager, the employee shall be considered thereafter a regular employee of SAWPA. At the completion of the introductory period, the employee's supervisor may conduct a written evaluation.

During the introductory period, an employee will accrue vacation and sick leave benefits; however, vacation benefits cannot be taken until and unless the employee completes the introductory period and becomes a regular employee, and sick leave cannot be taken until after ninety (90) calendar days. The General Manager may grant exceptions to this restriction for extenuating circumstances. The General Manager may extend the introductory period up to an additional one-year upon discretion. As with full-time employees, during the introductory period, an employee may be terminated by the General Manager at any time, with or without cause, with or without notice, and without right to review.

Salaries of employees in an introductory period will not be changed. Cost of Living Adjustments (COLA)



will not change the salaries of such employees unless specifically described in the employee's Offer of Employment Letter.

## **5. Job Duties**

During the introductory period, your supervisor will explain your job responsibilities and the performance standards expected of you. Be aware that your job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects, or to assist with other work necessary or important to the operation of your department or SAWPA. Your cooperation and assistance in performing such additional work is expected.

SAWPA reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities.

## **6. New Positions**

The General Manager is authorized to establish new positions where required in the conduct of SAWPA's affairs, subject to the approval by the SAWPA Commission.

## **7. Recruitment and Hiring Authority**

The SAWPA Commission shall expressly authorize and participate in the recruitment and selection of the General Manager, Deputy General Manager, and Executive Counsel. Filling of all other vacant positions, up to the number of positions and cost budget approved in the annual budget, are at the discretion of the General Manager

## **8. Definitions**

### ***A. Contract Employee***

An individual who is temporarily employed by entering into a written Employment Contract for a specified period of time no more than 12 months, as approved by the General Manager is a "Contract Employee". Contract employees only are eligible for those benefits as provided for in the written Employment Contract. CalPERS participation is available if a Contract employee works 1,000 hours or more in a fiscal year. A contract employee's contract may be extended after 12 months, if there is additional work to be completed.

### ***B. Exempt Employees***

Exempt employees are defined as employees who, based on duties performed and manner of compensation, shall be exempt from the Fair Labor Standards Act (FLSA) overtime rules.

Exempt employees shall be paid an established monthly or annual salary and are expected to fulfill the duties of their positions regardless of hours worked. Exempt employees are not eligible to receive overtime compensation or compensatory time off, and are not required to adhere to strict time, recordkeeping, and attendance rules for pay purposes. The current fiscal year positions (and their exempt/non-exempt status) are listed in [Appendix 1](#). This Appendix may be updated at least annually.

### **C. Interns**

Interns are defined as current students at accredited schools living within a reasonable commuting distance of SAWPA (during the time of internship) and working towards a degree that is relevant to the activities of SAWPA.

Interns are treated as part-time, temporary SAWPA employees and are subject to relevant labor laws in the State of California. Interns are budgeted positions, and are approved by the General Manager prior to hire.

Interns may work no more than 960 hours in a fiscal year (July 1 – June 30) before their term of service expires. Interns also may not work more than 12 months before their term of service expires. These quantities may be less, if so stated in the *Offer of Employment* letter. At the discretion of the General Manager, an intern may be offered additional terms of service.

Because SAWPA operates on a 9/80 schedule, interns will work no more than nine (9) hours Monday through Thursday, and no more than eight (8) hours on the working Friday unless overtime is approved by the intern's supervisor in advance.

The intern's work schedule must be kept current with the intern's supervisor. Typically, interns are expected to average 20 hours per week, but this may be modified to suit Agency needs and the intern's schedule/availability.

The standard rate of pay for interns will be set at the current minimum hourly wage. At least once every two years, as part of the annual budget process, the General Manager will review the rate and determine whether or not an adjustment to the standard rate is appropriate. Adjustments are based on keeping in line with intern pay schedules at member agencies or other nearby local/state government agencies; these adjustments are not merit based.

Interns are not eligible for vacation or holiday time, or any other benefits as defined in this handbook, except for sick leave.

If requested by the intern, SAWPA will work with accredited colleges/universities to provide internship credit. The intern or university faculty advisor will be responsible for providing all necessary documentation or requirements for credit to the respective SAWPA Department Manager.

Interns will work on-site at SAWPA unless provided for by agreement between the Department Manager and the Intern.

### **D. Non-Exempt Employees**

Non-exempt employees are defined by and covered by the requirements of FLSA.

The current fiscal year positions (and their exempt/non-exempt status) are listed in [Appendix 1](#). This Appendix may be updated at least annually.

### ***E. Other Staff***

SAWPA may contract with Personnel Services Firms and/or Temporary Labor Firms to augment staffing needs. The General Manager may authorize these staffing needs within budget as authorized by the SAWPA Commission or as authorized separately by the SAWPA Commission. Appropriate measures should be taken to ensure that such personnel are governed by agreements/contracts entered into by SAWPA, and that they are not considered employees, and that they have no rights to benefits as defined in this document.

### ***F. Part-time Employee***

An employee that is employed to work less than 35 hours per week in an authorized position on a year-round basis is classified as a part-time employee. Part-time employees will be eligible (on a pro-rated basis) for vacation and holiday pay after working 1,000 hours in a fiscal year; however, part-time employees are not eligible for medical, dental/vision insurance and tuition reimbursement.

CalPERS participation is available to part-time employees after they have worked one year or longer and at least an average of 20 hours a week, or work 1,000 hours or more within a fiscal year, as provided for in the California Public Employees' Retirement law (Government Code, Section 20305).

### ***G. Regular ("Full-time") Employee***

An employee that has served the required introductory period satisfactorily and is employed to work 2,080 hours a calendar year in an authorized position on a year-round basis is classified as a regular employee. Regular employees are entitled to certain benefits including vacation, sick leave, holidays, and are eligible for group insurance and participation in the CalPERS Retirement System.

## **9. Employment of Relatives**

Because of the nature of SAWPA's small organization and operations, relatives of SAWPA personnel may not be hired if such employment would pose problems with respect to conflicts of interest, supervision, safety, security, or morale. It is the policy of SAWPA to prohibit the appointment or continued employment of an individual under the direct or indirect supervision of a relative. Relatives may not work under the same immediate supervisor, nor in such close proximity that one relative checks or completes the work or financial operations performed by another. For purposes of this policy, a "relative" is defined as: spouse, registered domestic partner, child, stepchild, parent, brother or half-brother, sister or half-sister, grandparent, grandchild, and siblings or half-siblings of the employee's spouse or registered domestic partner.

If co-employees of SAWPA become relatives, the General Manager will assess the individual work situation and will make a reasonable effort to assign job duties so as to minimize the problems of conflicts of interest, supervision, safety, security, or morale. The General Manager shall attempt to match reasonably the severity of his/her actions to the individuals to the degree of risk and the significance of the potential harm involved. If potential conflicts of interest exist, SAWPA retains the right to disqualify one party to the relationship for a position privy to confidential matters who has a relative already in the Agency's employment, when such relationship could result in the compromise of confidential information.

If co-employees marry (or enter into a relationship similar to marriage, including a registered domestic partnership), or become related by marriage, SAWPA will make reasonable efforts to assign job duties so as to minimize problems with supervision, safety, security and morale following completion of the assessment discussed above. If such efforts prove to be unsatisfactory, SAWPA reserves its right to transfer, terminate, or reassign said employee, as may be appropriate to alleviate the concern.

### III. WORK SCHEDULE; WAGES AND HOURS

#### 1. Payment of Wages

##### ***A. Biweekly Pay Periods***

All employees of SAWPA are paid every other Friday for work performed during the previous two-week pay period. If a regular payday falls on a holiday, employees will be paid on the last day worked before the holiday.

If you observe an error on your pay stub, please report it immediately to Finance.

Your earnings and itemized deductions are provided in writing prior to deposit (via direct deposit) into your designated bank account(s). The General Manager must approve paychecks in advance issued for any reason on any other schedule.

Final paychecks will be issued on or before the next normal payday.

**Compensation will be made by the use of direct deposit.** Changes to your direct deposit information must be submitted to the Finance Department at least five (5) days before the pay date.

##### ***B. Timekeeping Requirements***

Accurately recording time worked is the responsibility of every employee. Federal and state laws require that SAWPA keep accurate and complete records of time worked in order to calculate employee pay and benefits.

Each employee shall maintain timesheets weekly. A timesheet is the source document for recording work and other leave history for each pay period. It also documents the distribution of time to various SAWPA projects. Staff shall, under no circumstances, charge time to efforts they do not work on or are not authorized to work on.

Altering, falsifying, tampering with time records, or recording time on another employee's time sheet may result in disciplinary action, including termination of employment. Each employee's time sheet shall be accurately completed before the end of the workday each Friday, and submitted for review and verification by the employee's supervisor.

It is the responsibility of each employee to submit his/her own timesheet thereby certifying the accuracy of all time recorded, and certifying that the employee has complied with meal and rest break requirements. Department Managers will review and approve their staff's time sheets.

### **C. *Alternative Workweek***

SAWPA operates on a 9/80 Alternative Workweek schedule. A calendar showing the non-working Fridays as well as observed holidays will be updated annually and distributed. Because SAWPA operates on an alternative workweek schedule, as described below, timesheets will account for 44 hours in weeks when the office is open on Friday and 36 hours in weeks when the office is closed on Friday. This timesheet convention does not change the 40-hour per week work schedule, as described in this section and in the Overtime section below.

#### **i) Work Schedule**

The work schedule consists of a two-week work schedule of eight nine-hour days and one eight-hour day allowing for the office to be closed every other Friday.

The standard workweek for all Employees shall consist of a basic 40-hour week consisting of four 9-hour days and one 8-hour day every other week. The General Manager may authorize employment on a different basis when required by the nature of the employment, or by the best interest of the Agency. The workweek will end and the next workweek will begin at the mid-point of the employee's shift on Friday. The workday ranges from 6:00 a.m. through 6:30 p.m. with at least a 30-minute meal period. Your schedule is set by your supervisor.

#### **ii) Bereavement Leave**

If an employee takes Bereavement leave between Monday and Thursday, it will be counted as nine (9) hours each day, or eight (8) hours if taken on a Friday.

#### **iii) Jury Duty**

If an employee is required to serve jury duty between Monday and Thursday, it will be counted as nine (9) hours each day, or eight (8) hours if served on the working Friday.

In the event that an employee is required to serve jury duty on a non-working Friday, the employee will be given another day off, or upon approval by the General Manager, may be banked as an eight (8) hour vacation day.

#### **iv) Observed Holiday Time**

If an observed holiday falls on between Monday and Thursday, it will be paid at nine (9) hours.

If an observed holiday falls on a working Friday, it will be paid at eight (8) hours.

If an observed holiday falls on a non-working Friday, the employee will be given another day off, or upon approval by the General Manager, the non-working Friday may be banked as an earned vacation day of eight (8) hours.

#### **v) Vacation Time**

Vacation time is calculated as follows:

- If an employee takes a one-week vacation during the week of a working Friday, 44 hours of vacation will be deducted from the employee's vacation balance.

- If an employee takes a one-week vacation during the week of a non-working Friday, 36 hours of vacation will be deducted from the employee's vacation balance.
- If an employee takes one vacation day at a time, vacation days taken between Monday and Thursday will be counted as nine (9) hours each day or eight (8) hours if taken on Friday.

#### ***D. Meal and Rest Periods***

All employees must take periodic rest break periods, not-to-exceed fifteen (15) minutes for every four (4) hours of consecutive work, to be taken in the middle of each four-hour period. Rest periods shall be scheduled in accordance with the requirements of the department. Break periods shall be duty free, and are intended to be a break from regular work.

All employees who work more than five (5) hours in a workday are required to take at least a 30-minute meal period, and may not claim this time as paid time or overtime. When the workday is not more than six (6) hours, however, the employee and the Department Manager may mutually agree to waive this meal period. Employees will coordinate lunch break times with their Department Manager. Meal periods shall be duty free, are intended to be a break from regular work, and may be taken outside the workplace.

Employees are encouraged to take rest breaks and meal periods away from the regular work area.

Rest periods and meal periods may not be combined.

#### ***E. Overtime***

The FLSA and amendments govern compensation for overtime. The FLSA classifies personnel into two classes: "exempt" and "non-exempt" employees. SAWPA personnel are divided into "exempt" and "non-exempt" categories, as listed in [Appendix 1](#).

When operating requirements or other needs cannot be accomplished during regular working hours, employees may be requested and scheduled to work overtime hours. When practicable, advance notification of such mandatory assignments will be provided. **Overtime hours that will be billed to a project or program must have the approval of the project or program manager.**

Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work without regard for department or manager.

Overtime hours worked without prior authorization from the supervisor may result in disciplinary action, up to and including termination.

By law, non-exempt staff shall be paid for mandatory training. If this results in overtime, paid overtime versus compensatory time off (CTO) will be determined by the Department Manager if CTO is requested by the employee.

Because SAWPA operates on an Alternative Workweek Schedule, employees earn overtime and CTO differently than those on a traditional work schedule. Overtime and CTO are earned as follows:

Time-and-one-half

- All work performed in any workday beyond this schedule established by the Alternative Workweek Schedule, up to 12 hours per day.
- For all work performed beyond 40 hours per workweek as the workweek is defined in the Alternative Workweek section above.

Double-time

Double time will be paid for all work performed in excess of 12 hours per day or in excess of 12 continuous hours.

Exempt employees are not eligible to receive overtime pay or CTO; however, exempt employees may be allowed administrative time off at the discretion of the General Manager.

**i) Overtime Opportunities**

When a Department Manager or Project Manager identifies a resource deficiency, they should consider the following factors in determining how to best rectify the deficiency:

- Available budget for the effort.
- Possibility for deadline and schedule changes.
- Task difficulty or specialization.
- Other departments' capacity to assist.
- Other departments' capacity to work overtime.
- Opportunity for assistance from member agencies or temporary firms.
- Total workload for the employee.
- Fair opportunity for staff from all departments, where qualified.
- Duration of the work effort and impacts to other projects.
- Cross training opportunities.

When scheduled overtime is approved, it shall be made available to any non-exempt staff capable of completing the work. Budget restrictions may require staff limit for upper level staff working on such projects. In general, the lowest reasonable cost to the agency or project should guide the decision for staffing within the above policy and guidelines.

**F. Compensatory Time Off (CTO)**

An employee may elect to accumulate compensatory time in lieu of overtime pay. Compensatory time will be at the rate of one and one-half (1.5) hours of compensatory time for every hour of overtime worked. A maximum of forty (40) hours of compensatory time may be

accumulated in any fiscal year. If the accrued compensatory time is not used by the end of the fiscal year in which it is earned, it will be paid to the employee as overtime.

Any request of compensatory time will be permitted within a reasonable time of such requests, as long as it does not “unduly disrupt” normal Authority operations.

An employee who elects to accumulate compensatory time in lieu of overtime must sign an agreement certifying that his/her decision to accept compensatory time off is being made freely and without coercion by the Authority.

## **2. Attendance**

An employee is obligated to report for each and every scheduled working day or shift, to report on time and to complete all scheduled hours.

- A. Being absent from or reporting to work after the scheduled beginning time requires the employee to properly notify the supervisor in advance and to utilize appropriate leaves for time not worked.
- B. Employees may make up missed time if it is within the same week, is between scheduled office hours, and approval is in writing. Otherwise a leave request for the missed hours needs to be approved.
- C. The department manager is responsible for maintaining work schedules, approving overtime, and authorizing leaves.

## **3. Pay for Mandatory Meetings/Training**

SAWPA will pay employees for their attendance at meetings, lectures, and training programs under the following conditions:

- Attendance is mandated by SAWPA.
- The employee who is required to attend such meetings, lectures, or training programs will be notified of the necessity for such attendance by his or her supervisor.
- Employees who attend meetings, lectures or training programs will be compensated at their regular rate of pay.
- Any hours in excess of the workweek schedule will be paid at the appropriate overtime rate.



## **IV. SALARY AND PERFORMANCE**

### **1. Salary Administration**

The salary adjustment date for all positions (except the General Manager) shall be July 1st each year.

#### **A. COLA**

The SAWPA Commission may establish an annual Cost of Living Adjustment (COLA). The COLA change, if any, is effective only upon final approval by the Commission.

Only regular full-time and part-time employees are eligible for the COLA. Employees serving their introductory period may receive the COLA upon completion of the introductory period; however, this is at the General Manager's discretion.

#### **B. Merit Pool**

The SAWPA Commission may establish a merit pool or other process for merit-based salary adjustments. The merit pool, if any, is administered based on employee performance and accomplishments, including consideration for exceptional performance and accomplishments.

Only regular full-time and part-time employees are eligible for a merit increase. Employees serving their introductory period may receive a merit increase upon completion of the introductory period; however, this is at the General Manager's discretion.

#### **C. Bonus**

A bonus may be given based on employee performance and accomplishments, including consideration for exceptional performance and accomplishments at the discretion of the General Manager, subject to budget availability.

#### **D. Acting Pay**

Full-time employees assigned to work in a higher classification on a temporary basis (maximum 90 days) shall be compensated in the higher classification as determined by the General Manager. The assigned employee will assume all the duties and responsibilities of the higher classification.

If, during this temporary assignment, the employee becomes eligible for any scheduled salary increase in the employee's regular classification, such increase shall maintain the differential. At the end of the temporary assignment, the employee shall return to his regular classification and salary with any merit or salary adjustment increases as appropriate.

#### **E. Salary Range Assignments**

All positions within SAWPA, with the exception of the General Manager, are assigned a salary range approved annually by the SAWPA Commission.

The General Manager will cause to create and update annually a salary range assignment table that is available to all employees on the SAWPA website and computer system.

## ***F. Performance Evaluation***

Your supervisor will evaluate your performance at least annually. The purpose of a performance evaluation includes, but is not limited to the following:

- Assess various performance factors such as work quality, timeliness, and other factors that are applicable to the position.
- Assess specific objectives accomplished or not accomplished.
- Recognize quality of work from excellent to poor.
- Define areas needing development or improvement.
- Provide a continuing record of an employee's performance.
- Serve as a guide for promotions, transfers, disciplinary and other personnel actions.
- Check on the accuracy of job descriptions and classifications.
- Establish short and long-term performance goals and objectives.
- Determine salary adjustments within salary ranges.

A completed Performance Evaluation will be signed by both the supervisor and employee being reviewed, approved by the General Manager, and filed in the employee's personnel file. This Performance Evaluation will be used as justification for salary adjustments. For any salary adjustments, the General Manager will complete a "Payroll Change Notice" with the original forwarded to the Finance Department, a copy to the employee, and one copy maintained in the personnel file.

## ***G. Guidelines for Salary Increases Based on Performance***

Salary increases will be based on work performance in the evaluation period. Subject to the Commission's budget approval, and delegation of authority to the General Manager, the employee may receive a salary increase for merit, promotion, and/or reclassification. Salary increases are given at the General Manager's discretion, based upon the performance and contribution of the employee, but at no time shall the net sum of the increase exceed the total annual merit pool as approved by the Commission.

## ***H. Promotion***

A promotion is defined as the elevation of an employee from one classification to another classification in a higher salary range. If an employee who is promoted to a position in a classification with a salary range minimum higher than the employee's current salary, the employee's salary will be increased to at least the minimum of the new salary range. Otherwise, an employee who is promoted may, at the discretion of the General Manager, be given a salary increase.

## ***I. Classification Reduction***

A reduction shall be the reassignment of an employee from one classification to another classification in a lower salary range.

If an employee's salary is reduced, that employee shall be placed in a salary closest to their current salary in the new range. In the event the employee's current salary exceeds the

maximum salary of the new range, the General Manager may make a determination of a reduction to the employee's salary to the maximum salary of the new range.

### ***J. Severance Pay***

Employees normally will be considered eligible for severance pay if they have worked full-time regularly for at least one year and are terminated (i.e., laid off) because of a temporary or permanent reduction in the work force, budget reasons, or the elimination of the job or position. Employees normally will not be considered eligible for severance pay if termination is due to:

- Resignation.
- Misconduct.
- Normal retirement, employee-initiated early retirement.
- Permanent disability or death.

When severance pay is granted, eligible employees normally will receive not more than one week's straight time pay for each year of continuous service. In order to be eligible for severance pay, employees must sign a General Release. The General Manager has the discretion to grant severance pay to employees not covered by this policy.

Part-time employees and interns are not entitled to severance pay.

## **2. Personnel Records**

You have a right to inspect your personnel file, as provided by law, in the presence of the General Manager or designee at a mutually convenient time. You may request copies of items, previously signed by you from the personnel file provided that it is done in writing and as permitted by law.

The General Manager and designated administrative staff have access to all employee personnel files. Department managers and supervisors have access only to personnel files for those employees they supervise unless there is a business-related need to review a file as approved by the General Manager.

SAWPA does not provide personnel data to others except as required by law, or as provided for in this Section. A request for personnel-related information must be in writing, and be accompanied by a signed release from the employee. The information provided may include the employee's hire date, a statement as to the current employment status, and the employee's present classification and salary. Requests for personnel-related information received over the telephone shall be limited to employment confirmation and the employee's hire date. A request for salary information for an employee must be in writing and be accompanied by a signed release from the employee.

Supervisors and managers shall refer all requests for personnel information to the General Manager.

## **3. Change of Personnel Status**

Change of name, home address, home telephone number, driving record or insurance status, marital status, or the number of dependents must be promptly reported (within ten working days) in writing by the employee to the Payroll Department and Human Resources.

## V. EMPLOYEE BENEFITS

### 1. Vacation

#### **A. Vacation Entitlement**

Every full-time employee of SAWPA shall be entitled to vacation days in accordance with the following schedule. No employee shall use any vacation days until the successful completion of the introductory period. The General Manager has discretion to advance accrued vacation.

Employees are encouraged to take a vacation each year, using all unused vacation days accrued during the last year. However, it is recognized that work schedules and personal matters do not always make this possible. Prior Management approval of the vacation period selected by an employee is required and is governed by existing or contemplated workloads. Whenever possible, employees shall notify their supervisor at least thirty (30) days in advance concerning their proposed vacation plans by submitting a Request for Leave of Absence Form.

#### **B. Vacation Accrual**

For the first five years of employment, regular employees accrue a day of vacation for each full month worked, or 12 workdays per 12 full months worked. One vacation day is equivalent to nine (9) hours. Employees with more than five (5) years of service accrue vacation time as described below:

| <u>Years of Service</u> | <u>Vacation Days</u> |
|-------------------------|----------------------|
| 0-5 years               | 12                   |
| 6 years                 | 13                   |
| 7 years                 | 14                   |
| 8 years                 | 15                   |
| 9 years                 | 16                   |
| 10 years                | 17                   |
| 11 years                | 18                   |
| 12 years                | 19                   |
| 13 years                | 20                   |
| 14 years                | 21                   |
| 15+ years               | 22                   |

Vacation accrual increases begin on the first day of the first pay period **after** completion of the year of service listed above. For example, an employee begins accruing 13 days per year on the first pay period after their fifth anniversary.

An employee may not accrue more than 36 vacation days (324 hours) total. Employees are encouraged to use their vacation and they cease accruing vacation when they reach the limits above. The General Manager may, at the request of the employee, payoff up to 50% of the annual accrued days of unused and accrued vacation days, if the employee makes an irrevocable election to do so on or before December 31 in the year prior to the payout once in each calendar year, pending available funds in the approved budget.

Part-time employees accrue vacation on a pro-rated basis based on the actual number of hours worked.

When an approved holiday falls within a vacation period, an employee on vacation shall be entitled to the holiday pay.

### ***C. Unused Accrued Vacation Leave Payout Provisions***

Eligible employees terminating employment with SAWPA shall be compensated for unused accrued vacation time. When there is a death of an employee, payment for accrued vacation time shall be made to the employee's beneficiary based upon state laws.

## **2. Holidays**

Immediately upon employment, full-time, limited-term and part-time employees are eligible for paid holidays. Holiday pay for a part-time employee is pro-rated based on a 40-hour week. The General Manager may elect to maintain a minimum staff on any holiday. When a holiday occurs on a Sunday, the following Monday will be taken as the holiday. Holidays falling on a Saturday are observed the preceding Friday. However, if the office is closed on the preceding Friday, the eight (8) hours (pro-rated for part-time employees) for the flex day will be added to the employee's accrued vacation

### ***A. Floating Holiday***

Each full-time, regular employee is entitled to take one floating holiday during the calendar year. Part-time employees who work more than 960 hours per calendar year also are entitled to take a floating holiday, but the hours available will be pro-rated.

The floating holiday should be scheduled in advance with the employee's supervisor, and is to be taken within the calendar year. If the floating holiday is not taken before December 31, eight (8) hours (pro-rated for part-time employees) will be paid out to the employee on the first paycheck of the following calendar year.

The floating holiday will be treated as any other holiday that SAWPA observes with regards to the number of hours claimed.

Please refer to the [Alternative Workweek](#) section on page 8 for more information.

### ***B. Holiday Schedule***

The holiday schedule is as follows:

- New Year's Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day

- Day after Thanksgiving
- Christmas Eve Day
- Christmas Day
- One Floating Holiday

### 3. Employee Assistance Program

SAWPA maintains an Employee Assistance Program (EAP) to help employees who have personal problems, including alcohol and drug abuse, which impair or have the potential to impair their work performance. This service is strictly confidential. It is the employee's responsibility, however, to seek help. In the event that an employee voluntarily alerts SAWPA of a drug or alcohol abuse problem, the employee will be made aware of the EAP and will be allowed to request a medical leave of absence for treatment, if necessary.

When an employee does not voluntarily seek treatment, but is discovered by SAWPA to have a drug or alcohol abuse problem, that impairs or has the potential to impair said employee's work performance, the General Manager may, at his sole discretion and based on all the circumstances, determine to defer taking disciplinary action provided that the employee undergoes and successfully completes treatment for the drug or alcohol abuse problem, with no recurrence of violating this policy.

EAP assistance also is available for family emotional concerns, relationship issues, and financial and legal matters.

EAP may be contacted at (800) 999-7222, Option 2. EAP is open Monday-Friday, 7:00 a.m. to 5:30 p.m., Pacific Standard Time. Messages may be left after hours.

### 4. Other Benefits

#### A. Medical Benefits

All full-time, including introductory, employees are eligible on the first of the month following completion of two (2) consecutive full calendar months of service, for participation in the medical insurance plans of SAWPA, unless otherwise stated in the *Offer of Employment* letter. Part-time, contract employees, and interns are not eligible for medical benefits.

##### i) Medical Coverage for Retirees

Agency paid medical coverage for employees and their spouses shall be provided for retired employees who are age 58 or over and who have a minimum of 10 years of service with SAWPA on the same basis as provided to active employees. This benefit also applies to employees otherwise eligible who resign their position at SAWPA or are laid off. As defined in SAWPA's insurance contract, after age 65, when the retired employee becomes eligible for Medicare, they must sign up for Medicare Part A and B. The retired employee will then be changed over to the ACWA supplemental insurance for both the retiree and spouse. That premium (up to the current cap approved by the Commission) will be paid by SAWPA for the lifetime of the retiree. In the event the retiree dies prior to his/her spouse, the surviving spouse will continue to receive

medical benefits. Retired employees who are age 58 or over who have had a break in service due to resignation or disability and who were subsequently rehired shall be eligible under the same terms if the combined years of employment equal a minimum of 10 years of service. **Retiree medical coverage does not apply to new active employees hired on or after July 1, 2005.**

**ii) Medical Benefits Continuation Coverage**

Medical coverage for employees or dependents whose coverage would otherwise terminate due to qualifying events as defined by the Consolidated Omnibus Budget Reconciliation Act (COBRA) such as, but not limited to, termination, reduction of hours, or divorce, are eligible to continue their coverage for a specific period of time, as provided under COBRA, at their expense.

Upon hire, employees and dependents who are enrolled in a group plan sponsored by SAWPA are provided detailed information from the group provider regarding continuing coverage. It is the employee's responsibility to inform SAWPA, in writing, (within ten (10) working days), of any change in the following: marital status, address, ineligible dependents or coverage under another group health plan.

**B. *Dental Benefits***

All full-time, including introductory, employees are eligible on the first of the month following completion of two (2) consecutive full calendar months of service, for participation in the dental insurance plan of SAWPA, unless otherwise stated in the *Offer of Employment* letter.

**i) Dental Benefits Continuation Coverage**

Dental coverage for employee is the same as described above regarding medical insurance.

**C. *Vision Benefits***

All full-time, including introductory, employees are eligible on the first of the month following completion of two (2) consecutive full calendar months of service, for participation in the vision insurance plan of SAWPA, unless otherwise stated in the *Offer of Employment* letter.

**i) Vision Benefits Continuation Coverage**

Vision coverage for employees is the same as described above regarding medical insurance.

**D. *Life Insurance***

All full-time employees are eligible, on the first of the month following completion of two (2) consecutive full calendar months of service, for participation in the life insurance and accidental death and dismemberment plan of SAWPA. Coverage includes up to two times the employee's annual salary, with a maximum coverage amount of \$250,000. Presently, SAWPA pays the premium. Employees may apply and pay for additional supplemental life insurance through payroll deduction. It is the employee's responsibility to pay the supplemental portion of their coverage.

Basic and supplemental life insurance may be continued during a leave of absence. SAWPA will pay the basic life insurance premium.

### ***E. Disability***

Temporary disability, for other than on-the-job injury or illness, is covered by the California Employment Development Department. As a benefit, SAWPA pays the State Disability Taxes for regular employees.

SAWPA provides 100% Agency paid, long-term disability to regular employees who are disabled for longer than 60 calendar days with a 66-2/3% of an employee's monthly salary. (See the Long-Term Disability Booklet for further information).

### ***F. Unemployment Insurance***

All employees are covered under the State Unemployment Insurance Program.

### ***G. Public Employees Retirement System***

SAWPA participates in the California Public Employees Retirement System (CalPERS). SAWPA's current PERS contract is 2% at 55, based on the highest year of compensation, for classic employees and 2% at 62 for PEPRAs employees.

### ***H. Wellness Program***

In an effort to promote good health and wellness of its employees, SAWPA offers a Wellness Program to cover a portion of out-of-pocket expenses for each employee per fiscal year for activities such as gym membership, smoking cessation programs, physical therapy etc. Employees must submit receipts on a standard SAWPA Expense Form, which are subject to the approval of the General Manager. The annual cap for such reimbursement is set forth in [Appendix 3](#).

### ***I. Professional Memberships***

SAWPA may provide, at the discretion of the General Manager, payment for the cost of one membership in a recognized professional society per fiscal year per employee, as provided in [Appendix 3](#). This limitation does not apply to the General Manager or to participation or memberships in associations, groups or societies when requested by SAWPA.

SAWPA will not provide payment for the cost of memberships in political associations or groups.

### ***J. Deferred Compensation***

SAWPA provides a 457 Deferred Compensation Plan through bi-weekly deduction. This plan is to provide additional retirement income to the employee. Contributions and management of the Plan are the sole responsibility of each employee wishing to participate in this Plan.

### ***K. Lactation Accommodation***

In compliance with Labor Code Section 1031, the SAWPA will provide any employee with a lactation room that is shielded from view, as well as access to a sink and refrigerator in close proximity to the employee's work area. SAWPA will provide additional break time to an employee to express milk as required by the Labor Code.



Any employee shall have the right to request lactation accommodation by submitting the request for such accommodation in writing to their supervisor or the General Manager. The request should be submitted at least thirty (30) days prior to the date when the accommodation will be required and must include an estimate of the length of time for which the accommodation is required. The request shall also include any facilities the employee will need in connection with the lactation accommodation in order to facilitate the employee's expressing and storage of milk. SAWPA will respond to any request for lactation accommodation within ten (10) days of receipt of the request, stating how it will accommodate the request. An employee has the right to file a complaint with the California Labor Commissioner if the Company violates the employee's right to such lactation accommodation.

## **VI. LEAVES OF ABSENCE**

### **1. Sick Leave**

Sick leave is defined as absence from duty caused by illness, injury, medical or dental visits, blood donations, pregnancy, or for the diagnosis, care, or treatment of an existing health condition of, or preventative care for, the employee or the employee's family member. It is not an earned right to take time off from work. Employees shall not assume that absenteeism is permissible merely because they have sufficient sick leave to cover all or a portion of their time off. SAWPA will determine whether or not sick leave is being abused, or if it is disruptive to the daily business activity, co-workers or department.

#### ***A. Sick Leave Accrual***

Every full-time employee of SAWPA will accrue one (1) day of sick leave per month. One day is equivalent to nine (9) hours. The General Manager may advance up to three (3) days of sick leave if the employee does not have enough accrued leave to cover an absence due to illness.

An employee shall not accrue sick leave credit during any month in which the employee is absent without pay for more than six full working days. In the event an employee is required to work part-time by direction of a physician, sick leave credit shall be prorated. Sick leave will continue to accrue if an employee is absent due to an injury arising out of or in the course of employment and is receiving Workers' Compensation benefits.

Those employees and interns not eligible for sick leave under SAWPA's plan are nonetheless entitled to sick leave under the Healthy Workplaces, Healthy Families Act of 2014. Under the Act, employees are entitled to one hour of sick leave for every 30 hours worked, up to a maximum of 48 hours. Subject to the 48-hour cap on accrual, unused sick leave may be carried over from one year to the next.

#### ***B. Sick Leave General Provisions***

To qualify for sick leave, the employee must notify their supervisor no later than one-half hour after the beginning of the workday by reporting to the employee's supervisor or the General Manager.

The employee and the employee’s supervisor shall be responsible for control of any abuse of the sick leave privilege. The employee may be required, at any time, to furnish a certificate issued by a licensed physician or nurse, or other satisfactory evidence of illness. However, for absences of five (5) working days or more, a written request for leave and medical statement, on prescribed forms, stating the expected date of return must be submitted to the General Manager. Upon return to work, a written doctor’s release must be submitted to the General Manager.

**C. Sick Leave Pay Out Provisions**

Upon an employee’s termination (as defined on page 14) other than for prohibited misconduct, or in the event of death, unused accrued sick leave shall be paid to said employee or beneficiary (as defined by state law) in the event of death, on the following basis:

| <u>Length of Service</u> | <u>Percent of Unused Sick Leave Paid</u> |
|--------------------------|------------------------------------------|
| 1-5 years                | 15%                                      |
| 6-10 years               | 30%                                      |
| 11-14 years              | 45%                                      |
| 15 years and above       | 60%                                      |

Unused sick leave shall not be paid out in the event of termination for prohibited misconduct. This section sets forth administrative policy regarding sick leave pay out, and does not alter the “at will” nature of employment.

**2. Family and Medical Leave**

This policy explains how SAWPA complies with the Federal Family and Medical Leave Act and the California Family Rights Act, both of which require SAWPA to permit each eligible employee, as described in subdivision A, below, to take up to twelve (12) work weeks of family and medical leave in any twelve (12) month period.

**The following provisions set forth certain rights and obligations with respect to such leave. Rights and obligations, which are not specifically set forth below, are set forth in the Department of Labor regulations implementing the Federal Family and Medical Leave Act of 1993 (“FMLA”), and the regulation of the California Family Rights Act (“CFRA”). Unless otherwise provided by this article, “Leave” under this article shall mean leave pursuant to the FMLA and CFRA.**

- A. **Eligibility.** If an employee has completed at least twelve (12) months of service with SAWPA, and has at least 1,250 hours of service with SAWPA during the previous 12-month period, the employee may request family and medical leave up to 12 weeks in a 12 month period. The 12 week leave allowance includes any time taken (with or without pay) for any of the following reasons:
  - i. To care for a newborn child of the employee or a child placed with the employee for adoption or foster care. Leaves for this purpose must conclude 12 months after the birth, adoption, or placement.

- ii. Because of the employee’s own serious health condition, including a serious health condition resulting from an on-the-job illness or injury, that makes the employee unable to perform his or her job at all, or unable to perform any one or more of the essential functions of his or her job. Excluded from this policy are disabilities caused by the pregnancy, childbirth, or related medical conditions, which is covered by SAWPA’s separate pregnancy disability policy as set forth below.
- iii. To care for a spouse, child, parent, domestic partner or child of a domestic partner with a serious health condition.
- iv. A “serious health condition” is an illness, injury, impairment, or physical or mental condition that involves:
  - (a) Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care; or
  - (b) Continuing treatment by a health care provider.

**B. Pay During Leave.** An employee on leave because of his or her own serious health condition must use all accrued sick leave and may use any or all accrued vacation at the beginning of any otherwise unpaid leave period. An employee on leave for child care or to care for a spouse, parent, or child with a serious health condition may use any or all accrued vacation at the beginning of any otherwise unpaid leave. All other family care and medical leaves are unpaid leaves. The receipt of vacation pay, sick leave pay, or State Disability Insurance benefits will not extend the length of the leave. The employee does not continue to accrue vacation and sick leave during any period of unpaid leave.

**C. Health Insurance.** SAWPA shall maintain the employee’s health coverage at the same level and under the same conditions that would have been provided if the employee had continued working. This means that the employee will be required to pay for any dependent care coverage that SAWPA was providing at the time the employee takes the leave and that such coverage of dependents is subject to termination if the employee fails to timely pay the premiums for that coverage.

**D. Return to Work.** During a family care and medical leave, employees retain their seniority and employment status with SAWPA. Upon return from a requested family care or medical leave, SAWPA will make every effort to restore the employee to the same or comparable position held before going on leave. However, if the employee’s position was eliminated during the leave, SAWPA does not guarantee re-employment.

Employees returning from leave shall have no less seniority than they had when the leave commenced for purposes of layoff, promotion, job assignment, and seniority related benefits such as vacation. This policy applies to all employees. The policy set forth in subdivision 4, below, regarding returning to work from a leave of absence, shall apply to family care and medical leave, where applicable.

- E. Requesting Family Care and Medical Leave.** An employee should request family care and medical leave in writing to the General Manager. An employee should provide not less than thirty (30) days' notice, or such shorter notice as is practicable, for foreseeable childbirth, placement, or any planned medical treatment for the employee or his or her spouse, child, domestic partner or parent. Failure to provide such notice is grounds for denial of a leave request, except if the need for leave was an emergency or was otherwise unforeseeable. When possible, employees must make a reasonable effort to schedule foreseeable planned medical treatments so as not to unduly disrupt SAWPA's operations.

If family care and medical leave is taken because of the employee's own serious health condition or the serious health condition of the employee's spouse, parent, domestic partner or child, the leave may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition.

If family care and medical leave is taken because of the birth of the employee's child or the placement of a child with the employee for adoption or foster care, the minimum duration of leave is two (2) weeks, except that SAWPA will grant a request for leave for this purpose of at least one day but less than two weeks duration on any two occasions.

An employee on family care and medical leave may not accept employment with any other employer without SAWPA's written permission. An employee who accepts such employment will be deemed to have resigned from employment with SAWPA.

### **3. Pregnancy Leave**

Under the California Fair Employment and Housing Act ("FEHA"), if you are disabled by pregnancy, childbirth or related medical conditions, you are eligible to take a pregnancy disability leave ("PDL"). If you are affected by pregnancy or a related medical condition, you are also eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if this transfer is medically advisable.

The PDL is for any period(s) of actual disability caused by your pregnancy, childbirth, or related medical conditions up to four months (or 88 work days for a full time employee) per pregnancy.

The PDL does not need to be taken in one continuous period of time but can be taken on an as-needed basis.

Time off needed for prenatal care, severe morning sickness, doctor-ordered bed rest, childbirth, and recovery from childbirth would all be covered by your PDL.

Generally, SAWPA is required to treat your pregnancy disability the same as SAWPA treats other disabilities of similarly situated employees. Consequently, PDL is unpaid leave.

You should give notice of your need for a pregnancy-related leave of absence as soon as you know, with reasonable certainty, the expected date on which your leave will begin. You should submit a Request for Leave of Absence. You are required to obtain certification from your health care provider of your pregnancy disability or the medical advisability for a transfer. The certification should include: the date

on which you become disabled due to pregnancy or the date of the medical advisability for the transfer; the probable duration of the period(s) of disability or the period(s) for the advisability of the transfer; and a statement that, due to the disability, you are unable to work at all or to perform any one or more of the essential functions of your position without undue risk to yourself, the successful completion of your pregnancy or to other persons or a statement that, due to your pregnancy, the transfer is medically advisable.

At your option, you can use any accrued vacation or other accrued time off as part of your pregnancy disability leave before taking the remainder of your leave as an unpaid leave. You also may be eligible for state disability insurance for the unpaid portion of your leave.

Taking a pregnancy disability leave may impact certain aspects of your benefits and your seniority date. If you want more information regarding your eligibility for a leave or the impact of the leave on your seniority and benefits, please contact Human Resources.

### ***A. Benefits during Unpaid PDL***

If you take PDL, SAWPA will maintain group health insurance coverage for up to a maximum of four (4) months (if such insurance was provided before the leave was taken) on the same terms as if you had continued to work. (Leave under this policy runs concurrently with family and medical leave under Federal law, but not under California law.) SAWPA may recover premiums it paid to maintain health coverage for you if you fail to return to work following PDL.

If you are on PDL and are not eligible for continued paid coverage, or if paid coverage ceases, you may continue your group health insurance coverage through SAWPA in conjunction with federal COBRA guidelines by making monthly payments to SAWPA for the amount of the relevant premium. Contact the Human Resources Department for further information.

### ***B. Return from PDL***

Upon expiration of leave, an employee is entitled to be reinstated to the same or a comparable position of employment held when the leave commenced, or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Employees have no greater rights to reinstatement, benefits and other conditions of employment than if the employee had been continuously employed during the PDL.

If a definite date of reinstatement has been agreed upon at the beginning of the leave, the employee will be reinstated on the date agreed upon. If the reinstatement date differs from the original agreement of the employee and SAWPA, the employee will be reinstated within two business days, where feasible, after the employee notifies the employer of his or her readiness to return.

## **4. Personal Leave**

Employees may be granted an unpaid leave of absence to attend to personal matters in cases in which the General Manager determines that an extended period of time away from the job will be in the best interests of the employee and SAWPA. Employees may be permitted to take up to 12 work weeks of personal leave within a continuous 12-month period. An employee may be permitted to use any accrued vacation time for personal leave.

Employees, who are unable to report for work because of arrest and incarceration, shall be placed on unpaid personal leave of absence. If the employee is unable to secure bail, the leave of absence will continue until the disposition of the charges or no more than 30 days. If the employee is freed on bail, a decision will be made by the General Manager whether to allow the resumption of active employment pending disposition of the charges. The General Manager will determine whether resumption of normal duties would be consistent with SAWPA's needs and requirements.

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## 5. Jury Duty

Any full-time employee who is called to court or other qualified agency for jury duty shall be entitled to regular pay for those hours absent, supported by court-provided daily attendance slips, for a period of up to 80 hours.

A juror who is employed by a federal, state, or local government entity, or by any other public entity who receives regular compensation and benefits while performing jury service, may not be paid the fee described. Employees of SAWPA should not be paid a jury fee for service. Mileage reimbursement, however, is acceptable. Employees serving longer the 80 hours are entitled to collect jury fees, and may also use sick and vacation leave during the period they are off work.

An employee shall give the supervisor reasonable advance notice, with supporting documentation, of the intention to take time off.

Please refer to the [Alternative Workweek](#) section on page 8 for more information.

## 6. Witness and Victim Leave

An employee who is required to attend a court, arbitration, or administrative hearing as a victim or witness shall be entitled to reasonable unpaid leave. Such an employee shall give the supervisor reasonable advance notice, with supporting documentation, of the intent to take time off. An employee may use any accrued unpaid vacation time for such leave.

## 7. Domestic Violence Leave

Employees who are victims of domestic violence are eligible for unpaid leave. You may request leave if you are involved in a judicial action, such as obtaining restraining orders, or appearing in court to obtain relief to ensure your health, safety, or welfare, or that of your child.

You should provide notice and certification of your need to take leave under this policy. Certification may be sufficiently provided by any of the following:

- A police report indicating that the employee was a victim of domestic violence.
- A court order protecting or separating the employee from the perpetrator of an act of domestic violence, or other evidence from the court or prosecuting attorney that the employee appeared in court.
- Documentation from a medical professional, domestic violence advocate, health-care provider, or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence.

SAWPA will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave under this provision.

The length of unpaid leave an employee may take is limited to 12 weeks.

## 8. Military Leave

An employee shall be granted military leave as specified below, provided that the employee gives advance verbal or written notice of the leave except when such notice is precluded by military necessity, impossibility, or unreasonableness. In the granting of such leave, SAWPA may require verification of an employee's military orders.

### A. *Types of Military Leave Are:*

i) **Emergency National Guard leave**

An employee who, as a member of the National Guard, is called to active duty by proclamation of the Governor during a state of emergency is eligible for emergency National Guard leave. An employee, who as a member of the National Guard, is called to active Federal military duty at the request of the President of the United States is **not** eligible for emergency National Guard leave, but shall be granted long-term military leave as described below.

ii) **Long-term military leave**

An employee who enlists or is ordered into active-duty service of any length or active-duty training in excess of 180 days or is ordered into active Federal military duty as a member of the National Guard or regular reserves is eligible for long-term military leave. Such leave shall be granted for a period not-to-exceed five (5) years. In addition, leave shall be granted for a period up to six (6) months from the date of release from duty.

iii) **Physical examination leave**

An employee who is required to take a pre-induction or pre-enlistment physical examination to fulfill a commitment under a Selective Service or comparable law, or during a period of war or comparable national emergency is eligible for physical examination leave.

iv) **Reserve training leave**

An employee is eligible for reserve training leave for inactive duty, such as weekly, monthly meetings, or weekend drills.

v) **Temporary military leave**

When an employee is ordered to full-time active military duty for training for a period not-to-exceed 180 calendar days, including time spent traveling to and from such duty, the employee is eligible for temporary military leave.

### B. *Pay for Leave*

Employees granted temporary military leave or emergency National Guard leave are entitled to receive their regular SAWPA salary for up to 30 calendar days and any military pay (including allowances). Employees granted physical examination leave also are entitled to receive the difference between their regular SAWPA pay and any military pay (including allowances).



In addition, for any type of military leave defined in this section that extends more than 30 days, employees are eligible for military leave with pay if the employee is ordered to service involuntarily or pursuant to a reserve or National Guard status that existed when SAWPA employment began and the employee has completed 12 months of continuous SAWPA service immediately prior to the granting of the military leave.

During military leave with pay, SAWPA will pay the employee the difference between his or her regular SAWPA pay and total military pay (base pay and allowances). The purpose of this is to make the employee "whole" with regards to salary, and not incur any undue hardship as a result of military leave. SAWPA will implement this policy by withholding from the employee's normal pay the amount of the total military compensation via payroll deduction. Employees beginning military leave must provide SAWPA with a military pay stub or other acceptable documentation as soon as possible so that SAWPA can make the correct payroll deductions after the first 30 calendar days. SAWPA will pay the employee this adjusted salary (less any taxes, benefit contributions, and court ordered deductions) on the normal biweekly pay schedule.

During military leave with pay, SAWPA will pay the salary difference as described above for holiday time. The employee will not accrue vacation or sick leave.

During the first 12 months of military leave, at the employee's normal review date, the employee will be considered for a performance based pay increase as though not on military leave, based on the employee's most recently completed performance review.

During all military leave, all step increases pay will be processed on the employee's normal review date, and COLAs will be applied as though the employee were not on military leave.

An employee who is **not** eligible for military leave with pay may have such absence(s) charged to accrued vacation (except sick leave), or the military leave may be without pay.

### ***C. Reinstatement***

Following release from military service, an employee shall have, at the minimum, such right to return and protection from discharge as may be required by State and Federal law in effect at the time the employee applies for reinstatement. Employees granted military leave for a period not-to-exceed 180 days and who are honorably separated from military service shall be reinstated to the position they would have held had they remained continuously employed. Employees granted military leave for a period not-to-exceed five (5) years and who are honorably separated from military service, shall be reinstated to the position they held prior to leave being granted provided they return to work within 12 months from the date of release from duty. If the position no longer exists, a comparable position in terms of pay, benefits, status, seniority, and conditions of employment shall be provided, if available, and the employee is qualified or can become qualified through SAWPA's reasonable efforts.

## **D. Effect on Benefits**

### **i) Health**

#### *Leave is less than 31 days*

SAWPA will continue to provide health coverage as if the employee were not on leave. The employee will continue to pay his or her portion of the health benefits (amount above the current cap approved by the Commission).

#### *Leave more than 31 days*

SAWPA will continue to provide health coverage until the end of the month of the 31<sup>st</sup> day of leave. After the end of the month following the 31<sup>st</sup> day, the employee may elect to continue coverage for up to 24 months or for the period of military service, whichever is shorter. As with COBRA, the employee may be required to contribute up to 100% of the full premium plus a 2% administration fee.

For example, if the employee goes on leave in the middle of March, SAWPA would provide health coverage for the employee until the end of April. However, the employee still would be responsible for the amount above the current cap set by the Commission. Beginning on May 1, the employee could elect continuation coverage under COBRA, but may be required to contribute up to 100% of the full premium plus a 2% administration fee.

### **ii) PERS**

For employees on military leave with pay, the difference between the employee's SAWPA pay and military pay is **not** eligible for PERS, in accordance with Government Code Sections 20630-20364.

However, employees on military leave may be eligible for non-compensated absences or specially compensated absences under California law. Employees should consult the Human Resources Department for instructions on obtaining military service credit.

## **9. Military Spouse Leave**

Employees who work more than 20 hours per week and have a spouse in the Armed Forces, National Guard or Reserves who have been deployed during a period of military conflict are eligible for up to 10 unpaid days off when their spouse is on leave from (not returning from) military deployment.

Employees must request this leave in writing to the General Manager within two business days of receiving official notice that their spouse will be on leave. Employees requesting this leave are required to attach to the leave request written documentation certifying the spouse will be on leave from deployment.

## **10. Volunteer Civil Service Personnel**

No employee shall be disciplined for taking time off to perform emergency duty as a volunteer firefighter, peace officer, or emergency response personnel. Time performing such duties may be paid time off if it is approved in advance by the General Manager. Otherwise, it is unpaid leave. You also are

eligible for unpaid leave for required training. If you are an official volunteer firefighter, please alert your supervisor that you may have to take time off for emergency duty. When taking time off for emergency duty, please alert your supervisor before doing so when possible.

## **11. Bereavement Leave**

Upon request, and with the prior approval of the General Manager, regular (including introductory) employees shall receive necessary time off with pay, not-to-exceed three (3) days, or five (5) days if the employee must travel beyond 500 miles, in any one instance to arrange for or attend a funeral of a member of their immediate family.

For purposes of this section, “immediate family” shall mean father, father-in-law, step-father, mother, mother-in-law, step-mother, brother, brother-in-law, step-brother, sister, sister-in-law, step-sister, wife, husband, child, step-child, grandchild, grandparent, former or current legal guardian, or any family member with whom the employee resides.

An employee may use accrued leave to attend services related to the death of a non-immediate family member upon approval of the General Manager.

Please refer to the [Alternative Workweek](#) section on page 8 for more information.

## **12. Management Leave**

In recognition of the additional time required (e.g., evening meetings, occasional weekends, etc.) by department managers, the following management leave policy shall be implemented.

- Each department manager shall receive five (5) days of management leave per calendar year. One day is equivalent to nine (9) hours.
- Management leave does not accrue.
- Any unused Management leave hours will be either:
  - a. Paid out on the first paycheck of the following calendar year; or
  - b. Paid out on the last paycheck of the current year with the value of the unused management leave hours transferred to the 457 Deferred Compensation Program provided it does not cause the employee to exceed the annual deferral limits set by law.

## **13. Time Off for Voting**

Employees will be allowed up to two (2) hours off with pay to vote at local, state, and national elections if sufficient time is not available outside of regular working hours due to the employee’s work schedule/workload.

## **14. School Activities Leave**

Consistent with State Labor Code Sections 230.7 and 230.8, employees shall be entitled to unpaid leave to participate in activities of the school or licensed child day care facility of any of their children, if reasonable notice is given to SAWPA. The employee’s supervisor may require documentation from the

school or licensed child day care facility as proof that the employee participated in such activities on a specific date and at a particular time. Time off for this purpose may not exceed 8 hours in any month, and may not exceed 40 hours in any calendar year.

Additionally, Section 48900.1 of the Education Code provides that employees required to attend a portion of the school day in class as a result of their child being suspended from class, must be allowed to attend. Employees may use available accrued vacation, floating holidays, or compensatory time off for the above purposes, or may use time off without pay. Employees using time off for this purpose shall not be discriminated against in any way by SAWPA for using such time. The use of this type of leave will not be a factor in an employee's performance review, provided reasonable notice and documentation from the school is provided to the employee's supervisor.

## **15. Non-Serious Family Health Leave**

Employees are permitted to use, in any calendar year, accrued sick leave in an amount not more than the amount earned during six (6) months employment to care for a sick child, parent, spouse or State registered domestic partner due to routine illness (such as cold, flu, earache, etc.), and generally are not subject to disciplinary action for such use. For example, a full-time employee would be permitted to use up to 48 hours/calendar year of accrued sick leave for this purpose. The use of this type of leave will not be a factor in employee performance reviews, provided employees notify their supervisor of projected sick leave use at the time leave is taken.

# **VII. EMPLOYEE RELATIONS; WORKPLACE STANDARDS**

## **1. Drug and Alcohol Abuse**

### ***A. Controlled Substance Policy and Program Purpose***

The purpose of this policy and program is to provide a safe workplace by addressing the hazards of alcohol and controlled substance use on the job. Because drug and alcohol use on the job has serious consequences, it is the policy of SAWPA that the use of alcohol and/or controlled substances will not be tolerated in the workplace. Moreover, SAWPA will not tolerate employees reporting to work under the influence of alcohol or controlled substances.

Subject to all of the provisions of this policy, violation of this policy will result in disciplinary action, which action may include termination.

This policy supersedes all previous drug and alcohol policies.

### ***B. Applicability of This Policy***

This Policy applies to all SAWPA employees.

### ***C. Responsibilities of Management and Employees***

**Management:** responsible for providing a workplace environment free of drugs and alcohol and to arrange for feasible resources, training and substance abuse professionals.

**Supervisors:** responsible for supporting, enforcing and complying with this policy and, if trained in drug and alcohol detection, are responsible for determining whether employees are under the influence of drugs and/or alcohol.

**Employees:** responsible for complying with this policy and for not using, being under the influence of, selling or possessing controlled substances or alcohol on SAWPA property, in SAWPA vehicles, or with SAWPA equipment.

Employees are required to submit to drug and alcohol testing pursuant to this policy. They must also abide by U.S. Department of Transportation and State Regulations (Title 49), as amended from time-to-time, regarding alcohol and drug use prior to reporting to work and during work hours.

### ***D. Policy and Program Administration***

The General Manager is the Program Administrator and is responsible for the overall administration of this Policy and Program.

The General Manager may delegate Program Administration.

Supervisors of affected employees shall make themselves available to employees to answer questions regarding this Policy.

### ***E. Definitions (Title 49, Code of Federal Regulations, Section 382.107 plus 391)***

**i) Alcohol**

The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

**ii) Alcohol Concentration**

The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

**iii) Alcohol Use**

The consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

**iv) Breath Alcohol Technician (BAT)**

An individual qualified to instruct and assist individuals in the alcohol testing process using an Evidential Breath Testing (EBT) device.

**v) Commercial Motor Vehicle**

A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds.
- Has a gross vehicle weight rating of 26,001 or more pounds.
- Is designed, used, or maintained to transport more than 16 passengers, including the driver.
- Is of any size and is used in the transportation of materials found to be hazardous for purposes of Hazardous Materials Transportation Act and which requires the motor vehicle to be placarded under the Hazardous Materials Regulations (49 Code of Federal Regulations, Part 172, Subpart F).

**vi) Confirmation Tests**

This test shall be conducted whenever the initial screening test renders a positive result, as follows:

- For alcohol: a second test following a screening test with a breath alcohol test result of 0.02% or greater.
- For controlled substances: a second analytical procedure to identify the presence of a specific drug or metabolite and which is independent of the screening test and uses a different technique and chemical principle from that of the screening test in order to ensure reliability and accuracy, such as gas chromatograph/mass spectrometry (GC/MS) which is used as the confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine (PCP).

**vii) Controlled Substances (or, Drugs)**

- Marijuana and its derivatives.
- Cocaine and its derivatives.
- Opiates and their derivatives.
- Amphetamines and their derivatives.
- Phencyclidine (PCP) and its derivatives.
- 6-Acetylmorphine (6-AM).
- Methylenedioxymethamphetamine (MDMA).

**viii) Controlled Substances Test (or, Testing)**

A test for controlled substances.

**ix) Driver**

Any employee who operates a commercial motor vehicle in the course of employment. This includes, but is not limited to, regular, part-time, contract, temporary or probationary drivers.

**x) Employee**

Any SAWPA employee, whether regular, part-time, contract term, temporary or introductory.

**xi) Medical Review Officer (MRO)**

A licensed physician who is responsible for receiving laboratory results and who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test results with their medical history and other relevant biomedical information.

**xii) On-Duty Time**

All time from the time an employee begins to work or is required to be in readiness to work until the time the employee is relieved from work and from all responsibility for performing work.

**xiii) Refuse to Submit**

Refusal to submit to an alcohol or controlled substance test means that a SAWPA employee fails or refuses to provide adequate breath for testing without a valid medical explanation, and/or fails or refuses to provide an adequate amount of urine for controlled substances testing without a valid medical explanation after receiving notice of the requirement for testing, or engages in conduct that obstructs the test process.

**xiv) Safety Sensitive Employees**

Any employee who, in the regular or foreseeable discharge of his or her responsibilities, has the responsibility for his or her own safety and the safety of others.

***Safety-Sensitive Functions include:***

- Operation of a commercial motor vehicle.
- Maintaining commercial motor vehicles.
- Supervising an employee who performs a safety-sensitive function.
- Any function which involves some special and obvious physical or ethical demand, and the compromise of the employee's ability to meet such demands could have an immediate disastrous consequence upon public safety or security.
- All time at a carrier or shipper, plant, terminal, facility or other property, waiting to be dispatched, unless relieved from duty by the employer.
- All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations or otherwise inspecting, servicing or conditioning any commercial motor vehicle at any time.
- All time spent at the driving controls of a commercial motor vehicle.
- All time, other than driving time, spent on or in a commercial motor vehicle (except for time spent resting in the sleeper berth.)

**xv) Screening Test**

- For alcohol, it is a breath test or saliva test.
- For controlled substances, it is a urine test.

**xvi) Substance Abuse Professional**

A licensed physician, a Medical Review Officer, a licensed or certified psychologist, social worker, certified employee assistance professional, or certified addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance-related disorders.

**xvii) Under the Influence**

- For alcohol, legal concentration is the State legal limit (0.08%).
- For controlled substances, a positive confirmation test result for that specific drug.

***F. Testing Methods***

- Alcohol screening tests will use breath or saliva samples only.
- Alcohol confirmation tests will use breath samples confirmation.
- Controlled substances screening tests will use urine samples only.
- Controlled substance confirmation tests will use urine samples only.
- Employees that fall under the direct guidelines of DOT/RESPA, split urine samples will be conducted with a Medical Review Officer for positive tests.

***G. Laboratory Selection and Test Equipment***

- Only Department of Human and Health Services' (DHHS) approved and certified laboratories will be utilized for all employee drug testing.
- Only Evidential Breath Test devices approved by the National Highway Traffic Safety Administration will be used in the breath alcohol confirmation test. However, for the Alcohol Screen Test, the saliva test procedure may be used.

***H. Types of Tests***

**i) Follow-Up Testing**

Following a determination made by a substance abuse professional (SAP) that a SAWPA employee is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the employee shall be subject to unannounced follow-up alcohol and/or controlled substance testing as directed by the SAP.

Notwithstanding the provisions above, for safety-sensitive employees, follow-up testing also shall be conducted while the employee is performing safety-sensitive functions, just before performing safety-sensitive functions, or just after performing safety-sensitive functions.

**ii) Post-Incident Testing**

As soon as practicable following an incident during employment hours involving a SAWPA safety sensitive employee, that employee shall be tested for alcohol and/or controlled substances:

- If the incident involved the loss of human life.



- If the employee receives a citation under State or local law for a moving traffic violation resulting from a traffic accident.
- If an involved party requires immediate medical assistance away from the scene of the incident or if any of the involved vehicles is towed from the scene of the incident.

If a post-incident alcohol test required by this Policy is not administered within two hours following the incident, the supervisor shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If an alcohol test required by this Section is not administered within eight hours following the incident, the supervisor shall cease attempts to administer an alcohol test and shall prepare and maintain the same record.

If a post-incident controlled substance test required by this Policy is not administered within 32 hours following the incident, the supervisor shall cease attempts to administer a controlled substance test, and prepare and maintain on file a record stating the reasons the test was not promptly administered.

An employee who is subject to post-incident testing shall remain readily available for such testing or may be deemed to have refused to submit to testing. Nothing in this Policy shall be construed to require the delay of necessary medical attention for injured people following an incident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

The results of a breath or urine test for the use of controlled substances conducted by the Federal, State or local officials having independent authority for the test shall be considered to meet the requirements of this Policy, provided such tests conform to applicable Federal, State or local requirements and the results of the tests are obtained by SAWPA.

### **iii) Pre-Employment Testing**

New applicants for safety-sensitive employment may be tested for alcohol and controlled substances, based upon the job duties, after a conditional job offer has been made, but before the offer is accepted. The results must be negative.

*Exception: If the supervisor confirms and obtains the results from the previous employer that the applicant has participated in another drug testing program within the past six months and the results were negative.*

Drug and alcohol testing shall be performed at Kaiser Permanente Occupational Medicine, 10800 Magnolia Avenue, Module 4J, Riverside, Ca. 92503, (951) 353-4322, or such other facility as SAWPA authorizes.

**iv) Promotion Testing**

All safety-sensitive employees may submit to a drug and alcohol tests after a promotion is offered, but before the promotion is accepted by the employee at the discretion of the General Manager. The results must be negative.

**v) Random Testing**

All SAWPA employees who perform safety-sensitive functions shall submit to random alcohol and controlled substance testing. The Program Administrator shall provide supervisors with names of the safety-sensitive employees selected to be tested, the date and time of the test, the type of test to be conducted, and the collection site location.

The safety-sensitive employees to be tested shall be randomly selected from the entire group of safety-sensitive employees. Each safety-sensitive employee will have an equal chance of being tested each time selections are made. The selected safety-sensitive employees will be directed to proceed immediately to the collection site for testing.

A safety-sensitive employee subject to random testing under this program shall only be tested while performing a safety-sensitive function, just before the performance of a safety-sensitive function, or just after the performance of a safety-sensitive function.

Up to fifty percent (50%) of safety-sensitive employees are required to be randomly tested annually.

**vi) Reasonable Suspicion Testing**

Any SAWPA employee shall submit to an alcohol and/or controlled substance test when there is reasonable suspicion to believe that the employee has violated the prohibitions of this policy.

Reasonable suspicion is based on a supervisor's direct observations concerning the appearance, behavior, speech, or body odors of the employee. These observations must be made before the employee is tested. Supervisors shall receive no less than two (2) hours of training in the detection of drugs and alcohol use.

Employees who refuse to submit to a test under reasonable suspicion observations will not be allowed to continue to work the rest of the day. Such employees shall be subject to disciplinary action.

Supervisors who make reasonable suspicion observations shall document their observations within twenty-four (24) hours.

Upon reasonable suspicion, and notification to the employee, an employee's locker, desk, briefcase, bags, and the employee's vehicle parked on SAWPA property are subject to search, and anything found therein shall be considered in the employee's possession and shall result in disciplinary action.

**vii) Return-to-Duty Testing**

Before a SAWPA employee who has engaged in conduct prohibited by this policy returns to duty, the employee must undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02% and/or a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substance use. Such testing also shall apply to any employee who is a Department of Transportation Class A or Class B driver, and is off work for more than 30 consecutive days.

***I. Prohibited Conduct***

Employees who violate this policy, or any of the following prohibitions, shall be subject to disciplinary action:

- Reporting for duty or remaining on duty while the employee is under the influence of alcohol and/or controlled substance.
- Supervisors who allow an employee to perform or continue to perform their duties with actual knowledge or reasonable suspicion that an employee is under the influence of alcohol and/or controlled substances.
- Failing to inform supervisors of any therapeutic or prescribed drug that may cause an effect on safety sensitive functions.
- Possession by employees of alcohol, drugs, or controlled substances not authorized by a physician for the employee's use while on duty and/or on SAWPA property and/or while on or in SAWPA-owned vehicles or equipment.
- Sale or furnishing of open containers of alcohol, or controlled substances while on duty and/or on SAWPA property, including SAWPA-owned vehicles and equipment.
- Refusing to submit to testing required under this Policy (except tests required for promotion) or to evaluation or to treatment.

***J. Referral, Evaluation and Rehabilitation Treatment***

- Employees who violate this policy may be referred to resources available for evaluation and treatment, but only one time every five years.
- Any costs not covered by the employer provided medical plan benefits for such evaluation and treatment shall be the responsibility of the employee.
- Return to work is not guaranteed after completion of treatment.

***K. Employee Confidentiality***

- Strict employee confidentiality is to be maintained. Employees may be verbally notified of the purpose for collecting urine or breath prior to its collection and use for a drug or alcohol test.
- Records of reports or test results will not be filed in the employee's personnel file but will be filed in a separate confidential medical folder that will be kept under the control of the General Manager.
- Test results only will be disclosed to the tested employee on a strictly "need-to-know" basis, and as allowed by law.

- Disclosures may be required by law to specific decision-makers in a lawsuit, grievance, or other proceedings initiated by or on behalf of an employee arising from a positive drug or alcohol test.
- Disclosure also may be made to inspectors representing Federal, State and local regulatory agencies in the course of their duties.

## 2. Disciplinary Action Policy

Employees are expected to observe certain standards of job performance and conduct. When job performance or conduct does not meet SAWPA standards, SAWPA may endeavor, at the General Manager's sole discretion, to provide employees with a reasonable opportunity to correct the deficiency regardless of at-will status. If, however, the employee fails to make the correction, he/she will be subject to discipline up to and including termination. Disciplinary actions taken by the General Manager are the final decision of SAWPA and are not subject to further administrative appeal, except that a termination decision may be appealed to the SAWPA Commission on the grounds that the action has a prohibited basis.

SAWPA's Disciplinary Action Policy is outlined in [Appendix 2](#).

## 3. Non-Disciplinary Conflict Resolution Policy

If an employee has a work-related problem that cannot be resolved by informal discussion between the employee and the supervisor, the following grievance procedure shall be followed. The grievance procedure must be initiated within five (5) working days after the cause of the grievance has occurred.

The grievance procedure shall apply for any good faith or reasonable complaint of an employee or group of employees involving the interpretation, application or enforcement of this Personnel Handbook. Complaints involving disciplinary actions, termination of temporary, part-time, contract employees, or interns are not subject to this section. This grievance procedure is intended to create a structured format for conflict resolution, but it does not alter the at-will employment status of any employee.

### A. Conflict Resolution Steps

#### i) Step 1: Immediate Supervisor

The employee shall formally submit a written grievance to their supervisor. The grievance must include a brief description of the problem, any supporting documentation and a suggested solution. The supervisor must answer the grievance in writing within five (5) working days.

#### ii) Step 2: Department Manager

If the grievance is not resolved in Step 1, the written grievance shall be forwarded to the Department Manager within five (5) working days of the immediate Supervisor's written decision. Within five (5) working days after receipt of the written grievance, the Department Manager will meet with the employee. Within five (5) working days of the meeting, the employee will receive a written decision regarding the grievance.

#### iii) Step 3: General Manager

If the grievance is not resolved in Step 2, the written grievance will be forwarded to the General Manager within five (5) working days of the Department Manager's written decision. Within five (5) working days after receipt of the written grievance, the General Manager will meet with the employee. Within five (5) working days after the meeting, the employee will receive a written decision. The decision of the General Manager is the final decision of SAWPA and is not subject to further administrative appeal.

#### **4. Confidentiality**

**Each employee is responsible for safeguarding the confidential information obtained during employment.**

In the course of your work, you may have access to confidential information regarding SAWPA, its suppliers, its customers, or perhaps even fellow employees. You have a responsibility to prevent revealing or divulging any such information unless it is necessary for you to do so in the performance of your duties. Access to confidential information should be on a "need-to-know" basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated and legal action may be taken by SAWPA.

#### **5. Media Contacts**

Employees may be approached for interviews or comments by the news media. Only the General Manager or authorized staff may comment to the media on events relevant to SAWPA.

#### **6. Employer Property**

Desks, computers, cell phones, and vehicles are SAWPA property and must be maintained according to SAWPA rules and regulations. They must be kept clean and are to be used only for work-related purposes. SAWPA reserves the right to inspect all Agency property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee's presence.

Prior authorization must be obtained before any Agency property may be removed from the premises.

For security reasons, employees should not leave personal belongings of value in the workplace. Personal items are subject to inspection and search, with or without notice, with or without the employee's prior consent.

Terminated employees should remove any personal items at the time they leave SAWPA. Personal items left in the workplace are subject to disposal if not claimed at the time of an employee's termination.

#### **7. Technology Use and Security**

SAWPA provides various Technology Resources to employees to assist them in performing their job duties. The purpose of these resources, including, but not limited to, electronic mail (email) and voicemail systems, and SAWPA's Internet access are to provide an efficient and effective means of internal and external communications. All employees shall comply with SAWPA's policy, as approved by

the General Manager, addressing access to and the disclosure of information from such electronic systems.

**It is important to understand that electronic communications are the property of SAWPA, are subject to complete access, search, monitor, inspection and review by SAWPA officials, may be accessed by a court of law, and are not subject to a right of privacy.**

### **A. Use**

All electronic communications using SAWPA equipment, including, but not limited to, voice-mail messages, email communications and internet usage, are subject to monitoring by SAWPA and thus a SAWPA employee shall not have any expectation of privacy with respect to such communications. SAWPA provides computers and Internet access (including e-mail) to its employees to assist and facilitate business communications and work-related research. These services are for legitimate business use only in the course of your assigned duties. All materials, information and software created, transmitted, downloaded or stored on SAWPA's computer system are the property of SAWPA and may be accessed only by authorized personnel. However, SAWPA e-mail addresses should not be used for online shopping or other personal transactions. A personal account, such as Gmail, should be used instead. Employees may use computers or access the Internet for reasonable non business use during meal time or other breaks, so long as all other provisions of these computer and network policies, are followed.

Non-exempt employees should not use or check office e-mail except during working hours, unless instructed to do so in a particular case by their supervisor, in which case they should record their time.

### **B. E-mail**

The following guidelines should be followed for e-mail messages, both within the office and over the Internet:

- (a) Never say anything in e mail that you would not (or should not) say to the person's face. Sometimes when we would be uncomfortable saying something in person, we are tempted to use the impersonal method of e mail. Don't yield to that temptation.
- (b) Do not assume your messages will be completely private. As a general rule, people can't read each other's e-mail. However, there are a number of ways someone could read e-mail intended for somebody else, or e-mail supposedly deleted. If a matter is sensitive, discuss it over the phone or in person, not by e mail. This is especially true of personnel matters.
- (c) Avoid disparaging remarks about others in the office. Especially avoid anything that might be perceived later as harassment or discrimination. Discrimination claims often involve e mail messages. Whatever inoffensive context there might have been for the message is lost when it is put before a jury.

- (d) If you do receive or become aware of an e mail message that you consider out of line, please bring it to the attention of the appropriate person immediately and it will be handled in accordance with SAWPA's harassment policy.
- (e) Be cognizant of the use of "reply all" to ensure you do not inadvertently reply to an unintended recipient.

### **C. Software**

Computers will include an up-to-date operating system, a browser, other supporting software, a basic Microsoft Office Suite, and other utilities as deemed appropriate by SAWPA's IT staff.

Any software additions to the computer system must be approved by SAWPA's IT Department.

### **D. Software Use**

SAWPA does not condone the illegal duplication of software. All software in use at SAWPA is officially licensed software. No software is to be installed or used that has not been duly paid for and licensed appropriately for the use to which it is being put. No employee may load any software of SAWPA's computers without prior written authorization of the General Manager.

### **E. Social Media**

Employees may participate in newsgroups or chats in the course of business when relevant to their duties, but they do so as individuals speaking only for themselves. Where an individual participant is identified as an employee of SAWPA, the employee must refrain from an unauthorized endorsement or appearance of endorsement by SAWPA of any commercial product or service.

Employees are reminded that chats and newsgroups are public forums where it is inappropriate to reveal confidential SAWPA information and any other material covered by existing SAWPA confidentiality policies and procedures. Employees releasing protected information via a newsgroup or chat – whether or not the release is inadvertent – will be subject to discipline.

Employees should always be fair to fellow employees and people who work for SAWPA. Also, employees should keep in mind that they are more likely to resolve work-related complaints by speaking directly with co-workers or by utilizing SAWPA procedures or resolving disputes and complaints.

### **F. Monitoring**

SAWPA reserves the right to monitor use of the e mail system or the Internet at any time. You should not consider your Internet usage or e-mail communications to be private. Personal passwords are not an assurance of confidentiality, and the Internet itself is not secure.

## **8. Dress and Appearance**

Initial impressions of an organization's professionalism and competence are frequently formed by customers and the public as a direct result of employee appearance and interaction. To this end all employees will present themselves during working hours, including while attending training during normal business hours, in a manner that reflects the standards of professionalism and personal

cleanliness as set forth in this policy. Attire should be neat, clean, and have a professional appearance. Employees should dress appropriately for the duties and schedule for the day. On Commission meeting days employees should dress more formally. This policy will not address all forms of “business casual”. However, if employees have questions, they should reach out to their supervisor for guidance.

It is important that employees use their best judgment in dressing appropriately. If in question, it may not be appropriate. It should not look like cocktail party or picnic attire. Employees who prefer to dress more formally should feel free to do so. Casual business wear encompasses casual clothing that is appropriate for a professional office environment. Employees are asked to consider each day’s activities when determining what to wear (e.g., meeting with customers, business meeting, etc.).

The General Manager may allow “Casual Day” dress on Fridays and special occasions. On Casual Day the dress restriction may be relaxed.

Every situation involving attire and appearance cannot be addressed in a policy; therefore, the following is not to be considered a complete list of acceptable or unacceptable attire or appearance.

A. Clothing

Clothing worn by employees must comply with the following:

1. Allow the employee to perform all duties within the job specification safely and without creating disruption or complaints by co-workers or supervisors.
2. Project a professional appearance, be appropriate to the position held, be clean, in good condition, free of stains, pressed and properly fitting shirt tails that are clearly designed to be worn tucked in. must be tucked in at all times, shirts with a straight across, finished hem may be worn untucked.

Business casual calls for employees **to exercise good judgment**. The following descriptions are not intended to be all-inclusive but rather to set general parameters for proper work attire. Clothing that has the SAWPA logo is encouraged.

Examples of Acceptable Clothing

Within the requirements established above, the following is considered acceptable clothing:

- Slacks/pants – Wool and cotton slacks, or solid colored dark jeans with no tears or holes, capri pants typically mid-calf length, are acceptable provided they are clean and wrinkle free.
- Shirts – Casual shirts with collars, polo shirts, sweaters, SAWPA approved logo attire, and turtlenecks are acceptable. Shirts made of cotton and blends are appropriate.
- Dresses/skirts – Casual dresses and skirts with modest hemlines are acceptable, but should be at a length at which you can sit comfortably in public (generally, this is no shorter than 4 inches above the knee). Dresses that are sleeveless but do not leave the shoulders bare are



acceptable. Mini-skirts and spaghetti strap dresses are considered inappropriate.

#### Examples of Unacceptable Clothing

The following types of attire are considered unacceptable at all times including Casual Fridays unless an exception is noted:

- Mini-skirts
- Clothing which is discolored, worn-out-ripped, frayed, or stained
- Bleached or faded jeans, or pants which are excessively worn or faded
- Crop tops, tank tops, tops which show midriffs, halter tops, muscle shirts, and spaghetti straps not covered by jacket/sweater
- Casual T-shirts, gym or workout attire, shorts, sweatpants, sweatshirts or running/jogging suits
- Leggings/spandex pants
- Clothing that reveals too much cleavage, back, chest, or under garments
- Overalls/coveralls
- Cargo pants
- Camouflage shirts and pants
- Any clothing that has words, terms, or pictures that may be offensive to others
- Sports team, university, and fashion brand names on clothing are generally unacceptable if the logo is large and dominates the article of clothing (may be worn on specified "Casual Days".)

#### B. Footwear and Accessories

Footwear is expected to be appropriate for professional attire. Shoes must be clean and in good condition.

1. Items such as loafers, boots, flats, leather or canvas casual shoes. Solid neutral color tennis shoes with moderate color are acceptable. Running shoes, basketball shoes, thong sandals without a back strap, and slippers are considered unacceptable.
2. Beach type or casual flip flops, Birkenstock-type sandals and Croc-type plastic shoes are unacceptable.
3. Bandanas, not covered by another type of acceptable hat, or any type of gang related apparel are prohibited.
4. Hats of any kind are not permitted indoors unless they are part of a SAWPA uniform or have the SAWPA logo.
5. Reasonable accommodation to meet individual employee health related needs will be reviewed on a case by case basis.

#### C. Tattoos and Jewelry

1. Tattoos must not be visible when wearing appropriate business attire. The General Manager may grant exceptions on a case-by-case basis.

2. All jewelry worn by employees must be appropriate and not detract from a professional appearance. Visible piercings other than in the ear are prohibited. Exceptions may be authorized for extremely small, single nose studs.

D. Hair and Personal Hygiene

1. Hair styles should be appropriate. Hair must be safely restrained when working conditions require, e.g., wearing hard hats, working around machinery with moving parts, etc. Hair coloring should be within the range of natural hair colors, modest color varying from natural are acceptable as long as they are not distracting and do not reflect as non-professional. Nothing herein shall be interpreted to preclude protective hairstyles, including, but not limited to, such hairstyles as braids, locks and twists.
2. Beard, sideburns, and mustaches must be clean and neatly groomed.
3. Personal hygiene is essential. All employees must maintain a clean, presentable appearance.
4. Strong odors caused by colognes or perfumes, scented hair sprays, and aftershave lotion can be offensive and/or cause allergic reactions for some therefore must be used in moderation.

E. Exceptions

Department Heads can make exceptions to this policy on a temporary basis due to the nature of the work, special events and/or departmental moves or clean up.

This policy applies to all employees, regardless of classification or status. SAWPA may approve exceptions to this policy on a case by case basis where it conflicts with an employee's religious beliefs or medical condition as required by applicable law.

F. Responsibilities

Each new employee will receive a copy of this policy during orientation and will be expected to be in compliance from their hire date.

Supervisors and managers are responsible for explaining and enforcing this Dress and Appearance Policy, and will counsel anyone whose attire and/or personal appearance is not consistent with this policy. Violators may be requested to return home, on their own time, to change into appropriate attire, not subject to an unexcused absence. Repeat violations will be addressed pursuant to the Agency's Disciplinary Policy contained in the Employee Handbook.

## 9. Other Employment

Employees who wish to engage in additional employment must submit a written request to SAWPA explaining the details of the additional employment. If the additional employment is authorized, SAWPA assumes no responsibility for it. SAWPA shall not provide workers' compensation coverage or any other benefit for injuries occurring from or arising out of additional employment. Authorization to engage in additional employment can be revoked at any time.

## 10. Working Off-Site

SAWPA recognizes that in some circumstances it is in the best interest of both the employee and SAWPA to work off-site. For exempt employees only, SAWPA has established a policy for working off-site. The terms and conditions for working off-site are as established from time to time by management and incorporated herein by reference.

## 11. Conflicts of Interest

All employees must avoid situations involving actual or potential conflicts of interest.

## 12. Prohibited Conduct

The following conduct is prohibited and will not be tolerated by SAWPA. This list of prohibited conduct is illustrative only; other types of conduct that threaten or diminish security, personal safety, employee welfare, and Agency operations also are prohibited. (Additional illustrations are provided in [Appendix 2.](#))

- Falsifying employment records, employment information, or other SAWPA records.
- Theft and deliberate or careless damage or destruction of any SAWPA property, or the property of any employee or customer.
- Removing or borrowing SAWPA property without prior authorization.
- Unauthorized use of SAWPA equipment, time, materials, or facilities.
- Provoking a fight or fighting during working hours or on SAWPA property.
- Carrying firearms or any other dangerous weapons on SAWPA premises at any time.
- Engaging in criminal conduct, whether or not related to job performance.
- Causing, creating, or participating in a disruption of any kind during working hours on SAWPA property.
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management.
- Using abusive language at any time on SAWPA premises.
- Failing to notify a supervisor when unable to report to work.
- Unreported absence of three consecutive workdays.
- Failing to obtain permission to leave work for any reason during normal working hours.
- Failing to provide a physician's certificate when requested or required to do so.

- Sleeping or malingering on the job.
- Wearing disturbing, unprofessional, or inappropriate styles of dress or hair while working.
- Violating any safety, health, security, or SAWPA policy, rule, or procedure.
- Committing a fraudulent act or a breach of trust under any circumstances.
- Committing of or involvement in any act of unlawful harassment of another individual.
- Failing to promptly report work-related injury or illness.
- Discourteous treatment of employees or others.
- Consuming alcohol or illicit drugs while at work, or reporting to work in an impaired state due to the effects of drugs or alcohol consumed off-site.
- Reporting to work impaired or unable to perform duties due to excessive fatigue or any other reason.
- Operating SAWPA vehicles, or personal vehicles while conducting SAWPA business, in violation of state law, including the use of cellular phones without “hands free” capability.

This statement of prohibited conduct does not alter SAWPA's policy of at-will employment. Either you or SAWPA remain free to terminate the employment relationship at any time, with or without reason or advance notice.

## **VIII. HARRASSMENT AND DISCRIMINATION; WORKPLACE VIOLENCE**

### **1. Harassment Policy**

#### **DISCRIMINATORY WORKPLACE HARASSMENT POLICY AND COMPLAINT PROCEDURE**

##### ***A. Purpose***

The purpose of this Policy is to clearly establish SAWPA’s commitment to provide a work environment free from harassment, to define discriminatory harassment, and to set forth the procedure for investigating and resolving internal complaints of harassment. Because of the tremendous importance of a workplace free from any form of harassment, all supervisory employees of SAWPA shall receive training regarding this policy at least once every two years. Additionally, each supervisor or manager shall review this policy with his or her personnel regularly during each employee’s annual performance evaluation. Specifically, this policy shall be fully discussed with each employee, supervisor, and manager to ensure that its contents are known by the employee.

All jobs with SAWPA are extremely important to our community. It is critical that all employees treat all other employees with dignity and respect. Because of the unique circumstances present in many SAWPA jobs, it is the responsibility of each and every employee, supervisor and manager to make sure that there is no inappropriate behavior occurring in the workplace. Inappropriate behavior will not be tolerated.

This Policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, reinstatement, transfer, leave of absence, compensation, and training.

## ***B. Policy***

Harassment of an applicant, client, contractor, business invitee, customer, supervisor, manager, or employee by a supervisor, management employee, co-worker, or others on the basis of race, religious background, color, national origin, ancestry, disability, medical condition (including cancer), marital status, veteran status, political affiliation, workers' compensation record, pregnancy, sexual orientation, gender, gender identity, age (40+), or any other basis protected by federal, state or local law, ordinance or regulation is explicitly in violation of State and/or Federal law and will not be tolerated by SAWPA.

Employees, supervisors or managers found to be participating in any form of job-based harassment or retaliation against any other employee shall be subject to disciplinary action up to and including termination from employment.

## ***C. Responsibilities***

### **i) Management**

It is the responsibility of management to develop this policy, keep it up to date, and to ensure that any violation of this policy brought to their attention is dealt with fairly, quickly, and impartially. All managers also have the responsibility of setting the proper example.

### **ii) Supervision**

It is the responsibility of supervision to enforce the policy, to make a periodic review with each employee to ensure they know the policy and to regularly check the workplace and environs to ensure the policy is being followed. When a deviation from this policy is noted or reported, supervisors shall bring this information to management immediately. All supervisors also have the responsibility of setting the proper example.

### **iii) Workers**

It is the responsibility of each and every employee to know the policy and to follow the policy. It is imperative that every employee treats every other employee with dignity and respect.

## ***D. Definitions***

For purposes of clarification, harassment includes, but is not limited to, the following behaviors:

### **i) Physical harassment**

Physical harassment includes: assault, impeding or blocking movement, leering, or the physical interference with normal work, privacy, or movement. These include pinching, patting, grabbing, inappropriate behavior in or near bathrooms, rest/sleeping facilities and eating areas, or making explicit or implied threats or promises in return for submission to physical acts.

### **ii) Sexual harassment**

Sexual harassment includes any act which is sexual in nature and is made explicitly or implicitly a term or condition of employment, is used as the basis of an employment

decision, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment.

**iii) Verbal harassment**

Verbal harassment includes: epithets, derogatory comments, slurs, propositioning, or otherwise offensive words or comments whether made in general, directed to an individual, or to a group of people regardless of whether or not the behavior was intended to harass. This includes but is not limited to inappropriate sexually oriented comments on appearance, including dress or physical features, sexual rumors, code words, and race oriented stories.

**iv) Visual or written forms of harassment**

Visual or written forms of harassment include: derogatory, prejudicial, stereotypical or otherwise offensive posters, photographs, cartoons, notes, cards, E-mails, texts, bulletins, drawings or pictures. This applies to both posted material and material maintained in or on SAWPA equipment or personal property in the workplace.

**v) Workplace Bullying**

Bullying is defined as repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Examples of bullying include:

- Exclusion – socially or physically excluding or disregarding a person in work-related activities.
- Gesture bullying – non-verbal threatening gestures or glances which can convey threatening messages.
- Physical bullying – pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, and/or damage to a person's work area or property.
- Verbal bullying – slandering or ridiculing a person or his/her family, persistent name calling which is hurtful, insulting or humiliating, using a person as a butt of jokes, and abusive and offensive remarks.

Additionally, the following are some examples that may constitute or contribute to evidence of bullying in the workplace:

- Shouting or raising voice at an individual in public and/or private.
- Not allowing the person to speak or express him/herself (i.e., ignoring or interrupting).
- Public humiliation in any form.
- Constant criticism on matters unrelated or minimally related to the person's job performance or description.
- Public reprimands.
- Repeatedly accusing someone of errors which cannot be confirmed.

- Deliberately interfering with mail and other communications.
- Spreading rumors and gossip regarding individuals.
- Manipulating the ability of someone to do their work (e.g., overloading, underloading, withholding information, setting meaningless tasks, setting deadlines that cannot be met, deliberately giving ambiguous instructions, etc.).
- Inflicting menial tasks not in keeping with the normal responsibilities of the job.
- Taking credit for another person's idea.
- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.

### ***E. Workplace Relationships***

It is natural for people who meet in the workplace to sometimes become romantically involved, and it is not SAWPA's intent to interfere with any dating relationship. Any involvement between employees must be voluntary and desired by both parties. However, many problems have developed in employment settings because of dating relationships, and they can interfere with SAWPA's goal to have a sound professional work environment. It is not inappropriate for a person to ask out a co-worker. However, if you do not want to go out with another employee, it is imperative that your response to the request is firm and definite. After this firm, definite response has been made, it is inappropriate for the requesting party to make any further attempt to initiate a dating relationship. Repeated requests under these circumstances for a dating relationship constitute Sexual Harassment. It also is inappropriate for any relationship to interfere with normal work operations in any manner. Personnel who desire to become involved with someone in the workplace must be aware of the following guidelines.

- There shall be no dating activities on SAWPA time or SAWPA property.
- There shall be no use of SAWPA property to arrange dating activities.
- All behavior between employees shall be conducive to a sound professional work environment at all times when on SAWPA property or on SAWPA time. Hand holding, kissing, hugging, sexual comments and other behavior generally associated with a dating relationship are inappropriate while on SAWPA time or SAWPA property.
- Any relationship involving employees at different levels on the chain of command (or where one party has functional supervision over another) shall be reported by the person of higher rank to their supervisor immediately. Failure to report this relationship is a violation of this policy. The manager receiving this information shall immediately contact Human Resources and inform them of the relationship. Human Resources shall contact the General Manager and make recommendations to ensure that this relationship will not detract from a sound professional work environment. Such recommendations may include the transfer of the higher-ranking person to another unit if feasible.

### ***F. Complaint Procedure***

#### **i) Confrontation**

If any person feels they are the victim of any form of harassment, they are encouraged to inform the person(s) participating in this behavior that he/she finds it offensive. This one-on-one confrontation has been demonstrated to be an effective way to end

harassing behaviors. If the inappropriate behaviors do not stop, the offended employee can initiate either an informal or formal complaint as described below. Because confrontation is difficult for some people and because of the complex nature of harassment, employees are not required to confront an offending party prior to initiating this complaint procedure.

**ii) Informal Complaint**

Any employee, client, contractor, customer or job applicant who believes he or she is a victim of discriminatory workplace harassment should make a complaint orally or in writing with any of the following:

- Immediate supervisor.
- Any supervisor or manager within or outside of their unit.
- General Manager.

Any supervisor or manager who observes inappropriate behavior or receives a harassment complaint shall notify the General Manager immediately. (If the complaint is against the General Manager, the Chair of the Commission shall receive the complaint and assume the role of the General Manager throughout this policy).

An informal resolution will be attempted whenever appropriate. If the informal resolution process is unsuccessful, the complainant may direct a formal complaint to the General Manager.

**iii) Formal Complaint**

If after an initial investigation is conducted there is no resolution and/or no conciliation of the preliminary complaint, a formal written complaint can be filed by the complainant. The General Manager will issue a Discriminatory Workplace Harassment Form to the complainant. This form shall be completed, signed, and returned to the General Manager within five (5) days after issuance.

Upon receipt of the formal written complaint, the General Manager will contact the alleged harasser(s) who will be informed of the basis of the complaint, will be given a copy of Form, and will be provided an opportunity to respond. The response shall be in writing, addressed to the General Manager, and received by the General Manager within ten (10) calendar days after being notified of the complaint. Concurrently, a formal investigation of the complaint may be commenced.

**iv) Review of Response and Findings**

Upon receipt of the response, the General Manager may further investigate the formal complaint. Such investigation may include interviews with the complainant, the accused harasser(s), and any other persons determined by the General Manager to possibly have relevant knowledge concerning the complaint. This may include victims of similar conduct.

Factual information gathered through the investigation will be reviewed to determine whether the alleged conduct constitutes harassment, giving consideration to all factual



information, the totality of the circumstances including the nature of the verbal, physical, visual, or sexual conduct and the context in which the alleged incident(s) occurred.

The results of the investigation and the determination as to whether harassment occurred shall be final and binding and will be reported to appropriate persons including the complainant, the alleged harasser(s), the supervisor, and the division head within twenty (20) calendar days from the receipt of the response.

### ***G. Disciplinary Action***

If harassment is determined to have occurred, the General Manager shall take prompt and effective remedial action against the harasser. The action will be commensurate with the severity of the offense, up to and including termination from employment. If discipline is imposed, the nature and extent of the discipline will not be divulged to the complainant.

### ***H. Retaliation***

Retaliation in any manner against a person for filing a harassment charge or initiating a harassment complaint, testifying in an investigation, providing information or assisting in an investigation, is expressly prohibited and subject to disciplinary action up to and including termination. The General Manager will take reasonable steps to protect the victim(s) and other potential victims from further harassment, and to protect the victim(s) from any retaliation as a result of communicating the complaint. Employees also are protected by California law against retaliation for opposing harassment, or filing a complaint with, or otherwise participating in an investigation, proceeding or hearing conducted by the Department of Fair Employment and Housing or the Fair Employment and Housing Commission.

### ***I. Confidentiality***

Confidentiality will be maintained to the fullest extent possible in accordance with applicable Federal, State and local law.

### ***J. False Complaints***

Knowingly, falsely accusing someone of harassment or otherwise knowingly giving false or misleading information in an investigation of harassment will result in disciplinary action, up to and including, termination of employment. This section is not intended to discourage employees from making complaints regarding job-based harassment. However, false complaints adversely impact the workplace and the career of the accused, even when disproved, and will not be tolerated.

### ***K. Limitations***

The use of this procedure is limited to complaints related to discriminatory workplace harassment on the basis of race, religious background, color, national origin, ancestry, disability, medical condition (including cancer), marital status, veteran status, political affiliation, workers' compensation record, pregnancy, sexual orientation, gender, gender identity or age (40+). All other complaints shall be handled through the Employee Grievance Procedure as established in this Handbook (see Non-Disciplinary Conflict Resolution section on page 40).

## ***L. Distribution***

This policy shall be disseminated to all employees, supervisors and managers of SAWPA. Any questions, concerns or comments related to this policy should be directed to the General Manager.

Harassment or discrimination on the basis of race, religious belief, color, national origin, ancestry, medical condition, marital status, sex, age, disability, gender identity, sexual orientation, or bringing forward a complaint based on any of these categories is against SAWPA's standards of conduct, is prohibited by State and Federal regulations and constitutes a violation of SAWPA policy for any employee, including officials, managers and supervisors. SAWPA will not tolerate any such harassment or discrimination of its employees, and will take corrective action when this policy is violated.

## ***M. External Reporting Procedure***

- Any employee who believes that he or she has been the victim of sexual or other prohibited harassment by coworkers, supervisors, clients or customers, visitors, vendors or others may file a complaint with the California Department of Fair Employment & Housing or the Fair Employment and Housing Commission ("DFEH"). The phone number for DFEH is located in the phone book under government agencies. DFEH also maintains a website.
- Charges filed with the DFEH are investigated by the DFEH.
- In the event a complaint is filed with the DFEH, and the DFEH finds that the complaint has merit, the DFEH will attempt to negotiate a settlement between the parties. If not settled, DFEH may issue a determination on the merits of the case.
- Where a case is not settled and the DFEH finds a violation to exist, it can prosecute the charging party's case before the Fair Employment & Housing Commission ("FEHC"). Legal remedies available through DFEH and FEHC for a successful claim by an applicant, employee or former employee include possible reinstatement to a former job, award of a job applied for, back pay, front pay, attorneys' fees and, under appropriate circumstances, actual damages and/or administrative fines. In the alternative, DFEH may grant the employee permission to withdraw the case and pursue a private lawsuit seeking similar remedies.

## **2. Workplace Violence**

SAWPA has adopted the following workplace violence policy to ensure a safe working environment for all employees.

SAWPA has zero tolerance for acts of violence and threats of violence. Without exception, acts and threats of violence are not permitted. All such acts and threats, even those made in apparent jest, will be taken seriously, and will lead to discipline up to and including termination.

Possession of non-work related weapons on SAWPA premises and at SAWPA-sponsored events shall constitute a threat of violence.

It is every employee's responsibility to assist in establishing and maintaining a violence-free work

environment. Therefore, each employee is expected and encouraged to report any incident which may be threatening to you or your co-workers or any event that you reasonably believe is threatening or violent. You may report an incident to any supervisor or manager.

A threat includes, but is not limited to, any indication of intent to harm a person or damage SAWPA property. Threats may be direct or indirect, and they may be communicated verbally or nonverbally.

SAWPA's workplace violence program is described in detail in the Illness and Injury Prevention Program (IIPP).

## **IX. SAFETY**

### **1. Safety Plan**

SAWPA employees are sometimes required to visit construction project areas, perform work in laboratories; perform operations, maintenance, and repair activities on the Brine Line; or work in other hazardous or potentially hazardous areas. Those participating in such assignments shall wear appropriate protective clothing and equipment as a precaution against injury. Such protective equipment may be obtained from the appropriate supervisor.

SAWPA maintains an Injury and Illness Prevention and Safety Plan (Safety Plan) containing detailed safety regulations applicable to all employees working in the following areas:

- Office Environment
- Construction Management
- Field Reconnaissance
- Operations and Maintenance of the Brine Line

Copies of the Safety Plan are made available to all employees and generally are reviewed at staff meetings annually.

The full and complete cooperation of all employees in preventing accidents is required. Compliance and observance of safety rules is mandatory. SAWPA management always welcomes suggestions for improvement of working conditions and the elimination of hazards.

Personnel visiting, inspecting, or working on a construction job site, performing O&M of the Brine Line, or performing field reconnaissance, must comply with the Federal and State Occupational Safety Health Act (OSHA), as well as owner's and construction contractor's regulations, and must use protective clothing and/or equipment provided by SAWPA. Employees are responsible to comply with OSHA regulations and must use safety equipment supplied, such as hard hats, safety shoes, etc.

All "on-the-job" injuries, no matter how slight, MUST be reported immediately to the employee's supervisor, who then promptly files a written report with Human Resources. SAWPA maintains Workers' Compensation insurance, which has provision for payment of medical expenses and other expenses resulting from "on-the-job" injuries (see Workers Compensation section).

## **2. Workers' Compensation**

Whenever an employee sustains an injury or disability arising out of and in the course of SAWPA's employment and requires medical care, the employee shall obtain treatment according to the provisions of the California Labor Code, Section 4600 et seq., and shall receive compensation for hours not worked while obtaining such medical care. For more information, see SAWPA's Injury and Illness Prevention and Safety Plan.

In order to minimize serious disability due to on-the-job injuries and to reduce the effect to SAWPA's injured employees, SAWPA has developed a policy to deal with time loss claims in which the employee may be offered temporary modified work. Modified jobs may be offered after obtaining from a qualified treating physician the injured employee's physical limitations or restrictions. "Modified" might be the employee's regular job, modified by heavier tasks being assigned to other employees; a different regular job currently existing at the workplace; or a job, which is specifically designed around the employee's restrictions.

The modified job, if offered, is a temporary adjustment, and will be limited to 120 calendar days. Each case will be assessed individually, and the modified job may be extended an additional 90 calendar days at the General Manager's discretion. Modified work may not be offered in every instance. Whenever an employee is compelled by a physician to be absent from duty on account of injury or disability, such employee shall be placed on Workers' Compensation Leave. The employee shall receive full compensation for the first three (3) days following the day of the injury. Thereafter, the employee may elect to apply to such absence pro-rated sick leave or vacation if sick leave is exhausted, to receive compensation in an amount equal to the difference between the compensation entitled under the Workers' Compensation Act and the regular pay, not to exceed the amount of accrued leave. An employee who is receiving Workers' Compensation shall continue to accrue sick leave and vacation.

Workers' Compensation benefits begin with the fourth consecutive calendar day of missed work; however, if the absence continues beyond fourteen (14) days, Workers' Compensation will then pay the applicable benefits for the first three (3) days of missed work. When this occurs, the employee will be docked for the first three (3) days that SAWPA previously paid him/her in an amount equal to the Workers' Compensation benefits received.

Employees and supervisors are required to complete the prescribed forms whenever an employee is injured and/or placed on Workers' Compensation Leave. All forms are defined in the Workers' Compensation Industrial Accident Procedure.

### **A. Return to Work (RTW) Policy**

An employee who has been absent from work due to an injury, illness, or disability is subject to a Return to Work (RTW) medical evaluation by a SAWPA appointed physician when SAWPA has a genuine reason to doubt whether the employee can perform his or her essential job functions. RTW medical evaluations are conducted to determine whether an employee has a medical condition that impacts the employee's ability to perform on the job without any substantial risk of injury to the employee or others.

The degree of complexity of the RTW medical evaluation may differ depending upon the circumstances of the leave, changes in job demands and/or inquiries with or between

appropriate management staff and/or the employee's physician. Full consideration will be given by SAWPA to reasonably accommodate the employee.

### ***B. Return to Work from Industrial Injury or Illness***

The decision to return an employee to work or place an employee back on the job with or without modified work, shall be made by the General Manager, independent of any decision made in the workers' compensation process. However, full consideration will be given by SAWPA to reasonably accommodate the employee and the following guidelines will be followed:

- If the employee can perform all essential duties of their job classification without work restrictions and the absence has not been longer than 30 calendar days, the employee shall be returned to work.
- If the employee can perform all essential duties of their job classification, but with temporary work restrictions or there has been an absence of 30 calendar days or more, a review of such work restrictions and their impact on the employee's ability to perform the essential duties of their position will be conducted. An employee will be returned to work if the work restrictions are compatible with all essential duties of the job or modified job, if available.
- If it is determined that the essential duties of the position last held by the employee are not compatible with the employee's work restrictions and the employee is willing to return to work, placement in an alternative position, if available, will be considered. If no job is available, the employee shall be re-classified as "medically disqualified" and placed on Health Leave while alternative positions are being considered. Health Leave shall be without pay; however, the employee may elect to use accrued leave hours, such as vacation or sick leave to receive compensation. Placement of an employee in an alternative position will not be authorized without approval of the General Manager and the employee's primary treating physician.
- If, following an interactive process meeting, it is determined that the job demands of the position last held by the employee are not compatible with the employee's restrictions and there is not an alternative position, or the employee's restrictions are not compatible with an alternative position, or the employee is not willing to return to work, the employee shall be re-classified as "medically disqualified" and placed on Health Leave. Thereafter, once the employee's primary treating physician determines that all work related injuries or illnesses are permanent and stationary, and if the employee still cannot return to work or be reasonably accommodated in their current position or another position, the employee shall be retired for disability or be terminated from employment due to medical disqualification. Before terminating employment, SAWPA will meet its legal obligations to apply for CalPERS disability retirement on behalf of the employee and hold any requested interactive meeting with employees and their representatives to determine if there are any reasonable accommodations SAWPA may provide that would enable employees to perform the essential duties of their positions.

### ***C. Return to Work From Non-Industrial Injury or Illness***

An employee who has been absent from work due to an injury, illness, or disability is subject to a RTW medical evaluation by a SAWPA appointed physician when SAWPA has a genuine reason

to doubt whether the employee can perform his or her essential job functions. Based on the findings of the RTW medical evaluation the following guidelines shall be followed:

- If the employee can perform all essential duties of their job classification but with temporary work restrictions, a review of such work restrictions and their impact on the employee's ability to perform the essential duties of their position will be conducted. An employee will be returned to work if the work restrictions are compatible with all essential duties of the job or modified job, if available.
- If, following an interactive process meeting, it is determined that the essential duties of the position last held by the employee are not compatible with the employee's work restrictions and the employee is willing to return to work, placement in an alternative position, if available, will be considered. If no job is available, the employee shall be reclassified as "medically disqualified" and placed on Health Leave while alternative positions are being considered. Health Leave shall be without pay; however, the employee may elect to use accrued leave hours, such as vacation and sick leave to receive compensation. Placement of an employee in an alternative position will not be authorized without approval of the General Manager and the employee's primary treating physician.
- If it is determined that the job demands of the position last held by the employee are not compatible with the employee's restrictions and there is not an alternative position, or the employee's restrictions are not compatible with an alternative position, or the employee is not willing to return to work, the employee shall be reclassified as "medically disqualified" and is subject to termination from employment due to medical disqualification. Before terminating employment, SAWPA will meet its legal obligations to apply for CalPERS disability retirement on behalf of the employee and hold an interactive process meeting with employees and their representatives to determine if there are any reasonable accommodations SAWPA may provide that would enable employees to perform the essential duties of their positions.

**i) Non-Work Related Health Leave**

When an employee becomes disabled as a result of a non-work related injury or illness, including childbirth or related medical conditions, they shall be placed on a Health Leave. Before being placed on Health Leave, however, an employee may choose to use their vacation pay, floating holiday and sick leave, so that SAWPA's portion of medical, life insurance, and other SAWPA provided benefits will continue to be paid until the employee begins to receive long-term disability insurance benefits. While on Health Leave, an employee shall not earn sick leave or vacation, or be entitled to pay for holidays and SAWPA granted days off, but will have the right to continue with other SAWPA benefits, such as medical insurance, life insurance, etc., at the employee's expense. Contributions to CalPERS will cease until the employee is back on SAWPA's payroll.

At the conclusion of Health Leave, which has not exceeded six (6) months duration, the employee shall return to the duties of the position within the classification to which they were assigned providing their attending physician verifies they are fully able to resume all the responsibilities and duties of their positions and such positions exist. If, at the conclusion of six (6) months from the first day of injury or illness, the employee is

still unable to resume the duties of their positions, SAWPA may consider their positions vacated and take the necessary steps to fill them. When and if such employee on Health Leave is able to resume the duties of their positions, as verified by their attending physician's certifications, they will be considered for the first vacancy in the classification of their previous assignments or for any positions for which they are qualified. Their reassignment to duty will take preference over all other applicants for employment for the position for which they are qualified except those laid off for lack of work or funds or those seeking to return from a Work-Related Disability Leave. Before terminating employment, SAWPA will meet its legal obligations to apply for Cal-PERS disability retirement on behalf of the employee and hold any requested interactive meeting with employees and their representatives to determine if there are any reasonable accommodations SAWPA may provide that would enable employees to perform the essential duties of their positions.

### **3. Heat Illness**

SAWPA is concerned with employee health and safety. Employees who work outside may be exposed to extreme temperatures or adverse working conditions, particularly in the summer months. All supervisors are trained in the prevention of heat illness. Please refer to the Injury Illness and Prevention Program or talk to your supervisor for details on how to ensure you are protected from heat illness dangers.

### **4. Ergonomics**

SAWPA is subject to Cal/OSHA ergonomics standards for minimizing workplace repetitive motion injuries. SAWPA will make necessary adjustments to reduce exposure to ergonomic hazards through modifications to equipment and processes and employee training. SAWPA encourages safe and proper work procedures and requires all employees to follow safety instructions and guidelines.

SAWPA believes that reduction of ergonomic risk is instrumental in maintaining an environment of personal safety and well-being, and is essential to our business. We intend to provide appropriate resources to create a risk-free environment.

### **5. Recreational Activities and Programs**

SAWPA or its insurer will not be liable for payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

### **6. Security**

SAWPA has developed guidelines to help maintain a secure workplace.

- Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas.
- Report any suspicious persons or activities to security personnel.
- Secure your desk or office at the end of the day.

- When called away from your work area for an extended length of time, do not leave valuable and/or personal articles in or around your workstation that may be accessible.

The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify your supervisor when unknown persons are acting in a suspicious manner in or around the facilities or when keys are missing.

SAWPA's workplace security program is described in detail in the Illness and Injury Prevention Program (IIPP).

## **7. Driving**

SAWPA staff shall use the mode of transportation that provides the highest value to the Agency. Cost, availability, and other factors shall be reviewed when deciding on public transportation, rental car, SAWPA owned/leased vehicle, or privately owned vehicle (paid as mileage).

### ***A. Use of Agency Vehicles***

SAWPA owned, leased, or rented vehicles will be used only for Agency business and shall not be issued to an individual for personal use. Employees who are required to drive an Agency vehicle or their own vehicles on SAWPA business will be required to show proof of current valid driver's license and current effective insurance coverage.

SAWPA may request that an individual use a SAWPA vehicle on-call, for emergency response, or for employee use such as driving the vehicle home for an early morning departure or other use that may involve having the vehicle at an employee's home. If this is done, all miles driven for commuting or incidental personal use will be reported to the Finance Department on a weekly basis. Miles driven for incidental personal use or commuting must be reported to the IRS as income.

Notwithstanding the previous statement, use of a rental car on travel for incidental personal use will not be added or prohibited unless it increases the cost of the rental. The increase will then be accounted for by the employee. Additionally, fuel costs shall not be reported separately unless significant. SAWPA insurance may not cover any damage or liability during the personal use of the vehicle and employees should check with their insurance for coverage or consider personally paying for the Damage or Liability Waiver.

Vehicle maintenance is the responsibility of all users of the vehicle and any needs or requirements shall be reported to the Executive Manager of Engineering and Operations. The vehicle should always be left with fuel and in proper operating condition.

If the vehicle is used for a specific project, the mileage should be charged to the project, program or fund.

Absent an emergency or without specific written authorization, only SAWPA employees shall operate vehicles owned, leased, or rented by SAWPA.



### ***B. Use of Personal Vehicles***

Employees who drive their own vehicles on SAWPA business will be reimbursed for mileage at the rate set by the IRS at the beginning of every calendar year. An Expense Report must be completed and submitted for approval to the supervisor and General Manager prior to reimbursement.

## **8. Cell Phone Use While Driving**

SAWPA employees are prohibited from using cell phones while driving on SAWPA business and/or SAWPA time, unless you use a hands-free device.

Texting (i.e., writing, sending, or reading text-based communication including text messaging, instant messaging, and e-mail) on a wireless device or cell phone while driving is also prohibited by law.

## **9. Smoking and Vaping**

SAWPA is a smoke-free environment. No smoking or vaping is allowed on SAWPA premises or at SAWPA work sites.

## **10. Work Boot Reimbursement**

SAWPA employees that regularly work in the field, including operations and pretreatment staff, are eligible for reimbursement of expenses for the purchase of work boots, as set forth in [Appendix 3](#). Work boots shall meet the requirements of Program 20 - Personal Protective Equipment Program of the SAWPA Injury and Illness Prevention Plan.

Employees must submit a receipt along with a standard SAWPA Expense Form, which is subject to the approval of the General Manager.

# **X. EXPENSE REIMBURSEMENT**

## **1. Education Reimbursement**

### ***A. Eligibility for Education Reimbursement***

Full-time employees performing their job satisfactorily are eligible for reimbursement after completion of the six-month introductory period.

Eligible courses are those taken for credit and related to the work of the employee's position, occupation, or advancement within SAWPA. This includes prerequisites for work-related courses and those that are required to obtain a degree in a work-related field.

Eligible courses are those taken at an accredited institution. Correspondence courses from reputable institutions will be considered by the General Manager when equivalent courses are

not available at local accredited schools, or when the employee's circumstances prevent attendance at courses offered locally.

Courses shall be taken on the employee's time, unless special circumstances warrant otherwise, and prior arrangements have been made with their supervisor and approved by the General Manager.

### ***B. Education Reimbursement Conditions***

Expenses eligible for reimbursement are tuition, registration, parking, laboratory and material fees and books. Requests for reimbursement in excess of established calendar year limits must be approved by the General Manager and are subject to budgetary limitations. The annual cap for such reimbursement is set by the Commission.

The maximum amount of reimbursement for individual classes will be limited to the cost of tuition in the California State University system, or the actual cost of individual classes/certificate programs taken through the University of California Extension Program (when applicable). If an employee chooses to attend an accredited institution whose cost is higher than these programs, the employee must pay the difference between the two.

Reimbursement shall be made to the employee upon completion of the course with a minimum final grade of "C". For graduate work, a grade acceptable for credit from the institution must be earned.

Funds received from all other sources (such as scholarship grants or Veterans Educational Benefits) must be applied toward the cost of the course before SAWPA's reimbursement is applied.

### ***C. Education Reimbursement Procedure***

The employee shall complete the Tuition Reimbursement Form and submit it to the supervisor and the General Manager for approval prior to beginning the course. Upon satisfactory completion of a course, the employee shall submit a grade report along with receipts of eligible expenses itemized on an Expense Report for approval.

Upon supervisor approval, a reimbursement check will be drawn at the next scheduled check run.

### ***D. Licensing, Certification, or Professional Continuing Education***

Training and fees associated with licensing, certifications, accreditations that are required by the employee's job description, or mandatory professional continuing education to maintain such credentials, will be paid for by SAWPA. For training of this type for credentials that are not required, but that are job related, SAWPA may cover all or part of the expense, in the discretion of the General Manager. The employee should coordinate with his or her supervisor regarding direct agency payment the reimbursement method to be used.

## **2. Travel and Other Expenses**

SAWPA has established a Travel and Expense Policy for reimbursement of expenses incurred by employees while working to further the accomplishments of SAWPA goals and objectives. The terms and conditions for that policy are established from time to time by management and incorporated herein by reference.

## **3. Credit Card Policy**

SAWPA has established a Credit Card Policy for those employees that are issued credit cards that are to be used when performing duties on behalf of SAWPA. The terms and conditions for that policy are established from time to time by management and incorporated herein by reference.

# **XI. LEAVING SAWPA**

## **1. Voluntary Resignation**

Voluntary resignation results when an employee voluntarily quits employment at SAWPA.

The effective date of an employee's resignation is the day following the final day worked. Benefits continue through the last day of the month of the final day worked. Employees who are resigning from SAWPA and who desire to leave in good standing shall give at least two weeks' written notice, which the supervisor shall submit to the General Manager.

All SAWPA property must be returned on the final day of employment.

Final paychecks will be issued within 72 hours of the last day worked.

## **2. Layoff**

A layoff is a temporary or permanent termination of employment initiated by SAWPA due to lack of work, position or job elimination, or budgetary reasons. In case of layoff, an employee with one or more years of service with SAWPA shall receive as much notice as possible, and SAWPA will use its best efforts to provide at least 15 calendar days' notice.

When an employee is given a notice of layoff, it is expected that the employee will actually be on the job and available for assignment through the last day for which he or she receives regular pay. At the discretion and approval of the General Manager, the employee may be permitted a limited amount of paid or unpaid time off for job interviews.

All SAWPA property must be returned on the final day of employment.

Final paychecks will be issued on the last day worked.

### **3. Job Abandonment**

Employees who fail to report to work or contact their supervisor for three (3) consecutive workdays shall be considered to have abandoned their job without notice, effective at the end of their normal shift on the third day. The supervisor shall notify the Human Resources Department at the end of the third workday and initiate the paperwork to terminate the employee.

Employees who are terminated due to job abandonment are ineligible for rehire. However, an appeal may be made in writing to the immediate supervisor. If it is determined that there were extenuating circumstances for the absence and failure to notify, the employee may be reinstated.

A final paycheck will be prepared within 72 hours of termination and will be held at SAWPA unless a written request to mail the paycheck along with a current address is provided.

The effective date of an employee's termination is the day following the third day missed. Benefits continue through the last day of the month of the final day worked.

All SAWPA property must be returned on the final day of employment.

### **4. Involuntary Termination**

Involuntary termination results when an employee violates SAWPA policies and rules, which may warrant disciplinary action (outlined in [Appendix 2](#)).

The effective date of an employee's termination is the day following the final day worked. Benefits continue through the last day of the month of the final day worked.

All SAWPA property must be returned on the final day of employment.

Final paychecks will be issued on the last day worked.

### **5. Retirement**

Employees who wish to retire should notify their supervisor as well as Human Resources in writing at least three (3) months before the planned retirement date.

All SAWPA property must be returned on the final day of employment.

Employees hired before July 1, 2005, are eligible for retiree medical benefits. Please see the Employment Benefits section on page 25 for more information.

### **6. Exit Interview**

The General Manager will interview employees leaving SAWPA and will have the reasons for termination clearly stated in writing for inclusion in the employee's permanent personnel record.

All termination forms must be signed at the exit interview and all SAWPA property (i.e., cell phone and accessories, credit cards, keys, etc.) must be returned at that time.

Termination is a general term used to refer to separation of employment such as voluntary resignation, layoff, job abandonment, involuntary termination, and retirement.

## **7. Benefits Paid upon Termination**

An employee will be paid for work actually performed up to, and including, the day of discharge. Any accrued vacation to be paid by SAWPA will be prorated to that date. Any unused accrued sick leave shall be paid to that date based on the schedule set forth in the Leaves of Absence Section.

## Confirmation of Receipt

### Receipt of Personnel Handbook Santa Ana Watershed Project Authority

I, \_\_\_\_\_, have received my copy of the Personnel Handbook for Santa Ana Watershed Project Authority and I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in the Personnel Handbook. I also understand that a breach of the terms and policies may result in disciplinary action, up to and including termination.

I understand the contents of this Handbook constitute only a summary of the Employee benefits, personnel policies, and employment regulations in effect at the time of publication. I understand this Handbook should not be construed as creating any kind of "employment contract" and Santa Ana Watershed Project Authority has the ability to add, change, or discontinue benefits, policies, or other working conditions as it deems appropriate, without obtaining another person's consent or agreement.

I agree that my employment with the Santa Ana Watershed Project Authority is at will, as set forth in the At-Will section of the Handbook, and that this agreement on at-will employment status is the sole and entire agreement between me and the Santa Ana Watershed Project Authority, regarding the term of my employment and the termination thereof; and I further agree that this agreement and at-will employment status cannot be changed in any way, whatsoever, except in a writing which has been approved by the Santa Ana Watershed Project Authority Commission.

I understand that my supervisor, the General Manager, and any other executive member of management are willing to explain any portion of the Handbook that I may wish to discuss or about which I have a question.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_

## **Appendix 1: Non-Exempt/Exempt Positions**

### **Non-Exempt**

Accountant I, II  
Accounting Technician I, II  
Administrative Assistant I, II  
Brine Line Pipeline Operator I, II  
Brine Line Operations Superintendent  
Business Analyst I, II  
Executive Assistant  
GIS Analyst I, II  
Intern  
Pretreatment Program Technician I, II  
Senior Accountant  
Senior Accounting Technician  
Senior Administrative Assistant  
Senior Pretreatment Specialist

### **Exempt**

Administrative Services Manager/Clerk of the Board  
Controller  
Deputy General Manager/Chief Financial Officer  
Engineering Manager  
General Manager  
GIS Project Manager  
Information Systems and Technology Manager  
Manager of Permitting & Pretreatment  
Operations Manager  
Program Manager  
Project Manager  
Senior Project Manager  
Senior Watershed Planner  
Water Resources and Planning Manager  
Watershed Planner

## Appendix 2: Disciplinary Action Guidelines

### ***Disciplinary Action—Job Performance***

The rules set forth below are intended to provide employees with fair notice of what is expected of them. It is not possible, however, to provide an exhaustive list of all types of impermissible conduct and performance. Therefore, employees should be aware that conduct not specifically listed below, but which adversely affects or is otherwise detrimental to the interests of SAWPA, other employees, or the public, also may result in disciplinary action, including termination.

The General Manager shall have the authority to discipline, including termination, any employee in accordance with these guidelines.

### ***Employee Disciplinary Action***

This policy shall be implemented through the procedures and specific guidelines which follow:

1. Disciplinary actions shall be commensurate with the seriousness of the offense.
2. Implementation of discipline to be successful should be:
  - **Prompt** – initiate personnel investigation within 24 hours in most situations.
  - **Impartial** – all employees should be treated fairly.
  - **Consistent** – similar offenses should be treated in a similar manner.
  - **Fair** – with regard to employee's past record and responsibilities.
  - **Corrective** – intent should be to prevent future problems.
  - **Given with Advance Warning** – employees should know that specific actions or omissions would result in disciplinary action up to and including discharge.
  - **Followed Through** – enforcement is consistent.
3. Key Factors in Analyzing Disciplinary Problems:
  - Seriousness of the problem.
  - Length of employment.
  - Frequency and nature of the problem.
  - Employee's work history.
  - Mitigating factors.
  - Degree of orientation, training, or experience previously provided the employee.
  - Existing disciplinary practices and guidelines.
  - Implications for other employees.
  - Management policies.
  - Safety implications for other employees and/or the general public.



## **Sample Offenses**

Disciplinary action may be based upon any of the following:

***At fault major accident including driver or second party injury***

Same as *Vehicle Accident* below, but the accident results in injury.

***Carelessness or neglect that results in a safety or health hazard to another employee or the public***

***Chronic absenteeism/tardiness***

Frequent and continuous unscheduled absences of an individual for reasons other than absences resulting from on-the-job injuries, where such continuous absences substantially reduce the reliability and dependability of the individual to perform his assigned duties, and where they exceed the established standards of the organization.

***Conducting non-SAWPA related activities on SAWPA time***

The conduct of non-SAWPA related activities on SAWPA time to the extent it interferes with the performance of assigned duties.

***Conviction of an act defined as a felony***

To be convicted of committing an act defined as a felony under the laws of the State of California or the United States. The nature of the conviction would determine the appropriate disciplinary action.

***Conviction of an act defined as a misdemeanor involving moral turpitude***

To be convicted of an act defined as a misdemeanor involving moral turpitude under the laws of the State of California or the United States. The nature of the conviction would determine the appropriate disciplinary action.

***Discourtesy to the public, a supervisor, or another employee***

Verbal or physical conduct that displays or exhibits a lack of respect to members of the public, a supervisor, or another employee.

***Failure to carry out responsibilities and/or authority as set forth in the SAWPA safety rules***

Any inappropriate action or failure to act in accordance with an employee's responsibilities and/or authority as set forth in the SAWPA safety rules.

***Failure to follow directions or procedures***

Failure of an individual to follow a specific direction given or a known and routine procedure in the course of his duties without willful intent where such direction or procedures involve minor or routine matters.

***Failure to maintain minimum job requirements***

The failure to maintain required skills, abilities, and certifications as stipulated in official SAWPA job description for the employee's classification.

***Failure to perform assigned work***

The failure to perform work assigned or required in the accomplishment of job duties in a timely manner.

***Falsifying official reports***

An intentional presentation of inaccurate, incomplete, or false data on any report or other work product. Those reports which have a legal status (i.e., police reports, official statements, etc.) shall be considered a more serious category within this offense.

***Fraud in securing and/or maintaining employment***

To falsify any information provided or to be misleading by the information provided, including omissions, in an attempt to gain, secure, or maintain employment with SAWPA.

***Illegal drug possession or use***

The possession or use of any illegal drug.

***Improper conduct toward the public***

To act in an insulting, provocative, intimidating, or flagrantly discourteous manner toward any member of the public.

***Improper political activity***

Use of SAWPA time or materials to promote a specific political position or candidate.

***Incompetence***

The inability to meet the standards of performance established for the position held due to lack of skill, knowledge, or ability.

***Inexcusable neglect of duty***

To perform a duty or act in a negligent manner or to fail to perform assigned or known duties and obligations that are critical in nature.

***Insubordination***

Actions by an individual that clearly and obviously indicate a resistance or defiance of a Supervisor's authority or clearly treat the supervisor with disrespect, including the use of obscene or threatening language or acting in a violent or intimidating manner.

***Loss of equipment through neglect***

To misplace or lose SAWPA equipment through negligence or lack of safeguarding.

***Misuse of SAWPA time***

The use of SAWPA time for activities inappropriate in the work place (i.e., horseplay, loafing, creating disruption between employees, etc.).

***Misuse or damage of SAWPA property or equipment***

The use of SAWPA property or equipment for purposes not intended, or in such a manner for which the equipment is not designed, or which is unsafe; or damage to property or equipment due to negligence.

***Non-approved leave***

An individual being absent from the work place without proper authorization for a period of time less than the normal workday.

***Non-approved absence without leave***

Being absent from the workplace without proper authorization for a full workday or shift. Each such absence shall be considered a separate offense.

***Physical assault or battery***

To physically intimidate or attack another individual through the use or intended use of force.

***Physical or mental disability***

The presence of some physical or mental disability, as determined by an authorized medical physician, that prohibits or interferes with an individual's ability to successfully achieve the established standards of job performance or to perform the essential duties of the position. Based on the employee's disability, full consideration will be given by SAWPA to reasonably accommodate the employee.

***Possession of an open alcoholic beverage container or use during the working hours***

The possession of an open alcoholic beverage container or use of alcohol during working hours or on SAWPA property.

***Selling or dispersion of drugs***

The attempt, intent, or actual sale or dispersion of drugs to another individual.

***Sexual harassment***

See SAWPA Harassment Policy Statement.

***Tardiness***

Failure to report to work or return from breaks or meals at scheduled times.

***Theft***

The theft of SAWPA property or property of another individual.

***Untruthfulness***

Providing false information or withholding accurate and complete information from a supervisor when such information would be routinely provided as a function of normal job duties or as specifically requested.

***Vehicle Accident***

A vehicle accident involving SAWPA equipment in which the investigating law enforcement agency determines the employee was at fault, and where the resulting damage was minor or major in nature.

***Violation of Federal, State or local laws***

The conviction of minor infractions and misdemeanors committed while on duty.

***Violation of a SAWPA safety regulation***

The violation of any of the regulations specified in the SAWPA safety rules.

***Violation of SAWPA rules and regulations, policies, and procedures except for unauthorized use of SAWPA vehicles***

See SAWPA policies, rules, and ordinances for specifics.

***Violation of traffic laws***

See Ordinance No. 49, as amended.

***Willful disobedience***

The intentional and willful failure of an individual to follow specific verbal or written directions or instructions of a supervisor.

***Working under the influence of an intoxicating substance***

Being on SAWPA property or operating SAWPA vehicles or equipment while under the influence of an intoxicating substance, which includes but is not limited to, alcohol or any other drug, glue, paint thinner, etc., which causes substantial impairment of motor or mental abilities.

***Types of Disciplinary Actions***

- Counseling
- Oral Reprimand
- Written Reprimand
- Suspension Without Pay for 5 days or less
- Suspension Without Pay in Excess of 5 Days
- Reduction in Pay
- Demotion
- Discharge

***Procedural Guidelines for Disciplinary Actions***

Generally, a regular employee is apprised of the disciplinary action, given the reasons for that action, given a copy of any supporting documentation, and given a chance to respond to the action, either orally or in writing, by explaining his or her side of the story. SAWPA has provided the process described here to ensure that discipline is both effective and fair, but not to alter the at-will status of any employee.

***Informal Discipline***

***Counseling***

This step in the progressive disciplinary process includes any informal discussion with an employee designed to assist the employee to fully develop skills and abilities. When there is a disciplinary problem, counseling is usually the first action taken to assist the employee in clarifying and resolving the problem. The discussion may clarify standards, evaluate the employee's strengths and weaknesses, or seek information. It is especially important that this step be taken promptly to avoid the need to escalate the disciplinary action.

Counseling is usually done by the immediate supervisor, but may be done by any supervisory staff up to and including the General Manager.

***Oral Reprimand***

Oral reprimands should be given by supervisors when counseling has failed to produce the desired changes. The supervisor should follow the same procedures as in the counseling interview, but must also inform the employee that an oral reprimand is being given.

An oral reprimand may be given by the immediate supervisor or any supervisory staff up to and including the General Manager.

## ***Formal Discipline***

### ***Written Reprimand***

If counseling and oral reprimands have failed to resolve a problem, a written reprimand is often the next step in progressive disciplinary action.

A written reprimand is a formal notice to the employee that further disciplinary action may be taken unless performance or behavior improves.

A written reprimand may be presented by any supervisor up to and including the General Manager.

### ***Suspension without Pay***

This form of discipline normally would be the next step where counseling and reprimands have failed to achieve correction of unacceptable behavior, although it may be used as a first form of discipline for some offenses. This action shall only be initiated upon the General Manager's review. An employee may be put on Administrative Leave with pay where the employee's continued presence may be disruptive or constitutes a danger to the safety of the employee or others in the opinion of his supervisor, or in the opinion of any superior in the chain of command above the supervisor.

### ***Demotion or Reduction in Pay***

Demotion to a position with a lower salary range or a reduction in pay to a lower paying salary step shall be used primarily in response to an employee's failure to maintain minimum job requirements, incompetence or an inability to perform the essential duties of a position. It may also be used, however, for any form of misconduct. Such action shall be reviewed and approved by the General Manager and finalized as a written order of discipline.

### ***Discharge***

Permanent termination of an employee's employment with SAWPA is a decision of the General Manager. Termination decisions may be appealed to the SAWPA Commission on the grounds that the decision has a prohibited basis. The termination decision is effective while the appeal process is pending.

## ***Urgent Circumstances***

Under urgent circumstances, an employee may be removed or ordered from the work place without following the guidelines outlined above and be placed on administrative leave with pay if, in the opinion of the employee's supervisor or other superior officer, the continued presence of the employee may create a risk of harm to the employee or to others. In such case, the employee's supervisor shall document the circumstances that give rise to said risk of harm.

**Appendix 3:**  
**Reimbursement Caps** *(Effective July 1, 2020)*

| <b>Program</b>           | <b>Limit</b> | <b>Per</b>    |
|--------------------------|--------------|---------------|
| Medical Cap              | \$1,781.93   | Month         |
| Wellness Program         | \$150.00     | Fiscal Year   |
| Professional Memberships | \$500.00     | Fiscal Year   |
| Work Boot Reimbursement  | \$165.00     | Fiscal Year   |
| Education Reimbursement  | \$1,400.00   | Calendar Year |

# SANTA ANA WATERSHED PROJECT AUTHORITY

## PERSONNEL HANDBOOK

Amended and Adopted on September 18, 2012  
(This Personnel Handbook supersedes all previously adopted Personnel Handbooks)





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Note:  
These appendices may be updated annually

## **Welcome!**

Welcome! As an employee of the Santa Ana Watershed Project Authority (SAWPA), you are an important member of a team effort. We hope that you will find your position with SAWPA rewarding, challenging, and productive.

SAWPA was formed in 1968 to plan and build facilities to protect water quality in the Santa Ana River Watershed. The organization is a joint powers authority (JPA) composed of five major water districts (“member agencies”) located in the Santa Ana River Watershed: Inland Empire Utilities Agency, Eastern Municipal Water District, Orange County Water District, San Bernardino Valley Municipal Water District, and Western Municipal Water District.

The Santa Ana River is the largest stream system in southern California. The river begins high in the San Bernardino Mountains and flows over 100 miles southwesterly where it discharges to the Pacific Ocean in Huntington Beach. The Santa Ana River Watershed, which receives an average annual rainfall of about 13 inches, covers over 2,650 square miles of widely varying terrain. This area includes parts of San Bernardino, Riverside, and Orange Counties.

## **Organization**

The affairs of SAWPA are governed by a Commission, composed of representatives from each of the five member agencies. The General Manager is directly responsible to the SAWPA Commission for the administration of policies established by the governing board. To assist the General Manager, SAWPA employs a staff consisting of administrative, technical, and other personnel as required to support agency priorities and activities. All references to the General Manager shall include the General Manager’s designee(s).

## **Right to Revise the Personnel Handbook**

This personnel handbook contains the employment policies and practices of SAWPA in effect at the time of publication. This document defines and describes policies and procedures for employees of SAWPA. All previously issued handbooks and any inconsistent policy statements or memoranda are superseded.

SAWPA reserves the right to revise, modify, delete, or add to any and all policies, procedures, work rules, or benefits stated in this handbook or in any other document, except for the policy of at-will employment. However, any such changes must be in writing and must be approved by the Commission.

Any written changes to this Handbook will be distributed to all employees so that employees will be aware of the new policies or procedures. No oral statements or representations can in any way alter the provisions of this handbook.

Nothing in this personnel handbook or in any other personnel document, including benefit plan descriptions, creates or is intended to create a promise or representation of continued employment or any other benefits for any employee. This Handbook is not an employment contract, and signing an acknowledgement of receipt of this handbook is not the execution of a contract.

Your supervisor or manager will be happy to answer any questions you may have.

## Equal Employment Opportunity

SAWPA is an equal opportunity employer and makes employment decisions on the basis of merit. We want to have the best available persons in every job. SAWPA policy prohibits unlawful discrimination based on race, color, creed, gender, gender identity, religion, marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition including genetic characteristics, sexual orientation, or any other consideration made unlawful by federal, state, or local laws. It also prohibits unlawful discrimination based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. All such unlawful discrimination is **prohibited**.

SAWPA is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to **all** persons involved in SAWPA operations and prohibits unlawful discrimination by any employee of SAWPA, including supervisors and coworkers.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, SAWPA will make reasonable accommodations for the known physical or mental disabilities of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact SAWPA Human Resources and request such an accommodation. The individual with the disability should specify what accommodation he or she needs to perform the job. SAWPA then will conduct an investigation to identify the barriers that interfere with the equal opportunity of the applicant or employee to perform his or her job. SAWPA will attempt to identify possible accommodations, if any, that will help eliminate the limitation. SAWPA will take every opportunity to ensure that reasonable accommodations are made, without imposing undue hardship.

If you believe you have been subjected to any form of unlawful discrimination, submit a written complaint to your supervisor or the individual with day-to-day personnel responsibilities. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact the General Manager. SAWPA will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation.

If SAWPA determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action also will be taken to deter any future discrimination. SAWPA will not retaliate against you for filing a complaint in good faith and will not knowingly permit retaliation by management employees or your coworkers.

## Employment Conditions

Applicants and employees must provide the necessary documentation to prove identity and the right to work in the United States in accordance with Federal Immigration and Naturalization laws. Failure to provide such documentation will result in disqualification from selection and/or immediate termination. All applicants shall complete and submit a separate SAWPA Employment Application for each position applied. All new employees must complete a new hire packet.

Employment of any applicant requires the approval of the General Manager, and all letters conveying an offer of employment and/or terms and conditions of SAWPA employment, shall be specifically approved and signed by the General Manager.

The SAWPA JPA authorizes the SAWPA Commission to employ staff under the following language:

*Duties of Officers and Employees. Each and all (SAWPA) officers, employees, and assistants shall serve at the pleasure of the Commission, and shall perform such duties and shall have such powers as the Commission may determine.*

## **At-Will Employment Status**

SAWPA personnel are employed on an at-will basis. Employment may be terminated with or without cause, without a right to a review or an appeal (except as provided for in the Disciplinary Action Section on page 34), and with or without advance notice at any time by the employee or SAWPA. Nothing in this handbook shall limit the right to terminate at-will employment. No manager, supervisor, or employee of SAWPA has any authority to enter into an agreement for employment for any specified period of time or to make an agreement for employment on other than at-will terms. Only the SAWPA Commission has the authority to make any such agreement, which is binding only if it is in writing.

## **Introductory Period**

Every regular employee shall serve an introductory period of six months, exclusive of time off for leaves of absence. During this time, the employee's job-related skills, knowledge and abilities, and overall job performance shall be evaluated to help determine whether or not continued employment will be offered. Effective on the first day of the month following completion of the introductory period, and if the employee's performance has been satisfactory and their retention is approved by the General Manager, the employee shall be considered thereafter a regular employee of SAWPA. At the completion of the introductory period, the employee's supervisor may conduct a written evaluation.

During the introductory period, an employee will accrue vacation and sick leave benefits; however, such benefits cannot be taken until and unless the employee completes the introductory period and becomes a regular employee. The General Manager may grant exceptions to this restriction for extenuating circumstances. The General Manager may extend the introductory period up to an additional one-year upon discretion. As with full-time employees, during the introductory period, an employee may be terminated by the General Manager at any time, with or without cause, with or without notice, and without right to review.

Salaries of employees in an introductory period will not be changed. Cost of Living Adjustments (COLA) will not change the salaries of such employees unless specifically described in the employee's Offer of Employment Letter.

## **Job Duties**

During the introductory period, your supervisor will explain your job responsibilities and the performance standards expected of you. Be aware that your job responsibilities may change at any

time during your employment. From time to time, you may be asked to work on special projects, or to assist with other work necessary or important to the operation of your department or SAWPA. Your cooperation and assistance in performing such additional work is expected.

SAWPA reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities.

## **New Positions**

The General Manager is authorized to establish new positions where required in the conduct of SAWPA's affairs, subject to the approval by the SAWPA Commission.

## **Recruitment and Hiring Authority**

The SAWPA Commission shall expressly authorize and participate in the recruitment and selection of the General Manager, Deputy General Manager, and Executive Counsel. Filling of all other vacant positions, up to the number of positions and cost budget approved in the annual budget, are at the discretion of the General Manager

## **Definitions**

### ***Contract Employee***

An individual who is temporarily employed by entering into a written Employment Contract for a specified period of time no more than 12 months, as approved by the General Manager is a "Contract Employee". Contract employees only are eligible for those benefits as provided for in the written Employment Contract. CalPERS participation is available if a Contract employee works 1,000 hours or more in a fiscal year. A contract employee's contract may be extended after 12 months, if there is additional work to be completed.

### ***Exempt Employees***

Exempt employees are defined as employees who, based on duties performed and manner of compensation, shall be exempt from the Fair Labor Standards Act (FLSA).

Exempt employees shall be paid an established monthly or annual salary and are expected to fulfill the duties of their positions regardless of hours worked. Exempt employees are not eligible to receive overtime compensation or compensatory time off, and are not required to adhere to strict time, recordkeeping, and attendance rules for pay purposes. The current fiscal year positions (and their exempt/non-exempt status) are listed in [Appendix 1](#). This Appendix may be updated annually.

### ***Interns***

Interns are defined as current students at accredited schools living within a reasonable commuting distance of SAWPA (during the time of internship) and working towards a degree that is relevant to the activities of our agency.

Interns are treated as part-time, temporary SAWPA employees and are subject to relevant labor laws in the State of California. Interns are budgeted positions, and are approved by the General Manager prior to hire.

Interns may work no more than 960 hours in a fiscal year (July 1 – June 30) before their term of service expires. Interns also may not work more than 12 months before their term of service expires. These quantities may be less, if so stated in the *Offer of Employment* letter. At the discretion of the General Manager, an intern may be offered additional terms of service.

Because SAWPA operates on a 9/80 schedule, interns will work no more than nine (9) hours Monday through Thursday, and no more than eight (8) hours on the working Friday unless overtime is approved by the intern's supervisor in advance.

The intern's work schedule must be kept current with the intern's supervisor. Typically, interns are expected to average 20 hours per week, but this may be modified to suit Agency needs and the intern's schedule/availability.

The standard rate of pay for interns will be set at a minimum of \$10.00 per hour. At least once every two years, as part of the annual budget process, the General Manager will review the rate and determine whether or not an adjustment to the standard rate is appropriate. Adjustments are based on keeping in line with intern pay schedules at member agencies or other nearby local/state government agencies; these adjustments are not merit based.

Interns are not eligible for sick, vacation or holiday time, or any other benefits as defined in this handbook.

If requested by the intern, SAWPA will work with accredited colleges/universities to provide internship credit. The intern or university faculty advisor will be responsible for providing all necessary documentation or requirements for credit to the respective SAWPA Department Manager.

Interns will work on-site at SAWPA unless provided for by agreement between the Department Manager and the Intern.

### ***Non-Exempt Employees***

Non-exempt employees are defined by and covered by the requirements of FLSA.

The current fiscal year positions (and their exempt/non-exempt status) are listed in [Appendix 1](#). This Appendix may be updated annually.

### ***Other Staff***

SAWPA may contract with Personnel Services Firms and/or Temporary Labor Firms to augment staffing needs. The General Manager may authorize these staffing needs within budget as authorized by the SAWPA Commission or as authorized separately by the SAWPA Commission. These personnel are governed by agreements/contracts entered into by SAWPA, and they have no rights to benefits as defined in this document.

### ***Part-time Employee***

An employee that is employed to work less than 35 hours per week in an authorized position on a year-round basis is classified as a part-time employee. Part-time employees will be eligible (on a pro-rated basis) for vacation and holiday pay after working 1,000 hours in a fiscal year; however, part-time employees are not eligible for medical, dental/vision insurance and tuition reimbursement. Part-time employees not eligible for sick leave.



CalPERS participation is available to part-time employees after they have worked one year or longer and at least an average of 20 hours a week, or work 1,000 hours or more within a fiscal year, as provided for in the California Public Employees' Retirement law (Government Code, Section 20305).

### ***Regular (“Full-time”) Employee***

An employee that has served the required introductory period satisfactorily and is employed to work 2,080 hours a calendar year in an authorized position on a year-round basis is classified as a regular employee. Regular employees are entitled to certain benefits including vacation, sick leave, holidays, and are eligible for group insurance and participation in the CalPERS Retirement System.

## **Employment of Relatives**

Because of the nature of SAWPA's small organization and operations, relatives of SAWPA personnel may not be hired if such employment would pose problems with respect to conflicts of interest, supervision, safety, security, or morale. It is the policy of SAWPA to prohibit the appointment or continued employment of an individual under the direct or indirect supervision of a relative. Relatives may not work under the same immediate supervisor, nor in such close proximity that one relative checks or completes the work or financial operations performed by another. For purposes of this policy, a “relative” is defined as: spouse, registered domestic partner, child, stepchild, parent, brother or half-brother, sister or half-sister, grandparent, grandchild, and siblings or half-siblings of the employee's spouse or registered domestic partner.

If co-employees of SAWPA become relatives, the General Manager will assess the individual work situation and will make a reasonable effort to assign job duties so as to minimize the problems of conflicts of interest, supervision, safety, security, or morale. The General Manager shall attempt to match reasonably the severity of his/her actions to the individuals to the degree of risk and the significance of the potential harm involved. If potential conflicts of interest exist, SAWPA retains the right to disqualify one party to the relationship for a position privy to confidential matters who has a relative already in the Agency's employment, when such relationship could result in the compromise of confidential information.

If co-employees marry (or enter into a relationship similar to marriage, including a registered domestic partnership), or become related by marriage, SAWPA will make reasonable efforts to assign job duties so as to minimize problems with supervision, safety, security and morale following completion of the assessment discussed above. If such efforts prove to be unsatisfactory, SAWPA reserves its right to transfer, terminate, or reassign said employee, as may be appropriate to alleviate the concern.

## **Personal Appearance**

SAWPA employees are expected to take pride in appearing well groomed and dressed in a manner appropriate to their work activities.

## **Other Employment**

Employees who wish to engage in additional employment must submit a written request to SAWPA explaining the details of the additional employment. If the additional employment is authorized, SAWPA assumes no responsibility for it. SAWPA shall not provide workers' compensation

coverage or any other benefit for injuries occurring from or arising out of additional employment. Authorization to engage in additional employment can be revoked at any time.

## Conflicts of Interest

All employees must avoid situations involving actual or potential conflicts of interest.

## Prohibited Conduct

The following conduct is prohibited and will not be tolerated by SAWPA. This list of prohibited conduct is illustrative only; other types of conduct that threaten or diminish security, personal safety, employee welfare, and Agency operations also are prohibited. (Additional illustrations are provided in [Appendix 2](#).)

- Falsifying employment records, employment information, or other SAWPA records.
- Theft and deliberate or careless damage or destruction of any SAWPA property, or the property of any employee or customer.
- Removing or borrowing SAWPA property without prior authorization.
- Unauthorized use of SAWPA equipment, time, materials, or facilities.
- Provoking a fight or fighting during working hours or on SAWPA property.
- Carrying firearms or any other dangerous weapons on SAWPA premises at any time.
- Engaging in criminal conduct, whether or not related to job performance.
- Causing, creating, or participating in a disruption of any kind during working hours on SAWPA property.
- Insubordination, including but not limited to failure or refusal to obey the orders or instructions of a supervisor or member of management, or the use of abusive or threatening language toward a supervisor or member of management.
- Using abusive language at any time on SAWPA premises.
- Failing to notify a supervisor when unable to report to work.
- Unreported absence of three consecutive workdays.
- Failing to obtain permission to leave work for any reason during normal working hours.
- Failing to provide a physician's certificate when requested or required to do so.
- Sleeping or malingering on the job.
- Wearing disturbing, unprofessional, or inappropriate styles of dress or hair while working.
- Violating any safety, health, security, or SAWPA policy, rule, or procedure.
- Committing a fraudulent act or a breach of trust under any circumstances.
- Committing of or involvement in any act of unlawful harassment of another individual.
- Failing to promptly report work-related injury or illness.
- Discourteous treatment of employees or others.
- Consuming alcohol or illicit drugs while at work, or reporting to work in an impaired state due to the effects of drugs or alcohol consumed off-site.
- Reporting to work impaired or unable to perform duties due to excessive fatigue or any other reason.

- Operating SAWPA vehicles, or personal vehicles while conducting SAWPA business, in violation of state law, including the use of cellular phones without “hands free” capability.

This statement of prohibited conduct does not alter SAWPA's policy of at-will employment. Either you or SAWPA remain free to terminate the employment relationship at any time, with or without reason or advance notice.

## **Personnel Records**

You have a right to inspect certain documents in your personnel file, as provided by law, in the presence of the General Manager or designee at a mutually convenient time. You may request copies of items, previously signed by you from the personnel file provided that it is done in writing and as permitted by law.

The General Manager and designated administrative staff have access to all employee personnel files. Department managers and supervisors have access only to personnel files for those employees they supervise unless there is a business-related need to review a file as approved by the General Manager.

SAWPA does not provide personnel data to others except as required by law, or as provided for in this Section. A request for personnel-related information must be in writing, and be accompanied by a signed release from the employee. The information provided may include the employee's hire date, a statement as to the current employment status, and the employee's present classification and salary. Requests for personnel-related information received over the telephone shall be limited to employment confirmation and the employee's hire date. A request for salary information for an employee must be in writing and be accompanied by a signed release from the employee.

Supervisors and managers shall refer all requests for personnel information to the General Manager.

## **Change of Personnel Status**

Change of name, home address, home telephone number, driving record or insurance status, marital status, or the number of dependents must be promptly reported (within ten working days) in writing by the employee to the Payroll Department and Human Resources.

## **Pay for Mandatory Meetings/Training**

SAWPA will pay employees for their attendance at meetings, lectures, and training programs under the following conditions:

- Attendance is mandated by SAWPA.
- The employee who is required to attend such meetings, lectures, or training programs will be notified of the necessity for such attendance by his or her supervisor.
- Employees who attend meetings, lectures or training programs will be compensated at their regular rate of pay.
- Any hours in excess of the workweek schedule will be paid at the appropriate overtime rate.

## Payment of Wages

### *Biweekly Pay Periods*

All employees of SAWPA are paid every other Friday for work performed during the previous two-week pay period. If a regular payday falls on a holiday, employees will be paid on the last day worked before the holiday.

If you observe an error on your pay stub, please report it immediately to Finance.

Your earnings and itemized deductions are provided in writing prior to deposit (via direct deposit) into your designated bank account(s). The General Manager must approve paychecks in advance issued for any reason on any other schedule.

Final paychecks will be issued on or before the next normal payday.

**Compensation will be made by the use of direct deposit.** Changes to your direct deposit information must be submitted to the Finance Department at least five (5) days before the pay date.

### *Timekeeping Requirements*

Accurately recording time worked is the responsibility of every employee. Federal and state laws require that SAWPA keep accurate and complete records of time worked in order to calculate employee pay and benefits.

Each employee shall maintain timesheets weekly. A timesheet is the source document for recording work and other leave history for each pay period. It also documents the distribution of time to various SAWPA projects. Staff shall, under no circumstances, charge time to efforts they do not work on or are not authorized to work on.

Altering, falsifying, tampering with time records, or recording time on another employee's time sheet may result in disciplinary action, including termination of employment. Each employee's time sheet shall be accurately completed before the end of the workday each Friday, and submitted for review and verification by the employee's supervisor.

It is the responsibility of each employee to submit his/her own timesheet thereby certifying the accuracy of all time recorded. Department Managers will review and approve their staff's time sheets.

### *Alternative Workweek*

SAWPA operates on a 9/80 Alternative Workweek schedule. A calendar showing the non-working Fridays as well as observed holidays will be updated annually and distributed. Because SAWPA operates on an alternative workweek schedule, as described below, timesheets will account for 44 hours in weeks when the office is open on Friday and 36 hours in weeks when the office is closed on Friday. This timesheet convention does not change the 40-hour per week work schedule, as described in this section and in the Overtime section below.

### **Work Schedule**

The work schedule consists of a two-week work schedule of eight nine-hour days and one eight-hour day allowing for the office to be closed every other Friday.

The standard workweek for all Employees shall consist of a basic 40-hour week consisting of four 9-hour days and one 8-hour day every other week. The General Manager may authorize employment on a different basis when required by the nature of the employment, or by the best interest of the Agency. The workweek will end and the next workweek will begin at the mid-point of the employee's shift on Friday. The workday ranges from 6:00 a.m. through 6:30 p.m. with at least a 30-minute meal period. Your schedule is set by your supervisor.

### **Bereavement Leave**

If an employee takes Bereavement leave between Monday and Thursday, it will be counted as nine (9) hours each day, or eight (8) hours if taken on a Friday.

### **Jury Duty**

If an employee is required to serve jury duty between Monday and Thursday, it will be counted as nine (9) hours each day, or eight hours if served on the working Friday.

In the event that an employee is required to serve jury duty on a non-working Friday, the employee will be given another day off, or upon approval by the General Manager, may be banked as an eight (8) hour vacation day.

### **Observed Holiday Time**

If an observed holiday falls on between Monday and Thursday, it will be paid at nine (9) hours.

If an observed holiday falls on a working Friday, it will be paid at eight (8) hours.

If an observed holiday falls on a non-working Friday, the employee will be given another day off, or upon approval by the General Manager, the non-working Friday may be banked as an earned vacation day of eight (8) hours.

### **Vacation Time**

Vacation time is calculated as follows:

- If an employee takes a one-week vacation during the week of a working Friday, 44 hours of vacation will be deducted from the employee's vacation balance.
- If an employee takes a one-week vacation during the week of a non-working Friday, 36 hours of vacation will be deducted from the employee's vacation balance.
- If an employee takes one vacation day at a time, vacation days taken between Monday and Thursday will be counted as nine (9) hours each day or eight (8) hours if taken on Friday.

### ***Meal and Rest Periods***

All non-exempt employees may take periodic rest break periods, not-to-exceed fifteen (15) minutes for every four (4) hours of consecutive work, to be taken in the middle of each four-hour period. Rest periods shall be scheduled in accordance with the requirements of the department. Rest periods are considered hours worked and employees may be required to perform duties, if necessary, during any rest period.

Non-exempt employees who work more than five (5) hours in a workday are required to take at least a 30-minute meal period, and may not claim this time as paid time or overtime. When the workday is not more than six (6) hours, however, the employee and the Department Manager may mutually

agree to waive this meal period. Employees will coordinate lunch break times with their Department Manager. Meal periods shall be duty free, are intended to be a break from regular work, and may be taken outside the workplace.

Unless work is required during a rest period, employees are encouraged to take rest breaks and meal periods away from the regular work area.

Rest periods and meal periods may not be combined.

### ***Overtime***

The FLSA and amendments govern compensation for overtime. The FLSA classifies personnel into two classes: “exempt” and “non-exempt” employees. SAWPA personnel are divided into “exempt” and “non-exempt” categories as defined in the Employment Conditions section on page 2.

When operating requirements or other needs cannot be accomplished during regular working hours, employees may be requested and scheduled to work overtime hours. When practicable, advance notification of such mandatory assignments will be provided. **Overtime hours that will be billed to a project or program must have the approval of the project or program manager.**

Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work without regard for department or manager.

Overtime hours worked without prior authorization from the supervisor may result in disciplinary action, up to and including termination.

By law, non-exempt staff shall be paid for mandatory training. If this results in overtime, paid overtime versus compensatory time off (CTO) will be determined by the Department Manager if CTO is requested by the employee.

Because SAWPA operates on an Alternative Workweek Schedule, employees earn overtime and CTO differently than those on a traditional work schedule. Overtime and CTO are earned as follows:

#### Time-and-one-half

- All work performed in any workday beyond this schedule established by the Alternative Workweek Schedule, up to 12 hours per day.
- For all work performed beyond 40 hours per workweek as the workweek is defined in the Alternative Workweek section above.

#### Double-time

Double time will be paid for all work performed in excess of 12 hours per day or in excess of 12 continuous hours.

Exempt employees are not eligible to receive overtime pay or CTO; however, exempt employees may be allowed administrative time off at the discretion of the General Manager.

### **Overtime Opportunities**

When a Department Manager or Project Manager identifies a resource deficiency, they should consider the following factors in determining how to best rectify the deficiency:

- Available budget for the effort.
- Possibility for deadline and schedule changes.
- Task difficulty or specialization.
- Other departments' capacity to assist.
- Other departments' capacity to work overtime.
- Opportunity for assistance from member agencies or temporary firms.
- Total workload for the employee.
- Fair opportunity for staff from all departments, where qualified.
- Duration of the work effort and impacts to other projects.
- Cross training opportunities.

When scheduled overtime is approved, it shall be made available to any non-exempt staff capable of completing the work. Budget restrictions may require staff limit for upper level staff working on such projects. In general, the lowest reasonable cost to the agency or project should guide the decision for staffing within the above policy and guidelines.

## **Salary Administration**

The salary adjustment date for all positions (except the General Manager) shall be July 1st each year.

### ***COLA***

The SAWPA Commission shall establish an annual Cost of Living Adjustment (COLA). The COLA change, if any, is effective only upon final approval by the Commission.

Only regular full-time and part-time employees are eligible for the COLA. Employees serving their introductory period may receive the COLA upon completion of the introductory period; however, this is at the General Manager's discretion.

### ***Merit Pool***

The SAWPA Commission may establish a merit pool or other process for merit-based salary adjustments. The merit pool, if any, is administered based on employee performance and accomplishments, including consideration for exceptional performance and accomplishments.

Only regular full-time and part-time employees are eligible for a merit increase. Employees serving their introductory period may receive a merit increase upon completion of the introductory period; however, this is at the General Manager's discretion.

### ***Acting Pay***

Full-time employees assigned to work in a higher classification on a temporary basis (maximum 90 days) shall be compensated in the higher classification as determined by the General Manager. The assigned employee will assume all the duties and responsibilities of the higher classification.

If, during this temporary assignment, the employee becomes eligible for any scheduled salary increase in the employee's regular classification, such increase shall maintain the differential. At the end of the temporary assignment, the employee shall return to his regular classification and salary with any merit or salary adjustment increases as appropriate.

### ***Salary Range Assignments***

All positions within SAWPA, with the exception of the General Manager, are assigned a salary range by resolution of the SAWPA Commission.

Ranges may be adjusted annually based on changes in the approved Annual Budget.

The General Manager will cause to create and update annually a salary range assignment table that will be made available to all employees upon request.

### ***Performance Evaluation***

Your supervisor will evaluate your performance at least annually. The purpose of a performance evaluation includes, but is not limited to the following:

- Assess various performance factors such as work quality, timeliness, and other factors that are applicable to the position.
- Assess specific objectives accomplished or not accomplished.
- Recognize quality of work from excellent to poor.
- Define areas needing development or improvement.
- Provide a continuing record of an employee's performance.
- Serve as a guide for promotions, transfers, disciplinary and other personnel actions.
- Check on the accuracy of job descriptions and classifications.
- Establish short and long-term performance goals and objectives.
- Determine salary adjustments within salary ranges.

A completed Performance Evaluation will be signed by both the supervisor and employee being reviewed, approved by the General Manager, and filed in the employee's personnel file. This Performance Evaluation will be used as justification for salary adjustments. For any salary adjustments, the General Manager will complete a "Payroll Change Notice" with the original forwarded to the Finance Department, a copy to the employee, and one copy maintained in the personnel file.

### ***Salary Increases Based on Performance Guidelines***

Salary increases will be based on work performance in the evaluation period. Subject to the Commission's budget approval, and delegation of authority to the General Manager, the employee may receive a salary increase for merit, promotion, and/or reclassification. Salary increases are given at the General Manager's discretion, based upon the performance and contribution of the employee, but at no time shall the net sum of the increase exceed the total annual merit pool as approved by the Commission.

### ***Promotion***

A promotion is defined as the elevation of an employee from one classification to another classification in a higher salary range. An employee who is promoted to a position in a classification with a higher salary range shall, at the discretion of the General Manager, be eligible for a salary increase.



### ***Classification Reduction***

A reduction shall be the reassignment of an employee from one classification to another classification in a lower salary range.

If an employee's salary is reduced, that employee shall be placed in a salary closest to their current salary in the new range. In the event the employee's current salary exceeds the maximum salary of the new range, the General Manager may make a determination of a reduction to the employee's salary to the maximum salary of the new range.

### ***Severance Pay***

Employees normally will be considered eligible for severance pay if they have worked full-time regularly for at least one year and are terminated (i.e., laid off) because of a temporary or permanent reduction in the work force, budget reasons, or the elimination of the job or position. Employees normally will not be considered eligible for severance pay if termination is due to:

- Resignation.
- Misconduct.
- Normal retirement, employee-initiated early retirement.
- Permanent disability or death.

When severance pay is granted, eligible employees normally will receive not more than one week's straight time pay for each year of continuous service. In order to be eligible for severance pay, employees must sign a General Release. The General Manager has the discretion to grant severance pay to employees not covered by this policy.

Part-time employees and interns are not entitled to severance pay.

## **Termination of Employment**

The General Manager will interview employees leaving SAWPA and will have the reasons for termination clearly stated in writing for inclusion in the employee's permanent personnel record.

All termination forms must be signed at the exit interview and all SAWPA property (i.e., cell phone and accessories, credit cards, keys, etc.) must be returned at that time.

Termination is a general term used to refer to separation of employment such as voluntary resignation, layoff, job abandonment, involuntary termination, and retirement.

### ***Voluntary Resignation***

Voluntary resignation results when an employee voluntarily quits employment at SAWPA.

The effective date of an employee's resignation is the day following the final day worked. Benefits continue through the last day of the month of the final day worked. Employees who are resigning from SAWPA and who desire to leave in good standing shall give at least two weeks' written notice, which the supervisor shall submit to the General Manager.

With regards to SAWPA property, please refer to the Termination section.

Final paychecks will be issued by the next normal payday.

### ***Layoff***

A layoff is a temporary or permanent termination of employment initiated by SAWPA due to lack of work, position or job elimination, or budgetary reasons. In case of layoff, an employee with one or more years of service with SAWPA shall receive as much notice as possible, and SAWPA will use its best efforts to provide at least 15 calendar days notice.

When an employee is given a notice of layoff, it is expected that the employee will actually be on the job and available for assignment through the last day for which he or she receives regular pay. At the discretion and approval of the General Manager, the employee may be permitted a limited amount of paid or unpaid time off for job interviews.

Refer to the Termination section regarding SAWPA property.

Final paychecks will be issued by the next normal payday.

### ***Job Abandonment***

Employees who fail to report to work or contact their supervisor for three (3) consecutive workdays shall be considered to have abandoned their job without notice, effective at the end of their normal shift on the third day. The supervisor shall notify the Human Resources Department at the end of the third workday and initiate the paperwork to terminate the employee.

Employees who are terminated due to job abandonment are ineligible for rehire. However, an appeal may be made in writing to the immediate supervisor. If it is determined that there were extenuating circumstances for the absence and failure to notify, the employee may be reinstated.

A final paycheck will be prepared within 72 hours of termination and will be held at SAWPA unless a written request to mail the paycheck along with a current address is provided.

The effective date of an employee's termination is the day following the third day missed. Benefits continue through the last day of the month of the final day worked.

Please see the Termination section regarding SAWPA property.

### ***Involuntary Termination***

Involuntary termination results when an employee violates SAWPA policies and rules, which may warrant disciplinary action (outlined in [Appendix 2](#)).

The effective date of an employee's termination is the day following the final day worked. Benefits continue through the last day of the month of the final day worked.

Please refer to the Termination section regarding SAWPA property.

Final paychecks will be issued by the next normal payday.

### ***Retirement***

Employees who wish to retire should notify their supervisor as well as Human Resources in writing at least three (3) months before the planned retirement date.

Please see the Termination section regarding SAWPA property

Employees hired before July 1, 2005, are eligible for retiree medical benefits. Please see the Employment Benefits section on page 25 for more information.

### ***Benefits Paid upon Termination***

An employee will be paid for work actually performed up to, and including, the day of discharge. Any accrued vacation to be paid by SAWPA will be prorated to that date. Any unused accrued sick leave shall be paid to that date based on the schedule set forth in the Leaves of Absence Section.

## **Leaves of Absence**

### ***Sick Leave***

Only regular employees are entitled to use sick leave benefits. Sick leave is defined as absence from duty caused by illness, injury, medical or dental visits, blood donations, pregnancy, or to attend to the illness or injury of a family member as which is later defined. It is not an earned right to take time off from work. Employees shall not assume that absenteeism is permissible merely because they have sufficient sick leave to cover all or a portion of their time off. SAWPA will determine whether or not sick leave is being abused, or if it is disruptive to the daily business activity, co-workers or department. Part-time employees and interns are not entitled to sick leave benefits.

#### **Sick Leave Accrual**

Every full-time employee of SAWPA will accrue one (1) day of sick leave per month. One day is equivalent to nine (9) hours. The General Manager may advance up to three (3) days of sick leave if the employee does not have enough accrued leave to cover an absence due to illness.

An employee shall not accrue sick leave credit during any month in which the employee is absent without pay for more than six full working days. In the event an employee is required to work part-time by direction of a physician, sick leave credit shall be prorated. Sick leave will continue to accrue if an employee is absent due to an injury arising out of or in the course of employment and is receiving Workers' Compensation benefits.

#### **Sick Leave General Provisions**

To qualify for sick leave, the employee must notify their supervisor no later than one-half hour after the beginning of the workday by reporting to the employee's supervisor or the General Manager.

The employee and the employee's supervisor shall be responsible for control of any abuse of the sick leave privilege. The employee may be required, at any time, to furnish a certificate issued by a licensed physician or nurse, or other satisfactory evidence of illness. However, for absences of five (5) working days or more, a written request for leave and medical statement, on prescribed forms, stating the expected date of return must be submitted to the General Manager. Upon return to work, a written doctor's release must be submitted to the General Manager.

**Sick Leave Pay Out Provisions**

Upon an employee’s termination (as defined on page 14) other than for prohibited misconduct, or in the event of death, unused accrued sick leave shall be paid to said employee or beneficiary (as defined by state law) in the event of death, on the following basis:

| <u>Length of Service</u> | <u>Percent of Unused Sick Leave Paid</u> |
|--------------------------|------------------------------------------|
| 1-5 years                | 15%                                      |
| 6-10 years               | 30%                                      |
| 11-14 years              | 45%                                      |
| 15 years and above       | 60%                                      |

Unused sick leave shall not be paid out in the event of termination for prohibited misconduct. This section sets forth administrative policy regarding sick leave pay out, and does not alter the “at will” nature of employment.

***Family and Medical Leave***

To the extent not already provided for under current leave policies and provisions, SAWPA will provide Family and Medical Leave for eligible employees as required by State and Federal Law. To be eligible, SAWPA must have 50 or more employees. Information on the Federal Family and Medical Leave Act can be found in [Appendix 3](#).

***Pregnancy Leave***

Under the California Fair Employment and Housing Act ("FEHA"), if you are disabled by pregnancy, childbirth or related medical conditions, you are eligible to take a pregnancy disability leave ("PDL"). If you are affected by pregnancy or a related medical condition, you are also eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if this transfer is medically advisable.

The PDL is for any period(s) of actual disability caused by your pregnancy, childbirth, or related medical conditions up to four months (or 88 work days for a full time employee) per pregnancy.

The PDL does not need to be taken in one continuous period of time but can be taken on an as-needed basis.

Time off needed for prenatal care, severe morning sickness, doctor-ordered bed rest, childbirth, and recovery from childbirth would all be covered by your PDL.

Generally, SAWPA is required to treat your pregnancy disability the same as SAWPA treats other disabilities of similarly situated employees. Consequently, PDL is unpaid leave.

You should give notice of your need for a pregnancy-related leave of absence as soon as you know, with reasonable certainty, the expected date on which your leave will begin. You should submit a Request for Leave of Absence. You are required to obtain certification from your health care provider of your pregnancy disability or the medical advisability for a transfer. The certification should include: the date on which you become disabled due to pregnancy or the date of the medical advisability for the transfer; the probable duration of the period(s) of disability or the period(s) for the advisability of the transfer; and a statement that, due to the disability, you are unable to work at all or to perform any one or more of the essential functions of your position without undue risk to

yourself, the successful completion of your pregnancy or to other persons or a statement that, due to your pregnancy, the transfer is medically advisable.

At your option, you can use any accrued vacation or other accrued time off as part of your pregnancy disability leave before taking the remainder of your leave as an unpaid leave. You also may be eligible for state disability insurance for the unpaid portion of your leave.

Taking a pregnancy disability leave may impact certain aspects of your benefits and your seniority date. If you want more information regarding your eligibility for a leave or the impact of the leave on your seniority and benefits, please contact Human Resources.

### **Benefits during Unpaid PDL**

If you take PDL, SAWPA will maintain group health insurance coverage for up to a maximum of four (4) months (if such insurance was provided before the leave was taken) on the same terms as if you had continued to work. (Leave under this policy runs concurrently with family and medical leave under Federal law, but not under California law.) SAWPA may recover premiums it paid to maintain health coverage for you if you fail to return to work following PDL.

If you are on PDL and are not eligible for continued paid coverage, or if paid coverage ceases, you may continue your group health insurance coverage through SAWPA in conjunction with federal COBRA guidelines by making monthly payments to SAWPA for the amount of the relevant premium. Contact the Human Resources Department for further information.

### **Return from PDL**

Subject to the exceptions below, upon expiration of leave, an employee is entitled to be reinstated to the same or a comparable position of employment held when the leave commenced, or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Employees have no greater rights to reinstatement, benefits and other conditions of employment than if the employee had been continuously employed during the PDL.

If a definite date of reinstatement has been agreed upon at the beginning of the leave, the employee will be reinstated on the date agreed upon. If the reinstatement date differs from the original agreement of the employee and SAWPA, the employee will be reinstated within two business days, where feasible, after the employee notifies the employer of his or her readiness to return.

#### ***Exceptions to Reinstatement***

An employee has no greater rights to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave period. In order to deny reinstatement an employer has the burden of proving, by a preponderance of the evidence, that an employee would not otherwise have been employed at the time reinstatement is requested.

### ***Personal Leave***

Employees may be granted an unpaid leave of absence to attend to personal matters in cases in which the General Manager determines that an extended period of time away from the job will be in the best interests of the employee and SAWPA. Employees may be permitted to take up to 12 work weeks of personal leave within a continuous 12-month period. An employee may be permitted to use any accrued vacation time for personal leave.

Employees, who are unable to report for work because of arrest and incarceration, shall be placed on unpaid personal leave of absence. If the employee is unable to secure bail, the leave of absence will continue until the disposition of the charges or no more than 30 days. If the employee is freed on bail, a decision will be made by the General Manager whether to allow the resumption of active employment pending disposition of the charges. The General Manager will determine whether reinstatement would be consistent with SAWPA's needs and requirements.

### ***Jury Duty***

Any full-time employee who is called to court or other qualified agency for jury duty shall be entitled to regular pay for those hours absent, supported by court-provided daily attendance slips, for a period of up to 80 hours.

Pursuant to Section 215, a juror who is employed by a federal, state, or local government entity, or by any other public entity who receives regular compensation and benefits while performing jury service, may not be paid the fee described. Employees of SAWPA should not be paid a jury fee for service. Mileage reimbursement, however, is acceptable.

An employee shall give the supervisor reasonable advance notice, with supporting documentation, of the intention to take time off.

Please refer to the Alternative Workweek section on page 9 for more information.

### ***Witness and Victim Leave***

An employee who is required to attend a court, arbitration, or administrative hearing as a victim or witness shall be entitled to reasonable unpaid leave. Such an employee shall give the supervisor reasonable advance notice, with supporting documentation, of the intent to take time off. An employee may use any accrued unpaid vacation time for such leave.

### ***Domestic Violence Leave***

Employees who are victims of domestic violence are eligible for unpaid leave. You may request leave if you are involved in a judicial action, such as obtaining restraining orders, or appearing in court to obtain relief to ensure your health, safety, or welfare, or that of your child.

You should provide notice and certification of your need to take leave under this policy. Certification may be sufficiently provided by any of the following:

- A police report indicating that the employee was a victim of domestic violence.
- A court order protecting or separating the employee from the perpetrator of an act of domestic violence, or other evidence from the court or prosecuting attorney that the employee appeared in court.
- Documentation from a medical professional, domestic violence advocate, health-care provider, or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence.

SAWPA will, to the extent allowed by law, maintain the confidentiality of an employee requesting leave under this provision.

The length of unpaid leave an employee may take is limited to 12 weeks.

## ***Military Leave***

An employee shall be granted military leave as specified below, provided that the employee gives advance verbal or written notice of the leave except when such notice is precluded by military necessity, impossibility, or unreasonableness. In the granting of such leave, SAWPA may require verification of an employee's military orders.

### **Types of Military Leave**

#### ***Emergency National Guard leave***

An employee who, as a member of the National Guard, is called to active duty by proclamation of the Governor during a state of emergency is eligible for emergency National Guard leave. An employee, who as a member of the National Guard, is called to active Federal military duty at the request of the President of the United States is **not** eligible for emergency National Guard leave, but shall be granted long-term military leave as described below.

#### ***Long-term military leave***

An employee who enlists or is ordered into active-duty service of any length or active-duty training in excess of 180 days or is ordered into active Federal military duty as a member of the National Guard or regular reserves is eligible for long-term military leave. Such leave shall be granted for a period not-to-exceed five (5) years. In addition, leave shall be granted for a period up to six (6) months from the date of release from duty.

#### ***Physical examination leave***

An employee who is required to take a pre-induction or pre-enlistment physical examination to fulfill a commitment under a Selective Service or comparable law, or during a period of war or comparable national emergency is eligible for physical examination leave.

#### ***Reserve training leave***

An employee is eligible for reserve training leave for inactive duty, such as weekly, monthly meetings, or weekend drills.

#### ***Temporary military leave***

When an employee is ordered to full-time active military duty for training for a period not-to-exceed 180 calendar days, including time spent traveling to and from such duty, the employee is eligible for temporary military leave.

### **Pay for Leave**

Employees granted temporary military leave or emergency National Guard leave are entitled to receive their regular SAWPA salary for up to 30 calendar days and any military pay (including allowances). Employees granted physical examination leave also are entitled to receive the difference between their regular SAWPA pay and any military pay (including allowances).

In addition, for any type of military leave defined in this section that extends more than 30 days, employees are eligible for military leave with pay if the employee is ordered to service involuntarily or pursuant to a reserve or National Guard status that existed when SAWPA employment began and the employee has completed 12 months of continuous SAWPA service immediately prior to the granting of the military leave.

During military leave with pay, SAWPA will pay the employee the difference between his or her regular SAWPA pay and total military pay (base pay and allowances). The purpose of this is to make the employee “whole” with regards to salary, and not incur any undue hardship as a result of military leave. SAWPA will implement this policy by withholding from the employee’s normal pay the amount of the total military compensation via payroll deduction. Employees beginning military leave must provide SAWPA with a military pay stub or other acceptable documentation as soon as possible so that SAWPA can make the correct payroll deductions after the first 30 calendar days. SAWPA will pay the employee this adjusted salary (less any taxes, benefit contributions, and court ordered deductions) on the normal biweekly pay schedule.

During military leave with pay, SAWPA will pay the salary difference as described above for holiday time. The employee will not accrue vacation or sick leave.

During the first 12 months of military leave, at the employee’s normal review date, the employee will be considered for a performance based pay increase as though not on military leave, based on the employee’s most recently completed performance review.

During all military leave, all step increases pay will be processed on the employee's normal review date, and COLAs will be applied as though the employee were not on military leave.

An employee who is **not** eligible for military leave with pay may have such absence(s) charged to accrued vacation (except sick leave), or the military leave may be without pay.

### **Reinstatement**

Following release from military service, an employee shall have, at the minimum, such right to return and protection from discharge as may be required by State and Federal law in effect at the time the employee applies for reinstatement. Employees granted military leave for a period not-to-exceed 180 days and who are honorably separated from military service shall be reinstated to the position they would have held had they remained continuously employed. Employees granted military leave for a period not-to-exceed five (5) years and who are honorably separated from military service, shall be reinstated to the position they held prior to leave being granted provided they return to work within 12 months from the date of release from duty. If the position no longer exists, a comparable position in terms of pay, benefits, status, seniority, and conditions of employment shall be provided, if available, and the employee is qualified or can become qualified through SAWPA's reasonable efforts.

### **Effect on Benefits**

#### ***Health***

##### ***Leave is less than 31 days***

SAWPA will continue to provide health coverage as if the employee were not on leave. The employee will continue to pay his or her portion of the health benefits (amount above the current cap approved by the Commission).

##### ***Leave more than 31 days***

SAWPA will continue to provide health coverage until the end of the month of the 31<sup>st</sup> day of leave. After the end of the month following the 31<sup>st</sup> day, the employee may elect to continue coverage for up to 24 months or for the period of military service, whichever is shorter. As with COBRA, the employee may be required to contribute up to 100% of the full premium plus a 2% administration fee.



For example, if the employee goes on leave in the middle of March, SAWPA would provide health coverage for the employee until the end of April. However, the employee still would be responsible for the amount above the current cap set by the Commission. Beginning on May 1, the employee could elect continuation coverage under COBRA, but may be required to contribute up to 100% of the full premium plus a 2% administration fee.

### ***PERS***

For employees on military leave with pay, the difference between the employee's SAWPA pay and military pay is **not** eligible for PERS, in accordance with Government Code Sections 20630-20364.

However, employees on military leave may be eligible for non-compensated absences or specially compensated absences under California law. Employees should consult the Human Resources Department for instructions on obtaining military service credit.

### ***Military Spouse Leave***

Employees who work more than 20 hours per week and have a spouse in the Armed Forces, National Guard or Reserves who have been deployed during a period of military conflict are eligible for up to 10 unpaid days off when their spouse is on leave from (not returning from) military deployment.

Employees must request this leave in writing to the General Manager within two business days of receiving official notice that their spouse will be on leave. Employees requesting this leave are required to attach to the leave request written documentation certifying the spouse will be on leave from deployment.

### ***Volunteer Civil Service Personnel***

No employee shall be disciplined for taking time off to perform emergency duty as a volunteer firefighter, peace officer, or emergency response personnel. Time performing such duties may be paid time off if it is approved in advance by the General Manager. Otherwise, it is unpaid leave. You also are eligible for unpaid leave for required training. If you are an official volunteer firefighter, please alert your supervisor that you may have to take time off for emergency duty. When taking time off for emergency duty, please alert your supervisor before doing so when possible.

### ***Bereavement Leave***

Upon request, and with the prior approval of the General Manager, regular (including introductory) employees shall receive necessary time off with pay, not-to-exceed three (3) days, or five (5) days if the employee must travel beyond 500 miles, in any one instance to arrange for or attend a funeral of a member of their immediate family.

For purposes of this section, "immediate family" shall mean father, father-in-law, step-father, mother, mother-in-law, step-mother, brother, brother-in-law, step-brother, sister, sister-in-law, step-sister, wife, husband, child, step-child, grandchild, grandparent, former or current legal guardian, or any family member with whom the employee resides.

An employee may use accrued leave to attend services related to the death of a non-immediate family member upon approval of the General Manager.

Please refer to the Alternative Workweek section on page 9 for more information.

### ***Management Leave***

In recognition of the additional time required (e.g., evening meetings, occasional weekends, etc.) by department managers, the following management leave policy shall be implemented.

- Each department manager shall receive five (5) days of management leave per calendar year. One day is equivalent to nine (9) hours.
- Management leave does not accrue.
- Any unused Management leave hours will be either:
  - a. Paid out on the first paycheck of the following calendar year; or
  - b. Paid out on the last paycheck of the current year with the value of the unused management leave hours transferred to the 457 Deferred Compensation Program provided it does not cause the employee to exceed the annual deferral limits set by law.

### ***Time Off for Voting***

Employees will be allowed up to two (2) hours off with pay to vote at local, state, and national elections if sufficient time is not available outside of regular working hours due to the employee's work schedule/workload.

### ***School Activities Leave***

Consistent with State Labor Code Sections 230.7 and 230.8, employees shall be entitled to unpaid leave to participate in activities of the school or licensed child day care facility of any of their children, if reasonable notice is given to SAWPA. The employee's supervisor may require documentation from the school or licensed child day care facility as proof that the employee participated in such activities on a specific date and at a particular time. Time off for this purpose may not exceed 8 hours in any month, and may not exceed 40 hours in any calendar year.

Additionally, Section 48900.1 of the Education Code provides that employees required to attend a portion of the school day in class as a result of their child being suspended from class, must be allowed to attend. Employees may use available accrued vacation, floating holidays, or compensatory time off for the above purposes, or may use time off without pay. Employees using time off for this purpose shall not be discriminated against in any way by SAWPA for using such time. The use of this type of leave will not be a factor in an employee's performance review, provided reasonable notice and documentation from the school is provided to the employee's supervisor.

### ***Non-Serious Family Health Leave***

Employees are permitted to use, in any calendar year, accrued sick leave in an amount not more than the amount earned during six (6) months employment to care for a sick child, parent, spouse or State registered domestic partner due to routine illness (such as cold, flu, earache, etc.), and generally are not subject to disciplinary action for such use. For example, a full-time employee would be permitted to use up to 48 hours/calendar year of accrued sick leave for this purpose. The use of this type of leave will not be a factor in employee performance reviews, provided employees notify their supervisor of projected sick leave use at the time leave is taken.

# Vacation

## *Vacation Entitlement*

Every full-time employee of SAWPA shall be entitled to vacation days in accordance with the following schedule. No employee shall use any vacation days until the successful completion of the introductory period. The General Manager has discretion to advance accrued vacation.

Employees are encouraged to take a vacation each year, using all unused vacation days accrued during the last year. However, it is recognized that work schedules and personal matters do not always make this possible. Prior Management approval of the vacation period selected by an employee is required and is governed by existing or contemplated workloads. Whenever possible, employees shall notify their supervisor at least thirty (30) days in advance concerning their proposed vacation plans by submitting a Request for Leave of Absence Form.

## *Vacation Accrual*

For the first five years of employment, regular employees accrue a day of vacation for each full month worked, or 12 workdays per 12 full months worked. One vacation day is equivalent to nine (9) hours. Employees with more than five (5) years of service accrue vacation time as described below:

| <u>Years of Service</u> | <u>Vacation Days</u> |
|-------------------------|----------------------|
| 0-5 years               | 12                   |
| 6 years                 | 13                   |
| 7 years                 | 14                   |
| 8 years                 | 15                   |
| 9 years                 | 16                   |
| 10 years                | 17                   |
| 11 years                | 18                   |
| 12 years                | 19                   |
| 13 years                | 20                   |
| 14 years                | 21                   |
| 15+ years               | 22                   |

Vacation accrual increases begin on the first day of the first pay period **after** completion of the year of service listed above. For example, an employee begins accruing 13 days per year on the first pay period after their fifth anniversary.

An employee may not accrue more than 36 vacation days (324 hours) total. Employees are encouraged to use their vacation and they cease accruing vacation when they reach the limits above. The General Manager may, at the request of the employee, payoff up to 50% of the annual accrued days of unused and accrued vacation days, if the employee makes an irrevocable election to do so on or before December 31 in the year prior to the payout once in each calendar year, pending available funds in the approved budget.

Part-time employees accrue vacation on a pro-rated basis based on the actual number of hours worked.

When an approved holiday falls within a vacation period, an employee on vacation shall be entitled to the holiday pay.

### ***Unused Accrued Vacation Leave Payout Provisions***

Eligible employees terminating employment with SAWPA shall be compensated for unused accrued vacation time. When there is a death of an employee, payment for accrued vacation time shall be made to the employee's beneficiary based upon state laws.

## **Holidays**

Immediately upon employment, full-time, limited-term and part-time employees are eligible for paid holidays. Holiday pay for a part-time employee is pro-rated based on a 40-hour week. The General Manager may elect to maintain a minimum staff on any holiday. When a holiday occurs on a Sunday, the following Monday will be taken as the holiday. Holidays falling on a Saturday are observed the preceding Friday. However, if the office is closed on the preceding Friday, the eight (8) hours (pro-rated for part-time employees) for the flex day will be added to the employee's accrued vacation.

### ***Floating Holiday***

Each full-time, regular employee is entitled to take one floating holiday during the calendar year. Part-time employees who work more than 960 hours per calendar year also are entitled to take a floating holiday, but the hours available will be pro-rated.

The floating holiday should be scheduled in advance with the employee's supervisor, and is to be taken within the calendar year. If the floating holiday is not taken before December 31, eight (8) hours (pro-rated for part-time employees) will be paid out to the employee on the first paycheck of the following calendar year.

The floating holiday will be treated as any other holiday that SAWPA observes with regards to the number of hours claimed.

Please refer to the Alternative Workweek section on page 9 for more information.

### **Holiday Schedule**

The holiday schedule is as follows:

- New Year's Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve Day
- Christmas Day
- One Floating Holiday

## Employment Benefits

SAWPA provides medical, vision, and dental benefits to its regular employees.

### ***Medical Benefits***

All full-time, including introductory, employees are eligible on the first of the month following completion of two (2) consecutive full calendar months of service, for participation in the medical insurance plans of SAWPA, unless otherwise stated in the *Offer of Employment* letter. Part-time, contract employees, and interns are not eligible for medical benefits.

#### **Medical Coverage for Retirees**

Agency paid medical coverage for employees and their spouses shall be provided for retired employees who are age 58 or over and who have a minimum of 10 years of service with SAWPA on the same basis as provided to active employees. As defined in SAWPA's insurance contract, after age 65, when the retired employee becomes eligible for Medicare, they must sign up for Medicare Part A and B. The retired employee will then be changed over to the ACWA supplemental insurance for both the retiree and spouse. That premium (up to the current cap approved by the Commission) will be paid by SAWPA for the lifetime of the retiree. In the event the retiree dies prior to his/her spouse, the spouse may elect to continue coverage at their own expense. Retired employees who are age 58 or over who have had a break in service due to resignation or disability and who were subsequently rehired shall be eligible under the same terms if the combined years of employment equal a minimum of 10 years of service. **Retiree medical coverage does not apply to new active employees hired on or after July 1, 2005.**

#### **Medical Benefits Continuation Coverage**

Medical coverage for employees or dependents whose coverage would otherwise terminate due to qualifying events as defined by the Consolidated Omnibus Budget Reconciliation Act (COBRA) such as, but not limited to, termination, reduction of hours, or divorce, are eligible to continue their coverage for a specific period of time, as provided under COBRA, at their expense.

Upon hire, employees and dependents who are enrolled in a group plan sponsored by SAWPA are provided detailed information from the group provider regarding continuing coverage. It is the employee's responsibility to inform SAWPA, in writing, (within ten (10) working days), of any change in the following: marital status, address, ineligible dependents or coverage under another group health plan.

### ***Dental Benefits***

All full-time, including introductory, employees are eligible on the first of the month following completion of two (2) consecutive full calendar months of service, for participation in the dental insurance plan of SAWPA, unless otherwise stated in the *Offer of Employment* letter.

#### **Dental Benefits Continuation Coverage**

Dental coverage for employee is the same as described above regarding medical insurance.

### ***Vision Benefits***

All full-time, including introductory, employees are eligible on the first of the month following completion of two (2) consecutive full calendar months of service, for participation in the vision insurance plan of SAWPA, unless otherwise stated in the *Offer of Employment* letter.

### **Vision Benefits Continuation Coverage**

Vision coverage for employee is the same as described above regarding medical insurance.

### ***Life Insurance***

All full-time employees are eligible, on the first of the month following completion of two (2) consecutive full calendar months of service, for participation in the life insurance and accidental death and dismemberment plan of SAWPA. Coverage includes up to two times the employee's annual salary, with a maximum coverage amount of \$250,000. Presently, SAWPA pays the premium. Employees may apply and pay for additional supplemental life insurance through payroll deduction. It is the employee's responsibility to pay the supplemental portion of their coverage.

Basic and supplemental life insurance may be continued during a leave of absence. SAWPA will pay the basic life insurance premium.

### ***Disability***

Temporary disability, for other than on-the-job injury or illness, is covered by the California Employment Development Department. As a benefit, SAWPA pays the State Disability Taxes for regular employees.

SAWPA provides 100% Agency paid, long-term disability to regular employees who are disabled for longer than 60 calendar days with a 66-2/3% of an employee's monthly salary. (See the Long-Term Disability Booklet for further information).

### ***Unemployment Insurance***

All employees are covered under the State Unemployment Insurance Program.

### ***Public Employees Retirement System***

SAWPA participates in the California Public Employees Retirement System (CalPERS). Each pay period, a contribution is deposited into the employee's account. SAWPA's current PERS contract is 2% at 55 based on the highest year of compensation. Presently, SAWPA contributes 7% of an employee's bi-weekly gross salary as a contribution to CalPERS.

### ***Wellness Program***

In an effort to promote good health and wellness of its employees, SAWPA offers a Wellness Program to cover a portion of out-of-pocket expenses for each employee per fiscal year for activities such as gym membership, smoking cessation programs, physical therapy etc. Employees must submit receipts on a standard SAWPA Expense Form, which are subject to the approval of the General Manager. The annual cap for such reimbursement is set by the Commission.

### ***Professional Memberships***

SAWPA may provide, at the discretion of the General Manager, payment for the cost of one membership in a recognized professional society per fiscal year per employee, not to exceed \$200. This limitation does not apply to the General Manager or to participation or memberships in associations, groups or societies when requested by SAWPA.

SAWPA will not provide payment for the cost of memberships in political associations or groups.

### ***Deferred Compensation***

SAWPA provides a 457 Deferred Compensation Plan through bi-weekly deduction. This plan is to provide additional retirement income to the employee. Contributions and management of the Plan are the sole responsibility of each employee wishing to participate in this Plan.

## **Education Reimbursement**

### ***Eligibility for Education Reimbursement***

Full-time employees performing their job satisfactorily are eligible for reimbursement after completion of the six-month introductory period.

Eligible courses are those taken for credit and related to the work of the employee's position, occupation, or advancement within SAWPA. This includes prerequisites for work-related courses and those that are required to obtain a degree in a work-related field.

Eligible courses are those taken at an accredited institution. Correspondence courses from reputable institutions will be considered by the General Manager when equivalent courses are not available at local accredited schools, or when the employee's circumstances prevent attendance at courses offered locally.

Courses shall be taken on the employee's time, unless special circumstances warrant otherwise, and prior arrangements have been made with their supervisor and approved by the General Manager.

### ***Education Reimbursement Conditions***

Expenses eligible for reimbursement are tuition, registration, parking, laboratory and material fees and books. Requests for reimbursement in excess of established calendar year limits must be approved by the General Manager and are subject to budgetary limitations. The annual cap for such reimbursement is set by the Commission.

The maximum amount of reimbursement for individual classes will be limited to the cost of tuition in the California State University system, or the actual cost of individual classes/certificate programs taken through the University of California Extension Program (when applicable). If an employee chooses to attend an accredited institution whose cost is higher than these programs, the employee must pay the difference between the two.

Reimbursement shall be made to the employee upon completion of the course with a minimum final grade of "C". For graduate work, a grade acceptable for credit from the institution must be earned.

Funds received from all other sources (such as scholarship grants or Veterans Educational Benefits) must be applied toward the cost of the course before SAWPA's reimbursement is applied.

### ***Education Reimbursement Procedure***

The employee shall complete the Tuition Reimbursement Form and submit it to the supervisor and the General Manager for approval prior to beginning the course. Upon satisfactory completion of a course, the employee shall submit a grade report along with receipts of eligible expenses itemized on an Expense Report for approval.

Upon supervisor approval, a reimbursement check will be drawn at the next scheduled check run.

### ***Licensing, Certification, or Professional Continuing Education***

Training and fees associated with licensing, certifications, accreditations that are required by the employee's job description, or mandatory professional continuing education to maintain such credentials, will be paid for by SAWPA. For training of this type for credentials that are not required, but that are job related, SAWPA may cover all or part of the expense, in the discretion of the General Manager. The employee should coordinate with his or her supervisor regarding direct agency payment the reimbursement method to be used.

## **Health and Safety**

SAWPA employees are sometimes required to visit construction project areas, perform work in laboratories; perform operations, maintenance, and repair activities on the Brine Line; or work in other hazardous or potentially hazardous areas. Those participating in such assignments shall wear appropriate protective clothing and equipment as a precaution against injury. Such protective equipment may be obtained from the appropriate supervisor.

SAWPA maintains an Injury and Illness Prevention and Safety Plan (Safety Plan) containing detailed safety regulations applicable to all employees working in the following areas:

- Office Environment
- Construction Management
- Field Reconnaissance
- Operations and Maintenance of the Brine Line

Copies of the Safety Plan are made available to all employees and generally are reviewed at staff meetings annually.

The full and complete cooperation of all employees in preventing accidents is required. Compliance and observance of safety rules is mandatory. SAWPA management always welcomes suggestions for improvement of working conditions and the elimination of hazards.

Personnel visiting, inspecting, or working on a construction job site, performing O&M of the Brine Line, or performing field reconnaissance, must comply with the Federal and State Occupational Safety Health Act (OSHA), as well as owner's and construction contractor's regulations, and must use protective clothing and/or equipment provided by SAWPA. Employees are responsible to comply with OSHA regulations and must use safety equipment supplied, such as hard hats, safety shoes, etc.

All "on-the-job" injuries, no matter how slight, MUST be reported immediately to the employee's supervisor, who then promptly files a written report with Human Resources. SAWPA maintains Workers' Compensation insurance, which has provision for payment of medical expenses and other expenses resulting from "on-the-job" injuries (see Workers Compensation section).

### ***Workers' Compensation***

Whenever an employee sustains an injury or disability arising out of and in the course of SAWPA's employment and requires medical care, the employee shall obtain treatment according to the provisions of the California Labor Code, Section 4600 et seq., and shall receive compensation for hours not worked while obtaining such medical care. SAWPA's workers' compensation coverage is



through the State Compensation Insurance Fund and an alliance with Kaiser Permanente that will provide medical care. (See Workers' Compensation Internal Procedure for process).

In order to minimize serious disability due to on-the-job injuries and to reduce the effect to SAWPA's injured employees, SAWPA has developed a policy to deal with time loss claims in which the employee may be offered temporary modified work. Modified jobs may be offered after obtaining from a qualified treating physician the injured employee's physical limitations or restrictions. "Modified" might be the employee's regular job, modified by heavier tasks being assigned to other employees; a different regular job currently existing at the workplace; or a job, which is specifically designed around the employee's restrictions.

The modified job, if offered, is a temporary adjustment, and will be limited to 120 calendar days. Each case will be assessed individually, and the modified job may be extended an additional 90 calendar days at the General Manager's discretion. Modified work may not be offered in every instance. Whenever an employee is compelled by a physician to be absent from duty on account of injury or disability, such employee shall be placed on Workers' Compensation Leave. The employee shall receive full compensation for the first three (3) days following the day of the injury. Thereafter, the employee may elect to apply to such absence pro-rated sick leave or vacation if sick leave is exhausted, to receive compensation in an amount equal to the difference between the compensation entitled under the Workers' Compensation Act and the regular pay, not to exceed the amount of accrued leave. An employee who is receiving Workers' Compensation shall continue to accrue sick leave and vacation.

Workers' Compensation benefits begin with the fourth consecutive calendar day of missed work; however, if the absence continues beyond fourteen (14) days, Workers' Compensation will then pay the applicable benefits for the first three (3) days of missed work. When this occurs, the employee will be docked for the first three (3) days that SAWPA previously paid him/her in an amount equal to the Workers' Compensation benefits received.

Employees and supervisors are required to complete the prescribed forms whenever an employee is injured and/or placed on Workers' Compensation Leave. All forms are defined in the Workers' Compensation Industrial Accident Procedure.

#### **Return to Work (RTW) Policy**

An employee who has been absent from work due to an injury, illness, or disability is subject to a Return to Work (RTW) medical evaluation by a SAWPA appointed physician when SAWPA has a genuine reason to doubt whether the employee can perform his or her essential job functions. RTW medical evaluations are conducted to determine whether an employee has a medical condition that impacts the employee's ability to perform on the job without any substantial risk of injury to the employee or others.

The degree of complexity of the RTW medical evaluation may differ depending upon the circumstances of the leave, changes in job demands and/or inquiries with or between appropriate management staff and/or the employee's physician. Full consideration will be given by SAWPA to reasonably accommodate the employee.

#### **Return to Work from Industrial Injury or Illness**

The decision to return an employee to work or place an employee back on the job with or without modified work, shall be made by the General Manager, independent of any decision made in the workers' compensation process. However, full consideration will be given by

SAWPA to reasonably accommodate the employee and the following guidelines will be followed:

- If the employee can perform all essential duties of their job classification without work restrictions and the absence has not been longer than 30 calendar days, the employee shall be returned to work.
- If the employee can perform all essential duties of their job classification, but with temporary work restrictions or there has been an absence of 30 calendar days or more, a review of such work restrictions and their impact on the employee's ability to perform the essential duties of their position will be conducted. An employee will be returned to work if the work restrictions are compatible with all essential duties of the job or modified job, if available.
- If it is determined that the essential duties of the position last held by the employee are not compatible with the employee's work restrictions and the employee is willing to return to work, placement in an alternative position, if available, will be considered. If no job is available, the employee shall be re-classified as "medically disqualified" and placed on Health Leave while alternative positions are being considered. Health Leave shall be without pay; however, the employee may elect to use accrued leave hours, such as vacation or sick leave to receive compensation. Placement of an employee in an alternative position will not be authorized without approval of the General Manager and the employee's primary treating physician.
- If, following an interactive process meeting, it is determined that the job demands of the position last held by the employee are not compatible with the employee's restrictions and there is not an alternative position, or the employee's restrictions are not compatible with an alternative position, or the employee is not willing to return to work, the employee shall be re-classified as "medically disqualified" and placed on Health Leave. Thereafter, once the employee's primary treating physician determines that all work related injuries or illnesses are permanent and stationary, and if the employee still cannot return to work or be reasonably accommodated in their current position or another position, the employee shall be retired for disability or be terminated from employment due to medical disqualification. Before terminating employment, SAWPA will meet its legal obligations to apply for CalPERS disability retirement on behalf of the employee and hold any requested interactive meeting with employees and their representatives to determine if there are any reasonable accommodations SAWPA may provide that would enable employees to perform the essential duties of their positions.

### **Return to Work From Non-Industrial Injury or Illness**

An employee who has been absent from work due to an injury, illness, or disability is subject to a RTW medical evaluation by a SAWPA appointed physician when SAWPA has a genuine reason to doubt whether the employee can perform his or her essential job functions. Based on the findings of the RTW medical evaluation the following guidelines shall be followed:

- If the employee can perform all essential duties of their job classification but with temporary work restrictions, a review of such work restrictions and their impact on the employee's ability to perform the essential duties of their position will be conducted. An employee will be returned to work if the work restrictions are compatible with all essential duties of the job or modified job, if available.

- If, following an interactive process meeting, it is determined that the essential duties of the position last held by the employee are not compatible with the employee's work restrictions and the employee is willing to return to work, placement in an alternative position, if available, will be considered. If no job is available, the employee shall be reclassified as "medically disqualified" and placed on Health Leave while alternative positions are being considered. Health Leave shall be without pay; however, the employee may elect to use accrued leave hours, such as vacation and sick leave to receive compensation. Placement of an employee in an alternative position will not be authorized without approval of the General Manager and the employee's primary treating physician.
- If it is determined that the job demands of the position last held by the employee are not compatible with the employee's restrictions and there is not an alternative position, or the employee's restrictions are not compatible with an alternative position, or the employee is not willing to return to work, the employee shall be reclassified as "medically disqualified" and is subject to termination from employment due to medical disqualification. Before terminating employment, SAWPA will meet its legal obligations to apply for CalPERS disability retirement on behalf of the employee and hold an interactive process meeting with employees and their representatives to determine if there are any reasonable accommodations SAWPA may provide that would enable employees to perform the essential duties of their positions.

***Non-Work Related Health Leave***

When an employee becomes disabled as a result of a non-work related injury or illness, including childbirth or related medical conditions, they shall be placed on a Health Leave. Before being placed on Health Leave, however, an employee may choose to use their vacation pay, floating holiday and sick leave, so that SAWPA's portion of medical, life insurance, and other SAWPA provided benefits will continue to be paid until the employee begins to receive long-term disability insurance benefits. While on Health Leave, an employee shall not earn sick leave or vacation, or be entitled to pay for holidays and SAWPA granted days off, but will have the right to continue with other SAWPA benefits, such as medical insurance, life insurance, etc., at the employee's expense. Contributions to CalPERS will cease until the employee is back on SAWPA's payroll.

At the conclusion of Health Leave, which has not exceeded six (6) months duration, the employee shall return to the duties of the position within the classification to which they were assigned providing their attending physician verifies they are fully able to resume all the responsibilities and duties of their positions and such positions exist. If, at the conclusion of six (6) months from the first day of injury or illness, the employee is still unable to resume the duties of their positions, SAWPA may consider their positions vacated and take the necessary steps to fill them. When and if such employee on Health Leave is able to resume the duties of their positions, as verified by their attending physician's certifications, they will be considered for the first vacancy in the classification of their previous assignments or for any positions for which they are qualified. Their reassignment to duty will take preference over all other applicants for employment for the position for which they are qualified except those laid off for lack of work or funds or those seeking to return from a Work-Related Disability Leave. Before terminating employment, SAWPA will meet its legal obligations to apply for Cal-PERS disability retirement on behalf of the employee and hold any requested interactive meeting with employees and their representatives to determine if there are any reasonable accommodations SAWPA may provide that would enable employees to perform the essential duties of their positions.

### ***Heat Illness***

SAWPA is concerned with employee health and safety. Employees who work outside may be exposed to extreme temperatures or adverse working conditions, particularly in the summer months. All supervisors are trained in the prevention of heat illness. Please refer to the Injury Illness and Prevention Program or talk to your supervisor for details on how to ensure you are protected from heat illness dangers.

### ***Ergonomics***

SAWPA is subject to Cal/OSHA ergonomics standards for minimizing workplace repetitive motion injuries. SAWPA will make necessary adjustments to reduce exposure to ergonomic hazards through modifications to equipment and processes and employee training. SAWPA encourages safe and proper work procedures and requires all employees to follow safety instructions and guidelines.

SAWPA believes that reduction of ergonomic risk is instrumental in maintaining an environment of personal safety and well-being, and is essential to our business. We intend to provide appropriate resources to create a risk-free environment.

### ***Recreational Activities and Programs***

SAWPA or its insurer will not be liable for payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

### ***Security***

SAWPA has developed guidelines to help maintain a secure workplace.

- Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas.
- Report any suspicious persons or activities to security personnel.
- Secure your desk or office at the end of the day.
- When called away from your work area for an extended length of time, do not leave valuable and/or personal articles in or around your workstation that may be accessible.

The security of facilities as well as the welfare of our employees depends upon the alertness and sensitivity of every individual to potential security risks. You should immediately notify your supervisor when unknown persons are acting in a suspicious manner in or around the facilities or when keys are missing.

SAWPA's workplace security program is described in detail in the Illness and Injury Prevention Program (IIPP).

### ***Driving***

SAWPA staff shall use the mode of transportation that provides the highest value to the Agency. Cost, availability, and other factors shall be reviewed when deciding on public transportation, rental car, SAWPA owned/leased vehicle, or privately owned vehicle (paid as mileage).

### **Use of Agency Vehicles**

SAWPA owned, leased, or rented vehicles will be used only for Agency business and shall not be issued to an individual for personal use. Employees who are required to drive an Agency

vehicle or their own vehicles on SAWPA business will be required to show proof of current valid driver's license and current effective insurance coverage.

SAWPA may request that an individual use a SAWPA vehicle on-call, for emergency response, or for employee use such as driving the vehicle home for an early morning departure or other use that may involve having the vehicle at an employee's home. If this is done, all miles driven for commuting or incidental personal use will be reported to the Finance Department on a weekly basis. Miles driven for incidental personal use or commuting must be reported to the IRS as income.

Notwithstanding the previous statement, use of a rental car on travel for incidental personal use will not be added or prohibited unless it increases the cost of the rental. The increase will then be accounted for by the employee. Additionally, fuel costs shall not be reported separately unless significant. SAWPA insurance may not cover any damage or liability during the personal use of the vehicle and employees should check with their insurance for coverage or consider personally paying for the Damage or Liability Waiver.

Vehicle maintenance is the responsibility of all users of the vehicle and any needs or requirements shall be reported to the Executive Manager of Engineering and Operations. The vehicle should always be left with fuel and in proper operating condition.

If the vehicle is used for a specific project, the mileage should be charged to the project, program or fund.

Absent an emergency or without specific written authorization, only SAWPA employees shall operate vehicles owned, leased, or rented by SAWPA.

### **Use of Personal Vehicles**

Employees who drive their own vehicles on SAWPA business will be reimbursed for mileage at the rate set by the IRS at the beginning of every calendar year. An Expense Report must be completed and submitted for approval to the supervisor and General Manager prior to reimbursement.

### ***Cell Phone Use While Driving***

SAWPA employees are prohibited from using cell phones while driving on SAWPA business and/or SAWPA time, unless you use a hands-free device (State law, effective July 1, 2008).

Texting (i.e., writing, sending, or reading text-based communication including text messaging, instant messaging, and e-mail) on a wireless device or cell phone while driving is also prohibited by law (effective January 1, 2009).

### ***Smoking***

SAWPA is a smoke-free environment.

## **Disciplinary Action Policy**

Employees are expected to observe certain standards of job performance and conduct. When job performance or conduct does not meet SAWPA standards, SAWPA may endeavor, at the General Manager's sole discretion, to provide employees with a reasonable opportunity to correct the deficiency regardless of at-will status. If, however, the employee fails to make the correction, he/she

will be subject to discipline up to and including termination. Disciplinary actions taken by the General Manager are the final decision of SAWPA and are not subject to further administrative appeal, except that a termination decision may be appealed to the SAWPA Commission on the grounds that the action has a prohibited basis.

SAWPA's Disciplinary Action Policy is outlined in [Appendix 2](#).

## **Non-Disciplinary Conflict Resolution Policy**

If an employee has a work-related problem that cannot be resolved by informal discussion between the employee and the supervisor, the following grievance procedure shall be followed. The grievance procedure must be initiated within five (5) working days after the cause of the grievance has occurred.

The grievance procedure shall apply for any good faith or reasonable complaint of an employee or group of employees involving the interpretation, application or enforcement of this Personnel Handbook. Complaints involving disciplinary actions, termination of temporary, part-time, contract employees, or interns are not subject to this section. This grievance procedure is intended to create a structured format for conflict resolution, but it does not alter the at-will employment status of any employee.

### ***Conflict Resolution Steps***

#### **Step 1 Immediate Supervisor**

The employee shall formally submit a written grievance to their supervisor. The grievance must include a brief description of the problem, any supporting documentation and a suggested solution. The supervisor must answer the grievance in writing within five (5) working days.

#### **Step 2 Department Manager**

If the grievance is not resolved in Step 1, the written grievance shall be forwarded to the Department Manager within five (5) working days of the immediate Supervisor's written decision. Within five (5) working days after receipt of the written grievance, the Department Manager will meet with the employee. Within five (5) working days of the meeting, the employee will receive a written decision regarding the grievance.

#### **Step 3 General Manager**

If the grievance is not resolved in Step 2, the written grievance will be forwarded to the General Manager within five (5) working days of the Department Manager's written decision. Within five (5) working days after receipt of the written grievance, the General Manager will meet with the employee. Within five (5) working days after the meeting, the employee will receive a written decision. The decision of the General Manager is the final decision of SAWPA and is not subject to further administrative appeal.

## **Expense Report**

Payment for travel and other expenses incurred by SAWPA employees shall be allowed only for the purpose of furthering the interest of SAWPA. It is the purpose of these regulations to assist employees in claiming reimbursement of expenses. Expenditures will be closely scrutinized and only those considered reasonable and necessary will be allowed.

### ***Level of Expenses***

Expenditures for lodging, meals, transportation and other activities should provide for reasonable comfort and convenience. It should be borne in mind, however, that public funds are being spent and that only a reasonable level of expense is warranted.

### ***Authorization to Travel***

The General Manager is authorized to travel anywhere within the United States on SAWPA business. All other employees must complete and submit a Travel Authorization Form to the General Manager for approval before any overnight travel on SAWPA business is undertaken. All travel undertaken in support of specific projects (e.g., reimbursed by Grant Fund Contracts) also must have approval of the appropriate Project Manager.

Official travel outside of the United States requires Commission approval.

Employees who travel overnight may request a travel advance to cover projected out-of-pocket expenses. Travel advances may be requested using the Travel Authorization Form.

### **Guidelines**

- Booking airfares shall not exceed coach or economy class.
- Hotel rates shall be reserved using the government rate, when available, through SAWPA credit card or check.  
*Note: some hotels require a credit card authorization form to be filled out if the guest is not the same person as is on the company credit card*
- SAWPA does not reimburse for alcoholic beverages.
- Incidentals may include the actual cost of laundry for travel in excess of five (5) working days, and actual parking fees.

### ***Reimbursable Expenses***

#### **Baggage Handling**

Reimbursement for actual cost.

#### **Conference and seminar registration fees**

Reimbursement authorized for actual cost, including mileage, parking and meal expense, should be submitted on a SAWPA Expense Report Form. Seminar participation is not restricted as long as it furthers the employee's duties or is in the best interest of SAWPA.

#### **Hotel lodging**

Reimbursement not to exceed standard room single rate, plus tax.

#### **Meals**

Reimbursement for meals for Commissioners-employees or employee-employee are authorized when pertinent SAWPA issues require timely resolution and meal time affords the most convenient time to discuss the topic away from the normal work place and must be pre-authorized by the General Manager.

Meals are authorized for the promotion of good will at the discretion of the General Manager. Food service (meals, refreshments, etc.) is authorized in conjunction with group staff meetings,

seminars, information exchange sessions or meetings that are best conducted away from the normal place of work. All local meals or food service requests shall be reviewed and approved by the General Manager prior to incurring the expense.

**Parking**

Reimbursement for actual cost.

**Personal**

Personal needs, laundry, room service charges, spousal expenses and personal telephone calls (see Telephone Expense) are not eligible for reimbursement.

**Rental Car**

In some circumstances, use of a rental car may be appropriate during travel. When possible, use of public transportation is preferred and encouraged by SAWPA over rental car use. However, actual costs will be reimbursed.

**Telephone expense**

Reimbursement for one ten-minute phone call home per day while out of town on SAWPA business. Staff with SAWPA-assigned cell phones plans should use their cell phones to eliminate this expense.

**Toll charges**

Reimbursement for actual cost.

**Travel by air**

Reimbursement for travel by air shall not exceed normal coach-class round-trip airfare from the airport nearest SAWPA, plus reasonable ground transportation.

**Travel by private automobile**

Reimbursement for travel by private automobile to a destination for a total distance of 1,000 miles or less shall be for actual miles driven, at the Internal Revenue Service (IRS) established mileage reimbursement rate (normally revised annually) from the point of departure to destination and return.

Reimbursement for travel by personal automobile for a total distance of 1,001 miles or more shall be the lesser amount of 1) mileage reimbursement for actual miles driven to point of destination and return, or 2) the cost of normal coach-class round-trip airfare to the airport nearest the destination plus reasonable ground transportation that would otherwise have been required.

**Travel by public transportation**

Reimbursement for taxi or other reasonable ground transportation.

***Claims for Travel Reimbursement***

Claims for reimbursement shall be submitted on SAWPA's Expense Report Form. The claim shall include all the information required to substantiate a claim on the expense form. All expense reports should be submitted by the end of the month in which the expenses were incurred.



### ***Travel Reimbursement Approvals***

Expenses shall be submitted to the supervisor for review and, if in order, sent to the Finance Department for processing.

## **Confidentiality**

**Each employee is responsible for safeguarding the confidential information obtained during employment.**

In the course of your work, you may have access to confidential information regarding SAWPA, its suppliers, its customers, or perhaps even fellow employees. you have a responsibility to prevent revealing or divulging any such information unless it is necessary for you to do so in the performance of your duties. Access to confidential information should be on a “need-to-know” basis and must be authorized by your supervisor. Any breach of this policy will not be tolerated and legal action may be taken by SAWPA.

## **Media Contacts**

Employees may be approached for interviews or comments by the news media. Only the General Manager or authorized staff may comment to the media on events relevant to SAWPA.

## **Employer Property**

Desks, computers, cell phones, and vehicles are SAWPA property and must be maintained according to SAWPA rules and regulations. They must be kept clean and are to be used only for work-related purposes. SAWPA reserves the right to inspect all Agency property to ensure compliance with its rules and regulations, without notice to the employee and at any time, not necessarily in the employee’s presence.

SAWPA voicemail, text messages and/or electronic mail (E-mail) are to be used for business purposes only. SAWPA reserves the right to monitor, review, access and read voicemail messages and E-mail messages to ensure compliance with this rule, without notice to the employee and at any time, not necessarily in the employee’s presence. Employees should have no expectation of privacy regarding internet, voice mail, text messages or e-mail.

Prior authorization must be obtained before any Agency property may be removed from the premises.

For security reasons, employees should not leave personal belongings of value in the workplace. Personal items are subject to inspection and search, with or without notice, with or without the employee’s prior consent.

Terminated employees should remove any personal items at the time they leave SAWPA. Personal items left in the workplace are subject to disposal if not claimed at the time of an employee’s termination.

## **Credit Card Policy**

Credit cards that are issued to designated Agency employees will be for professional use when performing duties on behalf of SAWPA. Single transactions should not be more than \$2,000; anything above that amount requires approval from the General Manager.

It is the employee's responsibility to safeguard the card from theft and/or misuse. The cardholder is responsible for the security of the card, use of the card, and compliance with this and all other SAWPA policies and procedures.

SAWPA credit cards are not to be used for cash advances.

It is the cardholder's responsibility to monitor the charges being incurred and to make sure that the credit card limit is not exceeded.

All employees issued credit cards will be required to sign an agreement, which will be placed in the employee's personnel file.

All receipts for purchases made using the company credit card must be turned in to the Finance Department, along with an account number(s) to where the purchase should be charged. If a charge does not have an accompanying receipt, all efforts should be made to locate the receipt. As a last resort, a Missing Receipt Form can be filled out and signed by both the cardholder and the cardholder's supervisor.

All SAWPA credit cards are to be used for official SAWPA business only. No personal use of the SAWPA credit card is allowed. Employees found to be breaking this policy will be subject to disciplinary action, up to and including termination. The employee will be responsible for reimbursing SAWPA for the personal charges via personal check.

## **Cell Phone Purchase/Usage Program**

SAWPA, at its sole discretion, may make available cellular telephones and service to SAWPA employees' spouses and family. Employees requesting this service shall contact the Information Systems and Technology Manager, review and agree to the terms and conditions of the provider, and sign and return the required agreement. The full cost of the telephone and plan will be deducted from the employee via payroll deductions.

To qualify for participation in this program, the employee must be a full-time, regular employee and comply with the requirements of the program including the following:

- The employee shall agree to payroll deductions for the monthly service provided by SAWPA's selected cell phone carrier on the existing account established as well as any other direct costs.
- If the employee leaves SAWPA employment for any reason, the employee will be liable for any termination of service charges or other costs.
- All rights and options under this program terminate effective upon termination of employment.
- The employee will be allowed to keep the equipment purchased and paid for via payroll deduction.

- The employee shall be responsible for any cost involved in this program relating to overages, long distance charges, equipment replacement due to misuse or abuse, lost or stolen phone equipment, or any other fees or charges.
- The employee is liable for rate plan changes, additional features, accessories, or other costs on employee phones.
- The employee will contact the SAWPA account administrator for changes to be made to existing plans.
- The employee will not make any changes to the SAWPA account otherwise all privileges will be revoked, the service will be terminated, and any associated fees will be deducted from the employee's payroll.

SAWPA reserves the right to discontinue this program at any time for any reason.

## **Computer, Word-Processing, Electronic, and Voicemail Access and Disclosure**

The purpose of computer and other electronic systems, including, but not limited to, electronic mail (email) and voicemail systems, and SAWPA's Internet access are to provide an efficient and effective means of internal and external communications. All employees shall comply with SAWPA's policy, as approved by the General Manager, addressing access to and the disclosure of information from such electronic systems.

**It is important to understand that electronic communications are the property of SAWPA, are subject to complete access, search, monitor, inspection and review by SAWPA officials, may be accessed by a court of law, and are not subject to a right of privacy.**

The General Manager shall cause staff to prepare and maintain on a regular basis an *Information Systems, Technology, and Data Management Plan*, which further defines users' responsibilities in regard to SAWPA's technology.

## **Laptop/Computer Use Policy**

This policy is established for both SAWPA staff and Commissioners. The specific equipment needed by staff and Commissioners will vary depending on the nature of use, accessibility to other equipment, and experience/skill level. Thus, several technology solutions to meet these needs include:

- Provide wireless network cards for existing laptops owned by staff/Commissioners to enable connection to the SAWPA network when on site.
- Provide staff/Commissioners with the use of wireless-networked laptops or similar technology only while on-site at SAWPA.
- Provide a check-out system for staff/Commissioners to have access to laptop computers or similar technology.

As time passes and as technology changes, other solutions may present themselves that are superior, and may be implemented as deemed appropriate by the Information Technology (IT) staff.

## ***Hardware***

As is the norm for other SAWPA equipment, laptop computers are expected to have a useful life of three (3) to four (4) years. At the end of the hardware lifecycle for a given piece of hardware, it will be declared surplus and removed from SAWPA's inventory using the same procedures as other SAWPA equipment.

Peripherals, network cards, etc. are not included in the lifecycle plan, and will be replaced or upgraded as deemed necessary by SAWPA's IT staff.

## ***Software***

Computers will include an up-to-date operating system, a browser, other supporting software, a basic Microsoft Office Suite, and other utilities as deemed appropriate by SAWPA's IT staff.

Any software additions to the computer system must be approved by SAWPA's IT Department.

## ***Check-Out and Check-In Procedures***

Staff and Commissioners taking SAWPA equipment off-site will be required to check out the equipment with the IT Department.

Once staff/Commissioners are finished using the computer equipment, it must be returned to SAWPA's IT Department. Once the equipment is returned, SAWPA IT staff is not responsible for any files left on the computer.

## **Social Media**

Use of social media (e.g., Facebook, Twitter, etc.) is allowed, provided it is work-related or done on your personal time (e.g., meal or rest periods).

## **Harassment Policy**

### **DISCRIMINATORY WORKPLACE HARASSMENT POLICY AND COMPLAINT PROCEDURE**

#### ***Purpose***

The purpose of this Policy is to clearly establish SAWPA's commitment to provide a work environment free from harassment, to define discriminatory harassment, and to set forth the procedure for investigating and resolving internal complaints of harassment. Because of the tremendous importance of a workplace free from any form of harassment, all supervisory employees of SAWPA shall receive training regarding this policy at least once every two years. Additionally, each supervisor or manager shall review this policy with his or her personnel regularly during each employee's annual performance evaluation. Specifically, this policy shall be fully discussed with each employee, supervisor, and manager to ensure that its contents are known by the employee.

All jobs with SAWPA are extremely important to our community. It is critical that all employees treat all other employees with dignity and respect. Because of the unique circumstances present in many SAWPA jobs, it is the responsibility of each and every employee, supervisor and manager to make sure that there is no inappropriate behavior occurring in the workplace. Inappropriate behavior will not be tolerated.

This Policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, reinstatement, transfer, leave of absence, compensation, and training.

### ***Policy***

Harassment of an applicant, client, contractor, business invitee, customer, supervisor, manager, or employee by a supervisor, management employee, co-worker, or others on the basis of race, religious background, color, national origin, ancestry, disability, medical condition (including cancer), marital status, veteran status, political affiliation, workers' compensation record, pregnancy, sexual orientation, gender, gender identity, age (40+), or any other basis protected by federal, state or local law, ordinance or regulation is explicitly in violation of State and/or Federal law and will not be tolerated by SAWPA.

Employees, supervisors or managers found to be participating in any form of job-based harassment or retaliation against any other employee shall be subject to disciplinary action up to and including termination from employment.

### ***Responsibilities***

#### **Management**

It is the responsibility of management to develop this policy, keep it up to date, and to ensure that any violation of this policy brought to their attention is dealt with fairly, quickly, and impartially. All managers also have the responsibility of setting the proper example.

#### **Supervision**

It is the responsibility of supervision to enforce the policy, to make a periodic review with each employee to ensure they know the policy and to regularly check the workplace and environs to ensure the policy is being followed. When a deviation from this policy is noted or reported, supervisors shall bring this information to management immediately. All supervisors also have the responsibility of setting the proper example.

#### **Workers**

It is the responsibility of each and every employee to know the policy and to follow the policy. It is imperative that every employee treats every other employee with dignity and respect.

### ***Definitions***

For purposes of clarification, harassment includes, but is not limited to, the following behaviors:

#### **Physical harassment**

Physical harassment includes: assault, impeding or blocking movement, leering, or the physical interference with normal work, privacy, or movement. These include pinching, patting, grabbing, inappropriate behavior in or near bathrooms, rest/sleeping facilities and eating areas, or making explicit or implied threats or promises in return for submission to physical acts.

#### **Sexual harassment**

Sexual harassment includes any act which is sexual in nature and is made explicitly or implicitly a term or condition of employment, is used as the basis of an employment decision, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment.

### **Verbal harassment**

Verbal harassment includes: epithets, derogatory comments, slurs, propositioning, or otherwise offensive words or comments whether made in general, directed to an individual, or to a group of people regardless of whether or not the behavior was intended to harass. This includes but is not limited to inappropriate sexually oriented comments on appearance, including dress or physical features, sexual rumors, code words, and race oriented stories.

### **Visual or written forms of harassment**

Visual or written forms of harassment include: derogatory, prejudicial, stereotypical or otherwise offensive posters, photographs, cartoons, notes, cards, E-mails, texts, bulletins, drawings or pictures. This applies to both posted material and material maintained in or on SAWPA equipment or personal property in the workplace.

### **Workplace Bullying**

Bullying is defined as repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Examples of bullying include:

- Exclusion – socially or physically excluding or disregarding a person in work-related activities.
- Gesture bullying – non-verbal threatening gestures or glances which can convey threatening messages.
- Physical bullying – pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, and/or damage to a person's work area or property.
- Verbal bullying – slandering or ridiculing a person or his/her family, persistent name calling which is hurtful, insulting or humiliating, using a person as a butt of jokes, and abusive and offensive remarks.

Additionally, the following are some examples that may constitute or contribute to evidence of bullying in the workplace:

- Shouting or raising voice at an individual in public and/or private.
- Not allowing the person to speak or express him/herself (i.e., ignoring or interrupting).
- Public humiliation in any form.
- Constant criticism on matters unrelated or minimally related to the person's job performance or description.
- Public reprimands.
- Repeatedly accusing someone of errors which cannot be confirmed.
- Deliberately interfering with mail and other communications.
- Spreading rumors and gossip regarding individuals.
- Manipulating the ability of someone to do their work (e.g., overloading, underloading, withholding information, setting meaningless tasks, setting deadlines that cannot be met, deliberately giving ambiguous instructions, etc.).
- Inflicting menial tasks not in keeping with the normal responsibilities of the job.
- Taking credit for another person's idea.

- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.

### ***Workplace Relationships***

It is natural for people who meet in the workplace to sometimes become romantically involved, and it is not SAWPA's intent to interfere with any dating relationship. Any involvement between employees must be voluntary and desired by both parties. However, many problems have developed in employment settings because of dating relationships, and they can interfere with SAWPA's goal to have a sound professional work environment. It is not inappropriate for a person to ask out a co-worker. However, if you do not want to go out with another employee, it is imperative that your response to the request is firm and definite. After this firm, definite response has been made, it is inappropriate for the requesting party to make any further attempt to initiate a dating relationship. Repeated requests under these circumstances for a dating relationship constitute Sexual Harassment. It also is inappropriate for any relationship to interfere with normal work operations in any manner. Personnel who desire to become involved with someone in the workplace must be aware of the following guidelines.

- There shall be no dating activities on SAWPA time or SAWPA property.
- There shall be no use of SAWPA property to arrange dating activities.
- All behavior between employees shall be conducive to a sound professional work environment at all times when on SAWPA property or on SAWPA time. Hand holding, kissing, hugging, sexual comments and other behavior generally associated with a dating relationship are inappropriate while on SAWPA time or SAWPA property.
- Any relationship involving employees at different levels on the chain of command (or where one party has functional supervision over another) shall be reported by the person of higher rank to their supervisor immediately. Failure to report this relationship is a violation of this policy. The manager receiving this information shall immediately contact Human Resources and inform them of the relationship. Human Resources shall contact the General Manager and make recommendations to ensure that this relationship will not detract from a sound professional work environment. Such recommendations may include the transfer of the higher-ranking person to another unit if feasible.

### ***Complaint Procedure***

#### **Confrontation**

If any person feels they are the victim of any form of harassment, they are encouraged to inform the person(s) participating in this behavior that he/she finds it offensive. This one-on-one confrontation has been demonstrated to be an effective way to end harassing behaviors. If the inappropriate behaviors do not stop, the offended employee can initiate either an informal or formal complaint as described below. Because confrontation is difficult for some people and because of the complex nature of harassment, employees are not required to confront an offending party prior to initiating this complaint procedure.

#### **Informal Complaint**

Any employee, client, contractor, customer or job applicant who believes he or she is a victim of discriminatory workplace harassment should make a complaint orally or in writing with any of the following:

- Immediate supervisor.

- Any supervisor or manager within or outside of their unit.
- General Manager.

Any supervisor or manager who observes inappropriate behavior or receives a harassment complaint shall notify the General Manager immediately. (If the complaint is against the General Manager, the Chair of the Commission shall receive the complaint and assume the role of the General Manager throughout this policy).

An informal resolution will be attempted whenever appropriate. If the informal resolution process is unsuccessful, the complainant may direct a formal complaint to the General Manager.

### **Formal Complaint**

If after an initial investigation is conducted there is no resolution and/or no conciliation of the preliminary complaint, a formal written complaint can be filed by the complainant. The General Manager will issue a Discriminatory Workplace Harassment Form to the complainant. This form shall be completed, signed, and returned to the General Manager within five (5) days after issuance.

Upon receipt of the formal written complaint, the General Manager will contact the alleged harasser(s) who will be informed of the basis of the complaint, will be given a copy of Form, and will be provided an opportunity to respond. The response shall be in writing, addressed to the General Manager, and received by the General Manager within ten (10) calendar days after being notified of the complaint. Concurrently, a formal investigation of the complaint may be commenced.

### ***Review of Response and Findings***

Upon receipt of the response, the General Manager may further investigate the formal complaint. Such investigation may include interviews with the complainant, the accused harasser(s), and any other persons determined by the General Manager to possibly have relevant knowledge concerning the complaint. This may include victims of similar conduct.

Factual information gathered through the investigation will be reviewed to determine whether the alleged conduct constitutes harassment, giving consideration to all factual information, the totality of the circumstances including the nature of the verbal, physical, visual, or sexual conduct and the context in which the alleged incident(s) occurred.

The results of the investigation and the determination as to whether harassment occurred shall be final and binding and will be reported to appropriate persons including the complainant, the alleged harasser(s), the supervisor, and the division head within twenty (20) calendar days from the receipt of the response.

### ***Disciplinary Action***

If harassment is determined to have occurred, the General Manager shall take prompt and effective remedial action against the harasser. The action will be commensurate with the severity of the offense, up to and including termination from employment. If discipline is imposed, the nature and extent of the discipline will not be divulged to the complainant.

### ***Retaliation***

Retaliation in any manner against a person for filing a harassment charge or initiating a harassment complaint, testifying in an investigation, providing information or assisting in an investigation, is



expressly prohibited and subject to disciplinary action up to and including termination. The General Manager will take reasonable steps to protect the victim(s) and other potential victims from further harassment, and to protect the victim(s) from any retaliation as a result of communicating the complaint. Employees also are protected by California law against retaliation for opposing harassment, or filing a complaint with, or otherwise participating in an investigation, proceeding or hearing conducted by the Department of Fair Employment and Housing or the Fair Employment and Housing Commission.

### ***Confidentiality***

Confidentiality will be maintained to the fullest extent possible in accordance with applicable Federal, State and local law.

### ***False Complaints***

Knowingly, falsely accusing someone of harassment or otherwise knowingly giving false or misleading information in an investigation of harassment will result in disciplinary action, up to and including, termination of employment. This section is not intended to discourage employees from making complaints regarding job-based harassment. However, false complaints adversely impact the workplace and the career of the accused, even when disproved, and will not be tolerated.

### ***Limitations***

The use of this procedure is limited to complaints related to discriminatory workplace harassment on the basis of race, religious background, color, national origin, ancestry, disability, medical condition (including cancer), marital status, veteran status, political affiliation, workers' compensation record, pregnancy, sexual orientation, gender, gender identity or age (40+). All other complaints shall be handled through the Employee Grievance Procedure as established within SAWPA Personnel Handbook (see Non-Disciplinary Conflict Resolution section on page 35).

### ***Distribution***

This policy shall be disseminated to all employees, supervisors and managers of SAWPA. Any questions, concerns or comments related to this policy should be directed to the General Manager.

Harassment or discrimination on the basis of race, religious belief, color, national origin, ancestry, medical condition, marital status, sex, age, disability, gender identity, sexual orientation, or bringing forward a complaint based on any of these categories is against SAWPA's standards of conduct, is prohibited by State and Federal regulations and constitutes a violation of SAWPA policy for any employee, including officials, managers and supervisors. SAWPA will not tolerate any such harassment or discrimination of its employees, and will take corrective action when this policy is violated.

### ***External Reporting Procedure***

- Any employee who believes that he or she has been the victim of sexual or other prohibited harassment by coworkers, supervisors, clients or customers, visitors, vendors or others may file a complaint with the California Department of Fair Employment & Housing or the Fair Employment and Housing Commission ("DFEH"). The phone number for DFEH is located in the phone book under government agencies.
- Charges filed with the DFEH are investigated by the DFEH.

- In the event a complaint is filed with the DFEH, and the DFEH finds that the complaint has merit, the DFEH will attempt to negotiate a settlement between the parties. If not settled, DFEH may issue a determination on the merits of the case.
- Where a case is not settled and the DFEH finds a violation to exist, it can prosecute the charging party's case before the Fair Employment & Housing Commission ("FEHC"). Legal remedies available through DFEH and FEHC for a successful claim by an applicant, employee or former employee include possible reinstatement to a former job, award of a job applied for, back pay, front pay, attorneys' fees and, under appropriate circumstances, actual damages and/or administrative fines. In the alternative, DFEH may grant the employee permission to withdraw the case and pursue a private lawsuit seeking similar remedies.

## **Workplace Violence**

SAWPA has adopted the following workplace violence policy to ensure a safe working environment for all employees.

SAWPA has zero tolerance for acts of violence and threats of violence. Without exception, acts and threats of violence are not permitted. All such acts and threats, even those made in apparent jest, will be taken seriously, and will lead to discipline up to and including termination.

Possession of non-work related weapons on SAWPA premises and at SAWPA-sponsored events shall constitute a threat of violence.

It is every employee's responsibility to assist in establishing and maintaining a violence-free work environment. Therefore, each employee is expected and encouraged to report any incident which may be threatening to you or your co-workers or any event that you reasonably believe is threatening or violent. You may report an incident to any supervisor or manager.

A threat includes, but is not limited to, any indication of intent to harm a person or damage SAWPA property. Threats may be direct or indirect, and they may be communicated verbally or nonverbally.

SAWPA's workplace violence program is described in detail in the Illness and Injury Prevention Program (IIPP).

## **Drug and Alcohol Abuse**

### ***Controlled Substance Policy and Program Purpose***

The purpose of this policy and program is to provide a safe workplace by addressing the hazards of alcohol and controlled substance use on the job. Because drug and alcohol use on the job has serious consequences, it is the policy of SAWPA that the use of alcohol and/or controlled substances will not be tolerated in the workplace. Moreover, SAWPA will not tolerate employees reporting to work under the influence of alcohol or controlled substances.

Subject to all of the provisions of this policy, violation of this policy will result in disciplinary action, which action may include termination.

This policy supersedes all previous drug and alcohol policies.

### ***Applicability of This Policy***

This Policy applies to all SAWPA employees.

### ***Responsibilities of Management and Employees***

**Management:** responsible for providing a workplace environment free of drugs and alcohol and to arrange for feasible resources, training and substance abuse professionals.

**Supervisors:** responsible for supporting, enforcing and complying with this policy and, if trained in drug and alcohol detection, are responsible for determining whether employees are under the influence of drugs and/or alcohol.

**Employees:** responsible for complying with this policy and for not using, being under the influence of, selling or possessing controlled substances or alcohol on SAWPA property, in SAWPA vehicles, or with SAWPA equipment.

Employees are required to submit to drug and alcohol testing pursuant to this policy. They must also abide by U.S. Department of Transportation and State Regulations (Title 49), as amended from time-to-time, regarding alcohol and drug use prior to reporting to work and during work hours.

### ***Policy and Program Administration***

The General Manager is the Program Administrator and is responsible for the overall administration of this Policy and Program.

The General Manager may delegate Program Administration.

Supervisors of affected employees shall make themselves available to employees to answer questions regarding this Policy.

### ***Definitions (Title 49, Code of Federal Regulations, Section 382.107 plus 391)***

#### **Alcohol**

The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

#### **Alcohol Concentration**

The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

#### **Alcohol Use**

The consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

#### **Breath Alcohol Technician (BAT)**

An individual qualified to instruct and assist individuals in the alcohol testing process using an Evidential Breath Testing (EBT) device.

#### **Commercial Motor Vehicle**

A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds.
- Has a gross vehicle weight rating of 26,001 or more pounds.
- Is designed, used, or maintained to transport more than 16 passengers, including the driver.
- Is of any size and is used in the transportation of materials found to be hazardous for purposes of Hazardous Materials Transportation Act and which requires the motor vehicle to be placarded under the Hazardous Materials Regulations (49 Code of Federal Regulations, Part 172, Subpart F).

### **Confirmation Tests**

This test shall be conducted whenever there is an initial positive test, as follows:

- For alcohol: a second test following a screening test with a breath alcohol test result of 0.02% or greater.
- For controlled substances: a second analytical procedure to identify the presence of a specific drug or metabolite and which is independent of the screening test and uses a different technique and chemical principle from that of the screening test in order to ensure reliability and accuracy, such as gas chromatograph/mass spectrometry (GC/MS) which is used as the confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine (PCP).

### **Controlled Substances (or, Drugs)**

- Marijuana and its derivatives.
- Cocaine and its derivatives.
- Opiates and their derivatives.
- Amphetamines and their derivatives.
- Phencyclidine (PCP) and its derivatives.
- 6-Acetylmorphine (6-AM).
- Methylenedioxymethamphetamine (MDMA).

### **Controlled Substances Test (or, Testing)**

A test for controlled substances.

### **Driver**

Any employee who operates a commercial motor vehicle in the course of employment. This includes, but is not limited to, regular, part-time, contract, temporary or probationary drivers.

### **Employee**

Any SAWPA employee, whether regular, part-time, contract term, temporary or introductory.

### **Medical Review Officer (MRO)**

A licensed physician who is responsible for receiving laboratory results and who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test results with their medical history and other relevant biomedical information.

### **On-Duty Time**

All time from the time an employee begins to work or is required to be in readiness to work until the time the employee is relieved from work and from all responsibility for performing work.

### **Refuse to Submit**

Refusal to submit to an alcohol or controlled substance test means that a SAWPA employee fails or refuses to provide adequate breath for testing without a valid medical explanation, and/or fails or refuses to provide an adequate amount of urine for controlled substances testing without a valid medical explanation after receiving notice of the requirement for testing, or engages in conduct that obstructs the test process.

### **Safety Sensitive Employees**

Any employee who, in the regular or foreseeable discharge of responsibilities, engages in conduct creating a reasonable risk of injury to self or others such that even a momentary lapse of attention could create a reasonable likelihood of an incident resulting in harm, loss, or injury elevated by use, prescribed or otherwise, of drugs.

#### ***Safety-Sensitive Functions include:***

- Operation of a commercial motor vehicle.
- Maintaining commercial motor vehicles.
- Supervising an employee who performs a safety-sensitive function.
- Any function which involves some special and obvious physical or ethical demand, and the compromise of the employee's ability to meet such demands could have an immediate disastrous consequence upon public safety or security.
- All time at a carrier or shipper, plant, terminal, facility or other property, waiting to be dispatched, unless relieved from duty by the employer.
- All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations or otherwise inspecting, servicing or conditioning any commercial motor vehicle at any time.
- All time spent at the driving controls of a commercial motor vehicle.
- All time, other than driving time, spent on or in a commercial motor vehicle (except for time spent resting in the sleeper berth.)

### **Screening Test**

- For alcohol, it is a breath test or saliva test.
- For controlled substances, it is a urine test.

### **Substance Abuse Professional**

A licensed physician, a Medical Review Officer, a licensed or certified psychologist, social worker, certified employee assistance professional, or certified addiction counselor with

knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance-related disorders.

### **Under the Influence**

- For alcohol, legal concentration is the State legal limit (0.08%).
- For controlled substances, a positive confirmation test result for that specific drug.

### ***Testing Methods***

- Alcohol screening tests will use breath or saliva samples only.
- Alcohol confirmation tests will use breath samples confirmation.
- Controlled substances screening tests will use urine samples only.
- Controlled substance confirmation tests will use urine samples only.
- Employees that fall under the direct guidelines of DOT/RESPA, split urine samples will be conducted with a Medical Review Officer for positive tests.

### ***Laboratory Selection and Test Equipment***

- Only Department of Human and Health Services' (DHHS) approved and certified laboratories will be utilized for all employee drug testing.
- Only Evidential Breath Test devices approved by the National Highway Traffic Safety Administration will be used in the breath alcohol confirmation test. However, for the Alcohol Screen Test, the saliva test procedure may be used.

### ***Types of Tests***

#### **Follow-Up Testing**

Following a determination made by a substance abuse professional (SAP) that a SAWPA employee is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the employee shall be subject to unannounced follow-up alcohol and/or controlled substance testing as directed by the SAP.

Notwithstanding the provisions above, for safety-sensitive employees, follow-up testing also shall be conducted while the employee is performing safety-sensitive functions, just before performing safety-sensitive functions, or just after performing safety-sensitive functions.

#### **Post-Incident Testing**

As soon as practicable following an incident during employment hours involving a SAWPA safety sensitive employee, that employee shall be tested for alcohol and/or controlled substances:

- If the incident involved the loss of human life.
- If the employee receives a citation under State or local law for a moving traffic violation resulting from a traffic accident.

- If an involved party requires immediate medical assistance away from the scene of the incident or if any of the involved vehicles is towed from the scene of the incident.

If a post-incident alcohol test required by this Policy is not administered within two hours following the incident, the supervisor shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If an alcohol test required by this Section is not administered within eight hours following the incident, the supervisor shall cease attempts to administer an alcohol test and shall prepare and maintain the same record.

If a post-incident controlled substance test required by this Policy is not administered within 32 hours following the incident, the supervisor shall cease attempts to administer a controlled substance test, and prepare and maintain on file a record stating the reasons the test was not promptly administered.

An employee who is subject to post-incident testing shall remain readily available for such testing or may be deemed to have refused to submit to testing. Nothing in this Policy shall be construed to require the delay of necessary medical attention for injured people following an incident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

The results of a breath or urine test for the use of controlled substances conducted by the Federal, State or local officials having independent authority for the test shall be considered to meet the requirements of this Policy, provided such tests conform to applicable Federal, State or local requirements and the results of the tests are obtained by SAWPA.

### **Pre-Employment Testing**

New applicants for safety-sensitive employment may be tested for alcohol and controlled substances, based upon the job duties, after a conditional job offer has been made, but before the offer is accepted. The results must be negative.

*Exception: If the supervisor confirms and obtains the results from the previous employer that the applicant has participated in another drug testing program within the past six months and the results were negative.*

Drug and alcohol testing shall be performed at Kaiser Permanente Occupational Medicine, 10800 Magnolia Avenue, Module 4J, Riverside, Ca. 92503, (951) 353-4322, or such other facility as SAWPA authorizes.

### **Promotion Testing**

All safety-sensitive employees may submit to a drug and alcohol tests after a promotion is offered, but before the promotion is accepted by the employee at the discretion of the General Manager. The results must be negative.

### **Random Testing**

All SAWPA employees who perform safety-sensitive functions shall submit to random alcohol and controlled substance testing. The Program Administrator shall provide supervisors with names of the safety-sensitive employees selected to be tested, the date and time of the test, the type of test to be conducted, and the collection site location.

The safety-sensitive employees to be tested shall be randomly selected from the entire group of safety-sensitive employees. Each safety-sensitive employee will have an equal chance of being

tested each time selections are made. The selected safety-sensitive employees will be directed to proceed immediately to the collection site for testing.

A safety-sensitive employee subject to random testing under this program shall only be tested while performing a safety-sensitive function, just before the performance of a safety-sensitive function, or just after the performance of a safety-sensitive function.

Up to fifty percent (50%) of safety-sensitive employees are required to be randomly tested annually.

### **Reasonable Suspicion Testing**

Any SAWPA employee shall submit to an alcohol and/or controlled substance test when there is reasonable suspicion to believe that the employee has violated the prohibitions of this policy.

Reasonable suspicion is based on a supervisor's direct observations concerning the appearance, behavior, speech, or body odors of the employee. These observations must be made before the employee is tested. Supervisors shall receive no less than two (2) hours of training in the detection of drugs and alcohol use.

Employees who refuse to submit to a test under reasonable suspicion observations will not be allowed to continue to work the rest of the day. Such employees shall be subject to disciplinary action.

Supervisors who make reasonable suspicion observations shall document their observations within twenty-four (24) hours.

Upon reasonable suspicion, and notification to the employee, an employee's locker, desk, briefcase, bags, and the employee's vehicle parked on SAWPA property are subject to search, and anything found therein shall be considered in the employee's possession and shall result in disciplinary action.

### **Return-to-Duty Testing**

Before a SAWPA employee who has engaged in conduct prohibited by this policy returns to duty, the employee must undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02% and/or a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substance use. Such testing also shall apply to any employee who is a Department of Transportation Class A or Class B driver, and is off work for more than 30 consecutive days.

### ***Prohibited Conduct***

Employees who violate this policy, or any of the following prohibitions, shall be subject to disciplinary action:

- Reporting for duty or remaining on duty while the employee is under the influence of alcohol and/or controlled substance.
- Supervisors who allow an employee to perform or continue to perform their duties with actual knowledge or reasonable suspicion that an employee is under the influence of alcohol and/or controlled substances.



- Failing to inform supervisors of any therapeutic or prescribed drug that may cause an effect on safety sensitive functions.
- Possession by employees of alcohol, drugs, or controlled substances not authorized by a physician for the employee's use while on duty and/or on SAWPA property and/or while on or in SAWPA-owned vehicles or equipment.
- Sale or furnishing of open containers of alcohol, or controlled substances while on duty and/or on SAWPA property, including SAWPA-owned vehicles and equipment.
- Refusing to submit to testing required under this Policy (except tests required for promotion) or to evaluation or to treatment.

### ***Referral, Evaluation and Rehabilitation Treatment***

- Employees who violate this policy may be referred to resources available for evaluation and treatment, but only one time every five years.
- Any costs not covered by the employer provided medical plan benefits for such evaluation and treatment shall be the responsibility of the employee.
- Return to work is not guaranteed after completion of treatment.

### ***Employee Confidentiality***

- Strict employee confidentiality is to be maintained. Employees may be verbally notified of the purpose for collecting urine or breath prior to its collection and use for a drug or alcohol test.
- Records of reports or test results will not be filed in the employee's personnel file but will be filed in a separate confidential medical folder that will be kept under the control of the General Manager.
- Test results only will be disclosed to the tested employee on a strictly "need-to-know" basis, and as allowed by law.
- Disclosures may be required by law to specific decision-makers in a lawsuit, grievance, or other proceedings initiated by or on behalf of an employee arising from a positive drug or alcohol test.
- Disclosure also may be made to inspectors representing Federal, State and local regulatory agencies in the course of their duties.

## **Employee Assistance Program**

SAWPA maintains an Employee Assistance Program (EAP) to help employees who have personal problems, including alcohol and drug abuse, which impair or have the potential to impair their work performance. This service is strictly confidential. It is the employee's responsibility, however, to seek help. In the event that an employee voluntarily alerts SAWPA of a drug or alcohol abuse problem, the employee will be made aware of the EAP and will be allowed to request a medical leave of absence for treatment, if necessary.

When an employee does not voluntarily seek treatment, but is discovered by SAWPA to have a drug or alcohol abuse problem, that impairs or has the potential to impair said employee's work performance, the General Manager may, at his sole discretion and based on all the circumstances, determine to defer taking disciplinary action provided that the employee undergoes and successfully

completes treatment for the drug or alcohol abuse problem, with no recurrence of violating this policy.

EAP assistance also is available for family emotional concerns, relationship issues, and financial and legal matters.

EAP may be contacted at (800) 999-7222, Option 2. EAP is open Monday-Friday, 7:00 a.m. to 5:30 p.m., Pacific Standard Time. Messages may be left after hours.

## **Confirmation of Receipt**

### **Receipt of Employee Handbook Santa Ana Watershed Project Authority**

I, \_\_\_\_\_, have received my copy of the Employee Handbook for Santa Ana Watershed Project Authority and I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in the Employee Handbook. I also understand that a breach of the terms and policies may result in disciplinary action, up to and including termination.

I understand the contents of this Handbook constitute only a summary of the Employee benefits, personnel policies, and employment regulations in effect at the time of publication. I understand this Handbook should not be construed as creating any kind of “employment contract” and Santa Ana Watershed Project Authority has the ability to add, change, or discontinue benefits, policies, or other working conditions as it deems appropriate, without obtaining another person’s consent or agreement.

I agree that my employment with the Santa Ana Watershed Project Authority is at will, as set forth in the At-Will section of the Handbook, and that this agreement on at-will employment status is the sole and entire agreement between me and the Santa Ana Watershed Project Authority, regarding the term of my employment and the termination thereof; and I further agree that this agreement and at-will employment status cannot be changed in any way, whatsoever, except in a writing which has been approved by the Santa Ana Watershed Project Authority Commission.

I understand that my supervisor, the General Manager, and any other executive member of management are willing to explain any portion of the Handbook that I may wish to discuss or about which I have a question.

# Appendix 1

## Non-Exempt/Exempt Positions

### Non-Exempt

- Accounting Technician
- Administrative Assistant I
- Administrative Assistant II
- Assistant Operations Superintendent
- GIS Analyst II
- Intern
- Operations Superintendent
- Senior Accounting Technician
- Senior Administrative Assistant

### Exempt

- General Manager
- Administrative Services Manager
- Chief Financial Officer
- Executive Counsel
- Executive Manager of Engineering and Operations
- GIS Project Manager
- Information Systems and Technology Manager
- Program Manager
- Project Manager
- Senior Project Manager
- Senior Watershed Planner
- Water Resources and Planning Manager

## Appendix 2

### Disciplinary Action Guidelines

#### *Disciplinary Action—Job Performance*

The rules set forth below are intended to provide employees with fair notice of what is expected of them. It is not possible, however, to provide an exhaustive list of all types of impermissible conduct and performance. Therefore, employees should be aware that conduct not specifically listed below, but which adversely affects or is otherwise detrimental to the interests of SAWPA, other employees, or the public, also may result in disciplinary action, including termination.

The General Manager shall have the authority to discipline, including termination, any employee in accordance with these guidelines.

#### **Employee Disciplinary Action**

This policy shall be implemented through the procedures and specific guidelines which follow:

1. Disciplinary actions shall be commensurate with the seriousness of the offense.
2. Implementation of discipline to be successful should be:
  - *Prompt* – initiate personnel investigation within 24 hours in most situations.
  - *Impartial* – all employees should be treated fairly.
  - *Consistent* – similar offenses should be treated in a similar manner.
  - *Fair* – with regard to employee's past record and responsibilities.
  - *Corrective* – intent should be to prevent future problems.
  - *Given with Advance Warning* – employees should know that specific actions or omissions would result in disciplinary action up to and including discharge.
  - *Followed Through* – enforcement is consistent.
3. Key Factors in Analyzing Disciplinary Problems:
  - Seriousness of the problem.
  - Length of employment.
  - Frequency and nature of the problem.
  - Employee's work history.
  - Mitigating factors.
  - Degree of orientation, training, or experience previously provided the employee.
  - Existing disciplinary practices and guidelines.
  - Implications for other employees.
  - Management policies.
  - Safety implications for other employees and/or the general public.

#### **Sample Offenses**

Disciplinary action may be based upon any of the following:

***At fault major accident including driver or second party injury***

Same as *Vehicle Accident* below, but the accident results in injury.

***Carelessness or neglect that results in a safety or health hazard to another employee or the public***

***Chronic absenteeism / tardiness***

Frequent and continuous unscheduled absences of an individual for reasons other than absences resulting from on-the-job injuries, where such continuous absences substantially reduce the reliability and dependability of the individual to perform his assigned duties, and where they exceed the established standards of the organization.

***Conducting non-SAWPA related activities on SAWPA time***

The conduct of non-SAWPA related activities on SAWPA time to the extent it interferes with the performance of assigned duties.

***Conviction of an act defined as a felony***

To be convicted of committing an act defined as a felony under the laws of the State of California or the United States. The nature of the conviction would determine the appropriate disciplinary action.

***Conviction of an act defined as a misdemeanor involving moral turpitude***

To be convicted of an act defined as a misdemeanor involving moral turpitude under the laws of the State of California or the United States. The nature of the conviction would determine the appropriate disciplinary action.

***Discourtesy to the public, a supervisor, or another employee***

Verbal or physical conduct that displays or exhibits a lack of respect to members of the public, a supervisor, or another employee.

***Failure to carry out responsibilities and/or authority as set forth in the SAWPA safety rules***

Any inappropriate action or failure to act in accordance with an employee's responsibilities and/or authority as set forth in the SAWPA safety rules.

***Failure to follow directions or procedures***

Failure of an individual to follow a specific direction given or a known and routine procedure in the course of his duties without willful intent where such direction or procedures involve minor or routine matters.

***Failure to maintain minimum job requirements***

The failure to maintain required skills, abilities, and certifications as stipulated in official SAWPA job description for the employee's classification.

***Failure to perform assigned work***

The failure to perform work assigned or required in the accomplishment of job duties in a timely manner.

***Falsifying official reports***

An intentional presentation of inaccurate, incomplete, or false data on any report or other work product. Those reports which have a legal status (i.e., police reports, official statements, etc.) shall be considered a more serious category within this offense.

***Fraud in securing and/or maintaining employment***

To falsify any information provided or to be misleading by the information provided, including omissions, in an attempt to gain, secure, or maintain employment with SAWPA.

***Illegal drug possession or use***

The possession or use of any illegal drug.

***Improper conduct toward the public***

To act in an insulting, provocative, intimidating, or flagrantly discourteous manner toward any member of the public.

***Improper political activity***

Use of SAWPA time or materials to promote a specific political position or candidate.

***Incompetence***

The inability to meet the standards of performance established for the position held due to lack of skill, knowledge, or ability.

***Inexcusable neglect of duty***

To perform a duty or act in a negligent manner or to fail to perform assigned or known duties and obligations that are critical in nature.

***Insubordination***

Actions by an individual that clearly and obviously indicate a resistance or defiance of a Supervisor's authority or clearly treat the supervisor with disrespect, including the use of obscene or threatening language or acting in a violent or intimidating manner.

***Loss of equipment through neglect***

To misplace or lose SAWPA equipment through negligence or lack of safeguarding.

***Misuse of SAWPA time***

The use of SAWPA time for activities inappropriate in the work place (i.e., horseplay, loafing, creating disruption between employees, etc.).

***Misuse or damage of SAWPA property or equipment***

The use of SAWPA property or equipment for purposes not intended, or in such a manner for which the equipment is not designed, or which is unsafe; or damage to property or equipment due to negligence.

***Non-approved leave***

An individual being absent from the work place without proper authorization for a period of time less than the normal workday.

***Non-approved absence without leave***

Being absent from the workplace without proper authorization for a full workday or shift. Each such absence shall be considered a separate offense.

***Physical assault or battery***

To physically intimidate or attack another individual through the use or intended use of force.

***Physical or mental disability***

The presence of some physical or mental disability, as determined by an authorized medical physician, that prohibits or interferes with an individual's ability to successfully achieve the established standards of job performance or to perform the essential duties of the position. Based on the employee's disability, full consideration will be given by SAWPA to reasonably accommodate the employee.

***Possession of an open alcoholic beverage container or use during the working hours***

The possession of an open alcoholic beverage container or use of alcohol during working hours or on SAWPA property.

***Selling or dispersion of drugs***

The attempt, intent, or actual sale or dispersion of drugs to another individual.

***Sexual harassment***

See SAWPA Harassment Policy Statement.

***Tardiness***

Failure to report to work or return from breaks or meals at scheduled times.

***Theft***

The theft of SAWPA property or property of another individual.

***Untruthfulness***

Providing false information or withholding accurate and complete information from a supervisor when such information would be routinely provided as a function of normal job duties or as specifically requested.

***Vehicle Accident***

A vehicle accident involving SAWPA equipment in which the investigating law enforcement agency determines the employee was at fault, and where the resulting damage was minor or major in nature.

***Violation of Federal, State or local laws***

The conviction of minor infractions and misdemeanors committed while on duty.

***Violation of a SAWPA safety regulation***

The violation of any of the regulations specified in the SAWPA safety rules.

***Violation of SAWPA rules and regulations, policies, and procedures except for unauthorized use of SAWPA vehicles***

See SAWPA policies, rules, and ordinances for specifics.

***Violation of traffic laws***

See Ordinance No. 49, as amended.

***Willful disobedience***

The intentional and willful failure of an individual to follow specific verbal or written directions or instructions of a supervisor.



***Working under the influence of an intoxicating substance***

Being on SAWPA property or operating SAWPA vehicles or equipment while under the influence of an intoxicating substance, which includes but is not limited to, alcohol or any other drug, glue, paint thinner, etc., which causes substantial impairment of motor or mental abilities.

**Types of Disciplinary Actions**

- Counseling
- Oral Reprimand
- Written Reprimand
- Suspension Without Pay for 5 days or less
- Suspension Without Pay in Excess of 5 Days
- Reduction in Pay
- Demotion
- Discharge

***Procedural Guidelines for Disciplinary Actions***

Generally, a regular employee is apprised of the disciplinary action, given the reasons for that action, given a copy of any supporting documentation, and given a chance to respond to the action, either orally or in writing, by explaining his or her side of the story. SAWPA has provided the process described here to ensure that discipline is both effective and fair, but not to alter the at-will status of any employee.

**Informal Discipline**

***Counseling***

This step in the progressive disciplinary process includes any informal discussion with an employee designed to assist the employee to fully develop skills and abilities. When there is a disciplinary problem, counseling is usually the first action taken to assist the employee in clarifying and resolving the problem. The discussion may clarify standards, evaluate the employee's strengths and weaknesses, or seek information. It is especially important that this step be taken promptly to avoid the need to escalate the disciplinary action.

Counseling is usually done by the immediate supervisor, but may be done by any supervisory staff up to and including the General Manager.

***Oral Reprimand***

Oral reprimands should be given by supervisors when counseling has failed to produce the desired changes. The supervisor should follow the same procedures as in the counseling interview, but must also inform the employee that an oral reprimand is being given.

An oral reprimand may be given by the immediate supervisor or any supervisory staff up to and including the General Manager.

## **Formal Discipline**

### ***Written Reprimand***

If counseling and oral reprimands have failed to resolve a problem, a written reprimand is often the next step in progressive disciplinary action.

A written reprimand is a formal notice to the employee that further disciplinary action may be taken unless performance or behavior improves.

A written reprimand may be presented by any supervisor up to and including the General Manager.

### ***Suspension without Pay***

This form of discipline normally would be the next step where counseling and reprimands have failed to achieve correction of unacceptable behavior, although it may be used as a first form of discipline for some offenses. This action shall only be initiated upon the General Manager's review. An employee may be put on Administrative Leave with pay where the employee's continued presence may be disruptive or constitutes a danger to the safety of the employee or others in the opinion of his supervisor, or in the opinion of any superior in the chain of command above the supervisor.

### ***Demotion or Reduction in Pay***

Demotion to a position with a lower salary range or a reduction in pay to a lower paying salary step shall be used primarily in response to an employee's failure to maintain minimum job requirements, incompetence or an inability to perform the essential duties of a position. It may also be used, however, for any form of misconduct. Such action shall be reviewed and approved by the General Manager and finalized as a written order of discipline.

### ***Discharge***

Permanent termination of an employee's employment with SAWPA is a decision of the General Manager. Termination decisions may be appealed to the SAWPA Commission on the grounds that the decision has a prohibited basis. The termination decision is effective while the appeal process is pending.

## **Urgent Circumstances**

Under urgent circumstances, an employee may be removed or ordered from the work place without following the guidelines outlined above and be placed on administrative leave with pay if, in the opinion of the employee's supervisor or other superior officer, the continued presence of the employee may create a risk of harm to the employee or to others. In such case, the employee's supervisor shall document the circumstances that give rise to said risk of harm.

## Appendix 3

### Family and Medical Leave

To the extent not already provided for under current leave policies and provisions, SAWPA will provide Family and Medical Leave for eligible employees as required by State and Federal Law. **The following provisions set forth certain rights and obligations with respect to such leave. Rights and obligations, which are not specifically set forth below, are set forth in the Department of Labor regulations implementing the Federal Family and Medical Leave Act of 1993 (“FMLA”), and the regulation of the California Family Rights Act (“CFRA”). Unless otherwise provided by this article, “Leave” under this article shall mean leave pursuant to the FMLA and CFRA.**

#### *Definitions*

##### **12-Month Period**

A 12-month period measured forward from the date any employee's first FMLA leave begins.

##### **Child**

A biological, adopted, foster or step-child, legal ward, or a child of a person standing in “loco parentis” (in place of a parent) who is a child under the age of 18 years of age, or 18 years of age or older who is incapable of self-care because of a mental or physical disability.

A child is “incapable of self-care” if he/she requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living or instrumental activities of daily living, such as, caring for grooming and hygiene, bathing, dressing, eating, cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, etc.

##### **Health Care Provider**

- A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the state in which the doctor practices.
- Any other person determined by the U.S. Secretary of Labor to be capable of providing health care services.
- Others "capable of providing health care services" as determined by the U.S. Secretary of Labor include only:
  - a. Podiatrists, dentists, clinical psychologist, optometrists, and chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice in the State and performing within the scope of their practice as defined under State Law.
  - b. Nurse practitioners, nurse-midwives and clinical social workers who are authorized to practice under State Law and who are performing within the scope of their practice as defined under State Law.
  - c. Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts. Where an employee or family member is receiving treatment from a Christian Science practitioner, an employee may not object to any requirement from an employer that the employee or family member submit to examination (though not treatment) to obtain a second or third certification from a

health care provider other than a Christian Science practitioner, except as otherwise provided under applicable State or local law.

- d. Any health care provider from whom an employer or the employer's group health plan's benefits manager will accept certification of the existence of a serious health condition to substantiate a claim for benefits.
  - e. A health care provider listed above who practices in a country other than the United States, who is performing within the scope of his or her practice as defined under such law and who is authorized to practice in accordance with the law of that country.
- The phrase "authorized to practice in the State" as used in this section means that the provider must be authorized to diagnose and treat physical or mental health conditions without supervision by a doctor or other health care provider.

### **Parent**

The biological parent of an employee or an individual who stands or stood in "loco parentis" (in place of a parent) to an employee when the employee was a child. This term does not include parents-in-law.

### **Serious health condition**

An illness, injury impairment, or physical or mental condition that involves:

- Inpatient Care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity (i.e., inability to work, or perform other regular daily activities due to the serious health condition, treatment involved, or recovery there from); or any subsequent treatment in connection with such inpatient care; or
- Continuing treatment by a health care provider: A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:
  - a. A period of incapacity (i.e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment or recovery) of more than three consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
    - Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., a physical therapist) under orders of, or on referral by, a health care provider.
    - Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider. This includes for example, a course of prescription medication or therapy requiring special equipment to resolve or alleviate the health condition. If the medication is over the counter, and can be initiated without a visit to a health care provider, it is not, by itself, sufficient to constitute a regimen of continuing treatment.
  - b. Any period of incapacity due to pregnancy or for prenatal care. (The right to take Family & Medical Leave is separate from the right to take pregnancy disability leave. State law allows an employee to take up to four months of pregnancy disability leave. If an employee exhausts her pregnancy disability leave prior to the birth of the

child, and her physician certifies that continued leave is medically necessary, the employee may use Family & Medical Leave prior to the birth of the child. The maximum possible combined leave for pregnancy disability/CFRA/FMLA is four months *i.e.*, 12 work weeks). (This entitles the employee to FMLA Leave, but not CFRA Leave).

- c. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:
  - Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider.
  - Continues over an extended period of time (including recurring episodes of a single underlying condition).
  - May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.). Absences for such incapacity qualify for leave even if the absence lasts less than one day.
- d. A period of incapacity, which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by a health care provider. Examples include Alzheimer's disease, a severe stroke, or the terminal stages of a disease.
- e. Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy) or, kidney disease (dialysis).

### **Spouse**

A husband or wife as defined or recognized under California State Law for purposes of marriage.

“Domestic Partner” is defined by the California Domestic Partner Rights and Responsibilities Act.

### ***Reasons for Leave***

Leave is only permitted for the following reasons:

- The birth of a child or to care for a newborn of the employee.
- The placement of a child with the employee in connection with the adoption or foster care of a child.
- Leave to care for a child, parent, spouse, or domestic partner who has a serious health condition.
- Leave because of a serious health condition that makes the employee unable to perform the functions of his or her position.

### ***Employees Eligible for Leave***

An employee is eligible for leave if the employee:

- Has been employed for at least 12 months.
- Has been employed for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave.
- Is employed at a worksite where SAWPA employs at least 50 employees within a 75-mile radius of that employee's worksite.

### ***Amount of Leave***

Eligible employees are entitled to a total of 12 work weeks of leave during any consecutive 12-month period.

#### **Minimum Duration of Leave**

If leave is requested for the birth, adoption or foster care placement of a child of the employee, leave must be concluded within one year of the birth or placement of the child. In addition, unless otherwise approved by the employee's department manager, the basic minimum duration of such leave is two weeks. However, an employee is entitled to leave for one of these purposes (e.g., bonding with a newborn) for at least one day, but less than two weeks duration on any two occasions.

If leave is requested to care for a child, parent, spouse, domestic partner or the employee him/herself with a serious health condition, there is no minimum amount of leave that must be taken. However, the employee must comply with the notice and medical certification provisions of this policy.

#### **Parents Both Employed By SAWPA**

In any case in which parents are both employed by SAWPA are entitled to leave, the aggregate number of work weeks of leave to which both may be entitled may be limited to 12 work weeks during any 12-month period if leave is taken for the birth or placement for adoption or foster care of the employees' child (i.e., bonding leave). This limitation does not apply to any other type of leave under this policy.

### ***Greater Leave Benefits to Military Families***

A spouse, son, daughter, parent, or next of kin may take up to 26 workweeks of unpaid leave to care for a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

### ***Employee Benefits While On Leave***

Leave under this policy is unpaid. While on leave, employees will continue to be covered by SAWPA's group health insurance to the same extent that coverage is provided while the employee is on the job. Employees are responsible for benefit premiums on the same basis as employees not on leave. Employees will **not** continue to be covered under non-health related insurance plans (e.g., life insurance) or vacation and sick leave accruals when the employee is not in a paid status (i.e., off payroll).

Employees may make the appropriate contributions for continued coverage under the preceding non-health benefit plans by payroll deductions or direct payments made to these plans. Depending on the particular plan, SAWPA will inform you whether the premiums should be paid to the carrier or to SAWPA. Your coverage on a particular plan may be dropped if you are more than 30 days late

in making a premium payment. However, you will receive a notice at least 15 days before coverage is to cease, advising you that you will be dropped if your premium payment is not paid by a certain date. Employee contribution rates are subject to any change in rates that occurs while the employee is on leave.

If an employee fails to return to work after their leave entitlement has been exhausted or expires, SAWPA shall have the right to recover its share of health plan premiums for the entire leave period, unless the employee does not return because of the continuation, recurrence, or onset of a serious health condition of the employee or his/her family member, which would entitle the employee to leave, or because of circumstances beyond the employee's control.

### ***Substitution of Paid Accrued Leaves***

While on leave under this policy, as set forth herein, an employee must first use his or her available paid accrued sick leave. Once sick leave accruals are exhausted, an employee must use any remaining accrued paid time off, including accrued vacation time, before going to an unpaid status. Moreover, SAWPA may require an employee to use Family and Medical Leave concurrently with a non-FMLA/CFRA leave, which is FMLA/CFRA-qualifying.

#### **Employee Right to Use Accrued Sick Leave Concurrently with Family Leave.**

An employee is entitled to use sick leave concurrently with leave under this policy if:

- The leave is for the employee's own serious health condition; or
- The leave is needed to care for a parent, spouse, domestic partner, child, step-child, or step-parent with a serious health condition, and would be permitted as sick leave under SAWPA's sick leave policy.

#### **SAWPA's Right to Require an Employee to Exhaust FMLA/CFRA Leave Concurrently with Other Leaves**

If an employee takes a leave of absence for any reason which is FMLA/CFRA qualifying, SAWPA may designate that non-FMLA/CFRA leave as running concurrently with the employee's 12-week FMLA/CFRA leave entitlement.

#### **SAWPA's and Employee's Rights if an Employee Requests Accrued Leave without Mentioning either the FMLA or CFRA.**

If an employee requests to utilize accrued vacation leave or other accrued paid time off without reference to a FMLA/CFRA qualifying purpose, SAWPA may not ask the employee if the leave is for a FMLA/CFRA qualifying purpose. However, if SAWPA denies the employee's request and the employee provides information that the requested time off is for FMLA/CFRA qualifying purpose, SAWPA may inquire further into the reason for the absence. If the reason is FMLA/CFRA qualifying, SAWPA may designate that leave toward the employee's 12-week FMLA/CFRA entitlement.

### ***Medical Certification***

Employees who request leave for their own serious health condition or to care for a child, parent, spouse, or domestic partner who has a serious health condition, must provide written certification from the health care provider of the individual requiring care if requested by SAWPA.

If the leave is requested because of the employee's own serious health condition, the certification must include a statement that the employee is unable to work at all or is unable to perform the essential functions of his or her position.

### **Time to Provide a Certification**

When an employee's leave is foreseeable and at least 30 days notice has been provided, if a medical certification is requested, the employee must provide it before the leave begins. When this is not possible, the employee must provide the requested certification to SAWPA within the time frame requested by SAWPA (which must allow at least 15 calendar days after the employer's request), unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts.

### **Consequences for Failure to Provide an Adequate or Timely Certification**

If an employee provides an incomplete medical certification, the employee will be given a reasonable opportunity to cure any such deficiency.

However, if an employee fails to provide a medical certification within the time frame established by this policy, SAWPA may delay the taking of FMLA/CFRA leave until the required certification is provided.

### **Second and Third Medical Opinions**

If SAWPA has reason to doubt the validity of a certification, SAWPA may require a medical opinion of a second health care provider chosen and paid for by SAWPA. If the second opinion is different from the first, SAWPA may require the opinion of a third provider jointly approved by SAWPA and the employee, but paid for by SAWPA. The opinion of the third provider will be binding. An employee may request a copy of the health care provider's opinions when there is a recertification.

### **Intermittent Leave or Leave on a Reduced Leave Schedule**

If an employee requests leave intermittently (a few days or hours at a time) or on a reduced leave schedule to care for an immediate family member with a serious health condition, the employee must provide medical certification that such leave is medically necessary. "Medically necessary" means there must be a medical need for the leave and that the leave can best be accomplished through an intermittent or reduced leave schedule.

### **Subsequent Medical Recertification**

Generally, SAWPA may request recertification no more often than every 30 days and only in connection with an absence by the employee. If an employee's health care provider specifies that a serious illness will last longer than 30 days, SAWPA cannot request subsequent medical recertification before that date. If SAWPA has information that casts doubt upon the employee's stated reason for the absence, however, recertification may be requested even before the 30-day period has past. Other reasons SAWPA may request subsequent recertification of medical conditions include significant changes to circumstances described by the previous certification (e.g., the duration or frequency of absences, the severity of the condition, complications). In all cases, a subsequent medical recertification means that a new FMLA medical certification form must be completed by the employee's health care provider.

### ***Employee Notice of Leave***

Although SAWPA recognizes that emergencies arise which may require employees to request immediate leave, employees are required to give as much notice as possible of their need for leave. If



leave is foreseeable, at least 30 days notice is required. In addition, if an employee knows that he or she will need leave in the future, but does not know the exact date(s) (e.g. for the birth of a child or to take care of a newborn), the employee shall inform his or her supervisor as soon as possible that such leave will be needed. Such notice may be given orally. If SAWPA determines that an employee's notice is inadequate or the employee knew about the requested leave in advance of the request, SAWPA may delay the granting of the leave up to 30 days until it can, in its discretion, adequately cover the position with a substitute.

## ***Reinstatement upon Return from Leave***

### **Right to Reinstatement**

Subject to the exceptions below, upon expiration of leave, an employee is entitled to be reinstated to the same or a comparable position of employment held when the leave commenced, or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Employees have no greater rights to reinstatement, benefits and other conditions of employment than if the employee had been continuously employed during the FMLA/CFRA period.

If a definite date of reinstatement has been agreed upon at the beginning of the leave, the employee will be reinstated on the date agreed upon. If the reinstatement date differs from the original agreement of the employee and SAWPA, the employee will be reinstated within two business days, where feasible, after the employee notifies the employer of his or her readiness to return.

### **Exceptions to Reinstatement**

An employee has no greater rights to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave period. In order to deny reinstatement an employer has the burden of proving, by a preponderance of the evidence, that an employee would not otherwise have been employed at the time reinstatement is requested.

#### ***Employee's Obligation to Periodically Report on their Condition***

Employees may be required to periodically report on their status and intent to return to work. This will avoid any delays to reinstatement when the employee is ready to return.

#### ***Fitness for Duty Certification***

As a condition of reinstatement of an employee whose leave was due to the employee's own serious health condition, which made the employee unable to perform his or her job, the employee must obtain and present a fitness-for-duty certification from the health care provider that the employee is able to resume work. This requirement does not apply to employees returning from an intermittent leave. Failure to provide such certification will result in denial of reinstatement.

#### ***Reinstatement of "Key Employees"***

SAWPA may deny reinstatement to a "key" employee (i.e., an employee who is among the highest paid ten-percent of all employed by SAWPA) if such denial is necessary to prevent substantial and grievous economic injury to the operations of SAWPA, and the employee is notified of SAWPA's intent to deny reinstatement on such basis at the time the employer determines that such injury would occur.

### ***Workers' Compensation and Family and Medical Leave Coordination***

Family and Medical Leave will be designated by SAWPA when an employee qualifies for such leave as a result of a SAWPA work-related injury or illness as provided for in the Workers' Compensation Section on page 29 of this Employee Handbook.

### ***Required Forms***

Employees must fill out the following applicable forms in connection with leave under this policy:

- "Request for Family or Medical Leave Form" prepared by SAWPA to be eligible for leave.  
NOTE: EMPLOYEES WILL RECEIVE A SAWPA RESPONSE TO THEIR REQUEST, WHICH WILL SET FORTH CERTAIN CONDITIONS OF THE LEAVE.
- Medical certification, either for the employee's own serious health condition or for the serious health condition of a child, parent, spouse, or domestic partner.
- Doctor's certification to return to regular duties.

## MEMORANDUM

To: Rich Haller & Larry McKenney  
From: Andrew Turner  
Re: Personnel Policies  
Date: October 11, 2019

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Below is the summary from our review of the Authority's Personnel Policies and related documents. As there are many separate policies we received, almost all of which overlap to some degree with the Personnel Handbook dated September 18, 2012, please feel free to let us know if anything is missing. After you have had a chance to review this memo, we can schedule a time to discuss these comments and recommendations.

Documents Reviewed: We reviewed the Authority's existing Personnel Handbook, as well as the twenty separate policies listed in the Scope of Work attached to the Task Order. We also reviewed the "Hours of Work, Attendance and Overtime Policy" and the "Dress and Appearance" policy. Finally, we reviewed the Authority's current Job Application form and new-hire on-boarding documents.

Preliminary Comments: First, let me say that the existing Personnel Handbook ["Handbook"] is fairly comprehensive and generally well-done. From an overview standpoint, it is important that all personnel-related policies be contained in a single Handbook. Thus, we will need to coordinate the various stand-alone policies provided to us with those in the Handbook. In some instances, that will mean making an addition to the Handbook. In others it will mean reconciling the policy in the existing handbook with the stand-alone policy provided. By way of example, there are credit card use policies in both the Handbook and as PRO104, but they are not the same. Finally, the Handbook should be numbered by section and paragraph for ease of reference in notices and write-ups to employees.

With respect to specific comments and recommendations, given the breadth of subject matter and the minor nature of many of our comments and suggested changes, those can be more efficiently addressed in our upcoming phone call. With that in mind, we offer the following:

1. Wage and Hour Policies – Existing policies should be updated to be consistent with current law. For example, the Authority should not state that employees may be required to work during a rest break. There are some other minor changes that we would recommend or that need to be discussed as to whether they are applicable to the Authority’s operation, such as stand-by or on-call pay, payment for call-outs, etc.
2. Leave Policies – Again, existing policies should be updated to be consistent with current law, and new laws addressed as needed. For example, effective 2018 there is “New Parent Leave” that should be included in the update. Most of our recommendations otherwise are minor.
3. Employee Benefits – The existing policies appear to be fairly comprehensive. We will need to ensure that they accurately reflect current practice.
4. Employee Relations – These policies relate to such things as personal appearance, telephone and cell phone use, social media and e-mail use, outside employment, political activities, standards of conduct, harassment and discrimination, bullying, substance abuse, etc. As for the existing policies, coordination of the Handbook and free-standing policies is necessary, such as with the harassment and substance abuse policies. There are some additional policies [political activities, smoking, workplace violence] that we recommend adding.
5. Interns – Existing policy should be reviewed to ensure compliance with standards promulgated by the California Division of Labor Standards Enforcement.
6. Job Application Form and New-Hire On-Boarding Documents – Here again, the forms currently being used are comprehensive and well-drafted. We can discuss some minor changes, such as breaking out the authorization for release of information into a separate document.
7. Handbook Organization – The Scope of Work calls for us to provide a draft Table of Contents. As indicated above, the Handbook should have numbered sections, sub-sections and paragraphs, The section headings would be as follows:

- I. Handbook Overview and Interpretation
- II. Introduction to Employment
- III. Work Schedule; Wages and Hours
- IV. Salary and Performance
- V. Payroll Administration
- VI. Employee Benefits
- VII. Leaves of Absence
- VIII. Employee Relations; Workplace Standards
- IX. Harassment and Discrimination; Workplace Violence
- X. Safety
- XI. Expense Reimbursement
- XII. Leaving SAWPA

These titles are subject to change and/or expansion as we work through the organization of the Handbook. I look forward to discussing specifics with you in our upcoming call.

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**COMMISSION MEMORANDUM NO. 2020.34**

**DATE:** May 19, 2020  
**TO:** SAWPA Commission  
**SUBJECT:** Inland Empire Brine Line Rate Resolution  
**PREPARED BY:** Carlos Quintero, Operations Manager

**RECOMMENDATION**

That the SAWPA Commission adopt Resolution No. 2020-06 establishing the new Inland Empire Brine Line rates to be effective July 1, 2020 (FY20-21).

**DISCUSSION**

On May 5, 2020, Project Agreement 24 (PA24) Committee approved making a recommendation to the SAWPA Commission, on a 4-0 vote, for the FY20-21 Inland Empire Brine Line Rates. Out of the five rate increase options presented, the PA24 Committee approved to recommend no rate increase in the Brine Line rates through December 31, 2020 and increasing them after January 1, 2021. Below are the proposed rates for Flow, BOD and TSS for the periods between July 1, 2020 through December 31, 2020 and January 1, 2021 through June 30, 2021. The FY20-21 rates allocate recurring costs to the “variable” component (flow) and ‘fixed’ components based on owned pipeline and treatment and disposal capacity rights using a distribution of 40% flow, 30% pipeline, and 30% treatment. BOD and TSS rates mirror, to the extent possible, the costs charged by OCSD. The flow charge from OCSD is included in the SAWPA rate model as part of the “flow” calculation.

OCSD increased their rates significantly from FY18-19 to FY19-20. In an effort to avoid a significant rate increase to the Brine Line dischargers, the SAWPA rates for BOD and TSS were below those charged by OCSD during FY19-20. A Rate Stabilization Reserve Fund was authorized by the SAWPA Commission to cover any potential budget shortfalls as a result of this OCSD increase.

*Table 1. Summary of FY19-20 (Current) vs. FY20-21) Proposed Rates*

|                     | FY19-20 (Actual) | 7/1/2020-12/31/2020* | 1/1/2021-6/30/2021* |
|---------------------|------------------|----------------------|---------------------|
| Flow (MG)           | \$979            | \$979                | \$1,018             |
| BOD (per 1,000 lbs) | \$316            | \$316                | \$329               |
| TSS (per 1,000 lbs) | \$442            | \$442                | \$460               |

\*Proposed

A summary of the SAWPA rates since 2013 is shown below. The percent increase from the previous year is shown. Note that the identified increase for FY20-21 corresponds to the January 1 through June 30, 2020 period.

*Table 2. SAWPA Direct Discharger Rate Summary (increase by year). FY20-21 is proposed.*

| SAWPA RATES               | FY14-15 | FY15-16 | FY16-17 | FY17-18 | FY18-19 | FY19-20 | FY20-21 |
|---------------------------|---------|---------|---------|---------|---------|---------|---------|
| Flow (\$/MG)              | 777     | 817     | 858     | 901     | 946     | 979     | 1,018   |
| Increase from previous FY | -       | 5.1%    | 5%      | 5%      | 5%      | 3.5%    | 4%      |
| BOD (\$/1000 lbs)         | 295     | 301     | 307     | 307     | 307     | 316     | 329     |
| Increase from previous FY | -       | 2%      | 0%      | 0%      | 0%      | 2.9%    | 4.1%    |

|                           |     |      |     |     |     |     |      |
|---------------------------|-----|------|-----|-----|-----|-----|------|
| TSS (\$/1000 lbs)         | 411 | 420  | 429 | 429 | 429 | 442 | 460  |
| Increase from previous FY | -   | 2.1% | 0%  | 0%  | 0%  | 3%  | 4.1% |

The projected rates for FY21-22 (for planning purposes) are based on a proposed 4% increase from the FY20-21 rates. A recommendation for approval of the FY21-22 rates will be made prior to July 1, 2021.

The SAWPA rate model reflects payment for three capital projects: (1) OCSD’s removal of rip-rap placed to protect the SARI in Orange County (\$4.2M at 76% of total) as a near term project, (2) relocation of part of Reach 4B Lower Brine Line as a result of the construction of the U.S. Army Corps of Engineers Alcoa Dike; and (3) mid- to long-term corrosion repairs for Reach 4D. Annual SRF loan payments are included for the Reach 4A and 4B lining project completed in 2012 (\$15.85M SRF loan, 2.6%), and the recently completed Reach 5 Rehabilitation project.

The truck disposal rates will continue to be based on two (2) tiers: a Brine Tier and a Non-Brine Tier. These charges reflect the changes to the OCSD rates and the truck per gallon charge includes both variable and fixed costs. The FY21-22 truck rates are shown for planning purposes.

The impact to revenue from increasing rates starting on January 1, 2021 is estimated at \$291,000. This revenue shortfall could be covered by the Rate Stabilization Reserve Fund. As of March 31, 2020, the Rate Stabilization Reserve Fund has a balance of \$1,013,845.

Proposed Brine Line rates are:

*Table 3. Current, Proposed, Projected Brine Line Rates*

| <i>Rate</i>              | <i>Flow/MGD</i> | <i>BOD/1,000 lbs.</i> | <i>TSS/1,000 lbs.</i> | <i>Fixed Pipe*</i> | <i>Fixed Treatment*</i> |
|--------------------------|-----------------|-----------------------|-----------------------|--------------------|-------------------------|
| Current FY19-20          | \$979           | \$316                 | \$442                 | \$6,398            | \$12,985                |
| <b>7/1/20 – 12/31/20</b> | <b>\$979</b>    | <b>\$316</b>          | <b>\$442</b>          | <b>\$6,398</b>     | <b>\$12,985</b>         |
| <b>1/1/21 – 6/30/21</b>  | <b>\$1,018</b>  | <b>\$329</b>          | <b>\$460</b>          | <b>\$6,654</b>     | <b>\$13,505</b>         |
| Planning FY21-22         | \$1,059         | \$342                 | \$478                 | \$6,920            | \$14,045                |

\*Fixed Pipeline and Fixed Treatment charges are per MGD/month

The current (FY19-20), proposed (FY20-21) and projected (FY21-22, for planning purposes only) truck rates are summarized below:

*Table 4. Indirect Discharger Rates*

| <b>Waste Strength (a)</b> | <b>Current FY19-20</b> | <b>7/1/2020 – 12/31/2020</b> | <b>1/1/2021 – 6/30/2021</b> | <b>FY 2021-22 (b)</b> |
|---------------------------|------------------------|------------------------------|-----------------------------|-----------------------|
| Brine Tier                | \$0.015                | \$0.015                      | \$0.016                     | \$0.016               |
| Non-Brine Tier*           | (c)                    | (c)                          | (d)                         |                       |

(a) Waste Strength is defined as follows: Brine Tier has a concentration of less than 100 mg/L for both BOD and TSS; Non-Brine Tier has a concentration of 100 mg/L or higher for either BOD or TSS.

(b) Future rate for planning purposes only. The Commission will separately evaluate and set the rates annually for each FY. Planned FY21-22 charges are: \$0.016 per gallon, \$0.81/pound of BOD, and \$0.77/pound of TSS.

(c) If either BOD or TSS exceeds the concentration of 100 mg/l, the full discharge will be charged using the following cost component: \$0.015 per gallon, \$0.75/pound of BOD, and \$0.716/pound of TSS

(d) If either BOD or TSS exceeds the concentration of 100 mg/l, the full discharge will be charged using the following cost component: \$0.016 per gallon, \$0.78/pound of BOD, and \$0.745/pound of TSS.



The proposed permit fees for FY20-21 are the same as for FY19-20.

*Table 5. Permit Fees*

| <i>Permit Type</i>                              | <i>Proposed Fee FY20-21 (Annual)</i> |
|-------------------------------------------------|--------------------------------------|
| Direct Discharger                               | \$600                                |
| Indirect Discharger                             | \$300                                |
| Liquid Waste Hauler permit (trucking companies) | \$250                                |
| Emergency permits*                              | \$1,100                              |

\*Emergency permits are being phased out. A letter to discharge fee (TBD) will apply starting FY21-22.

The proposed Capacity Lease rates for FY20-21 (for discharges not exceeding 250 mg/L of BOD and 250 mg/L of TSS) are as follows:

*Table 6. Capacity Lease Rates*

| <i>Capacity Lease Rate</i> | <i>FY19-20 (Current)</i> | <i>7/1/2020 – 12/31/2020*</i> | <i>1/1/2021 – 6/30/2021*</i> |
|----------------------------|--------------------------|-------------------------------|------------------------------|
| Flow (per gallon)          | \$0.00253                | \$0.00253                     | \$0.00263                    |
| BOD (per pound)            | \$0.39230                | \$0.39230                     | \$0.40800                    |
| TSS (per pound)            | \$0.24050                | \$0.24050                     | \$0.25010                    |

\*Proposed

All dischargers leasing capacity will be charged the rates in Table 6, in addition to the Brine Line rates identified in Table 3.

The proposed Treatment and Disposal surcharge rates as shown in Table 7. Treatment and Disposal surcharge rates are charged when the contractually owned capacity for Flow, BOD, and/or TSS is exceeded in any given month.

*Table 7. Treatment and Disposal (T&D) Surcharge Rates*

| <i>T&amp;D Surcharge Rates</i> | <i>FY19-20 (Current)</i> | <i>7/1/2020 – 12/31/2020*</i> | <i>1/1/2021 – 6/30/2021*</i> |
|--------------------------------|--------------------------|-------------------------------|------------------------------|
| Flow (per gallon)              | \$0.0020                 | \$0.0020                      | \$0.0021                     |
| BOD (per pound)                | \$0.3923                 | \$0.3923                      | \$0.4080                     |
| TSS (per pound)                | \$0.2405                 | \$0.2405                      | \$0.2501                     |

\*Proposed

### **CRITICAL SUCCESS FACTORS**

3. Maintain sufficient funding and reserves for current and future Capital and O&M costs through a stable, predictable, and affordable rates and charges.

### **RESOURCE IMPACTS**

The proposed Brine Line rates will provide the revenue to pay expected costs for brine treatment, pipeline operations, maintenance and repair including SAWPA's share of costs in Orange County, capital repair costs including SAWPA's share of costs in Orange County, and repayment of outstanding debts

Attachments:

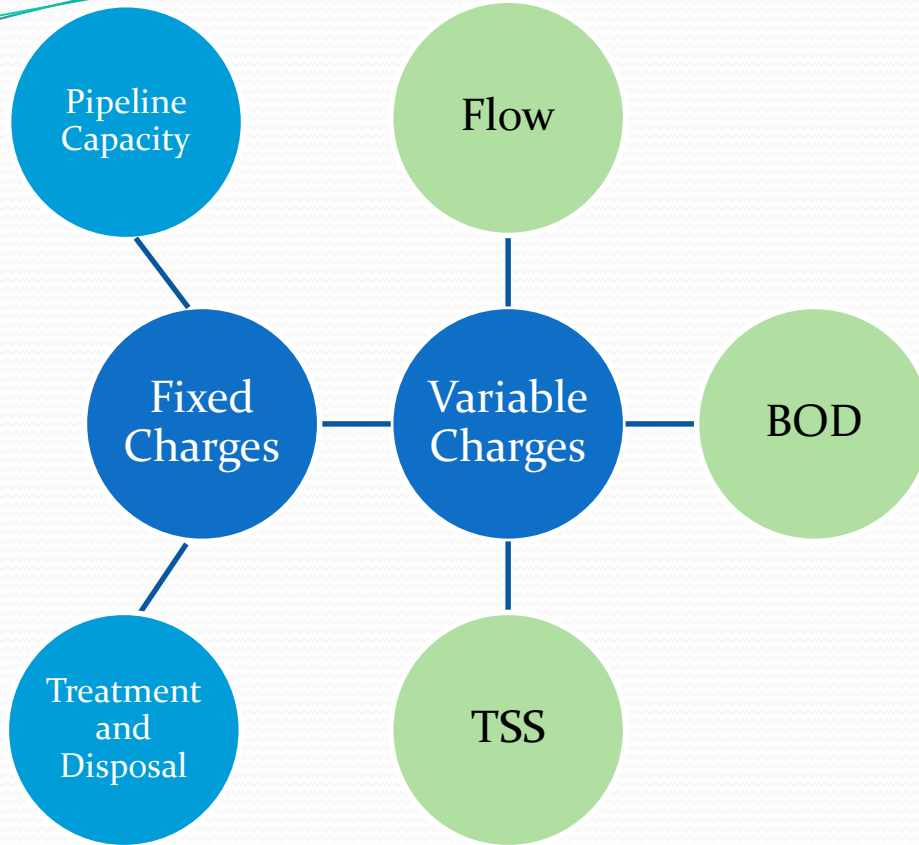
1. PowerPoint Presentation
2. Resolution 2020-06

# Inland Empire Brine Line Rate Resolution FY20-21

Carlos Quintero, Operations Manager  
Karen Williams, DGM, CFO  
SAWPA Commission | May 19, 2020  
Item 6.B.

# Recommendation

- That the SAWPA Commission adopt Resolution No. 2020-06 establishing the new Inland Empire Brine Line rates to be effective July 1, 2020 (FY20-21).



## Brine Line Rate Components:

- Flow
  - Per Million Gallons
- Biochemical Oxygen Demand (BOD)
  - Per 1,000 lbs
- Total Suspended Solids (TSS)
  - Per 1,000 lbs
- Fixed Charges for Pipeline and Treatment and Disposal Capacity Owned
  - Per Million Gallons/Day<sub>184</sub>

# Brine Line Expenses

OCSD  
Treatment and  
Disposal

OCSD SARI Line  
O&M

SSMP  
Implementation

Pre-treatment  
Program

Capital  
Improvements

Water Quality  
Sampling

Billing

Engineering

Management

# Brine Line Approved Budgeted Expenses

| Category                    | FY19-20           | FY20-21           | Change (%) | Change (\$)    |
|-----------------------------|-------------------|-------------------|------------|----------------|
| OCSD Treatment and Disposal | 3,023,600         | 3,303,505         | 9.26       | 279,900        |
| OCSD SARI O&M               | 75,000            | 80,000            | 6.67       | 5,000          |
| Engineering                 | 575,586           | 625,953           | 8.75       | 50,366         |
| Water Quality Sampling      | 105,000           | 110,000           | 4.76       | 5,000          |
| Management / Support        | 1,243,993         | 1,336,243         | 7.42       | 92,250         |
| SSMP Implementation         | 2,045,099         | 2,113,432         | 3.34       | 68,333         |
| Pretreatment Program        | 1,159,597         | 1,213,049         | 4.61       | 53,452         |
| Non-operating expenses      | 2,895,027         | 2,835,027         | -2.07      | (60,000)       |
| <b>TOTAL</b>                | <b>11,122,902</b> | <b>11,617,209</b> | <b>4.4</b> | <b>494,307</b> |

# Proposed Brine Line Rates

| Options                                     | Flow (MG) | BOD - 1,000 lbs | TSS – 1,000 lbs | Fixed Pipe | Fixed T&D |
|---------------------------------------------|-----------|-----------------|-----------------|------------|-----------|
| Current rates FY19-20                       | \$979     | \$316           | \$442           | \$6,398    | \$12,985  |
| July 1, 2020 – December 31, 2020 (Proposed) | \$979     | \$316           | \$442           | \$6,398    | \$12,985  |
| January 1, 2021 – June 30, 2021 (Proposed)  | \$1,018   | \$329           | \$460           | \$6,654    | \$13,505  |

# Rate increase (%) from FY19-20

| Options                                        | Flow (MG) | BOD - 1,000 lbs | TSS - 1,000 lbs | Fixed Pipe | Fixed T&D |
|------------------------------------------------|-----------|-----------------|-----------------|------------|-----------|
| Current rates FY19-20                          | \$979     | \$316           | \$442           | \$6,398    | \$12,985  |
| July 1, 2020 – December 31, 2020<br>(Proposed) | 0%        | 0%              | 0%              | 0%         | 0%        |
| January 1, 2021 – June 30, 2021<br>(Proposed)  | 4%        | 4.1%            | 4.1%            | 4%         | 4%        |



# Impact to revenue

| Rate Period                                         | Impact to revenue  |
|-----------------------------------------------------|--------------------|
| No rate increase (July 1, 2020 – December 31, 2020) | (\$290,852)        |
| Rate increase (January 1, 2021 – June 30, 2021)     | \$0                |
| <b>TOTAL</b>                                        | <b>(\$290,852)</b> |

# Indirect Dischargers

- Currently using a 2 tier system:
  - Brine (  $< 100$  mg/L)
  - Non-Brine (  $\geq 100$  mg/L)
  - Charges based on a per gallon base for brine tier and a per gallon base plus pounds of BOD and pounds of TSS for non-brine tier.

# Rates for Indirect Dischargers

| Option            | Brine Tier<br>( $< 100$ mg/L) / gallon | Non-Brine Tier*<br>( $\geq 100$ mg/L) / gallon | BOD/lb | TSS/lb  |
|-------------------|----------------------------------------|------------------------------------------------|--------|---------|
| Current (FY19-20) | \$0.015                                | \$0.015                                        | \$0.75 | \$0.716 |
| 7/1/20 – 12/31/20 | \$0.015                                | \$0.015                                        | \$0.75 | \$0.716 |
| 1/1/21 – 6/30/21  | \$0.016                                | \$0.016                                        | \$0.78 | \$0.745 |

*\*Non-brine tier charges the flow component plus any pounds of BOD and TSS.*

# Proposed Capacity Pool Lease Rates

| Rate Period                             | Flow<br>(per gallon) | Additional<br>BOD (per lb) | Additional<br>TSS (per lb) |
|-----------------------------------------|----------------------|----------------------------|----------------------------|
| Current (FY19-20)<br>[250 mg/L BOD/TSS] | \$0.00253            | \$0.3923                   | \$0.2405                   |
| 7/1/20 – 12/31/20                       | \$0.00253            | \$0.3923                   | \$0.2405                   |
| 1/1/20 – 6/30/21                        | \$0.00263            | \$0.4080                   | \$0.2501                   |

# Proposed Treatment & Disposal Surcharge Rates

| Rate Period       | Flow<br>(per gallon) | BOD (per lb) | TSS (per lb) |
|-------------------|----------------------|--------------|--------------|
| Current (FY19-20) | \$0.0020             | \$0.3923     | \$0.2405     |
| 7/1/20 – 12/31/20 | \$0.0020             | \$0.3923     | \$0.2405     |
| 1/1/20 – 6/30/21  | \$0.0021             | \$0.4080     | \$0.2501     |

# Proposed Permit Fees

| Type of Permit      | FY19-20 Fee | Proposed FY20-21 Fee |
|---------------------|-------------|----------------------|
| Direct Discharger   | \$600       | \$600                |
| Indirect Discharger | \$300       | \$300                |
| Emergency Permits   | \$1,100     | \$1,100              |
| Liquid Waste Hauler | \$250       | \$250                |

# BRINE LINE RESERVES

Karen Williams, Assistant General Manager/CFO

# SAWPA Future CIP

- Reach 4D Corrosion Rehabilitation
- Reach 4A Pine Avenue Siphon Protection / Replacement
- Reach V Baker Street Protection
- Reach V Indian Truck Trail Protection
- Reach V Air / Vacuum Valves Modification/Relocation
- Reach 4D Mission Tunnel Rehabilitation
- Reach V Access / Condition Study / Rehabilitation
- Reach IV Condition Study / Rehabilitation
- Capacity Management
- Hydraulic “Choke Points”
- OCSD Future CIP



# Risks to System

- Portions of the system are aging
- Corrosion
- Unknown condition due to limited access to parts of the system
- Catastrophic failure due to earthquake
- Failure due to flooding / erosion / development

# Reserve Balance as of March 31, 2020

| Reserve Account                     | 03/31/2020          |
|-------------------------------------|---------------------|
| Pipeline Repair/Replacement Reserve | \$22,125,566        |
| OCSD Rehabilitation Reserve         | 3,690,111           |
| OCSD Future Capacity Reserve        | 1,809,234           |
| Self-Insurance Reserve              | 4,311,780           |
| Flow Imbalance Reserve              | 87,444              |
| Debt Service Reserve                | 3,317,311           |
| Capacity Management Reserve         | 11,817,079          |
| Rate Stabilization Reserve          | 1,013,845           |
| Operating Reserve                   | 3,779,138           |
| <b>Total Reserves</b>               | <b>\$51,951,508</b> |

# Reserve Balance Projected EOY

| Reserve Account                     | FYE 2020            | FYE 2021            |
|-------------------------------------|---------------------|---------------------|
| Pipeline Repair/Replacement Reserve | \$15,467,521        | \$15,728,983        |
| OCSD Rehabilitation Reserve         | 3,591,892           | 3,591,892           |
| OCSD Future Capacity Reserve        | 1,761,077           | 1,761,077           |
| Self-Insurance Reserve              | 4,224,343           | 4,324,343           |
| Flow Imbalance Reserve              | 85,103              | 85,103              |
| Debt Service Reserve                | 3,928,308           | 3,417,032           |
| Capacity Management Reserve         | 11,502,545          | 11,502,545          |
| Operating Reserve                   | 3,133,547           | 3,133,547           |
| <b>Total Reserves</b>               | <b>\$43,694,336</b> | <b>\$43,544,522</b> |

# Budgeted Contributions to Reserves

| Category                    | FYE 2020           | FYE 2021           | Difference       | % Difference  |
|-----------------------------|--------------------|--------------------|------------------|---------------|
| Pipeline Repair/Replacement | \$1,435,478        | \$1,810,491        | \$375,013        | 26.12%        |
| Self-Insurance              | 100,000            | 100,000            | 0                | 0.00%         |
| Debt Service                | 1,708,750          | 1,708,750          | 0                | 0.00%         |
| <b>Total Contributions</b>  | <b>\$3,244,338</b> | <b>\$3,619,241</b> | <b>\$375,013</b> | <b>11.56%</b> |

# Brine Line Operating Reserve

The Brine Line Operating Reserve was established to cover temporary cash flow deficiencies that occur as a result of timing differences between the receipt of operating revenues and expenditure requirements.

- Balance as of 03/31/20 - \$3,770,138
- Target Level – Funding shall be targeted at a minimum amount equal to 90 days (i.e., 25%)
- Events and Conditions Prompting the Use of the Reserve – This reserve is utilized as needed to pay outstanding Brine Line Enterprise expenditures prior to receipt of anticipated operating revenues.
- Target level for:
  - FYE 2020        \$2,056,969
  - FYE 2021        \$2,195,544

# Rate Stabilization Reserve

Established to mitigate the effects of occasional shortfalls in revenue. Revenue shortfalls result from a number of events such as weather factors (wet weather or drought events and natural disasters), increased water conservation, poor regional economic conditions, and unplanned or unexpectedly large rate adjustments/increases.

- Balance as of 03/31/2020 - \$1,013,845
- Target Level – There is no minimum balance for this reserve. This will be looked at as part of the Asset Criticality Assessment.
- Events and Conditions Prompting the Use of the Reserve – This reserve is utilized as needed to pay revenue shortfalls that result from conditions described above.

# Pipeline Replacement Reserve

Established to provide capital replacement funding as the Brine Line system's infrastructure (pipe) deteriorates over its expected useful life.

- Balance as of 03/31/2020 - \$22,125,566
- FYE 2021 Contribution of \$1,810,491
- Target Level – The most recent Brine Line Financial Study and Rate Model have identified a minimum target balance of \$10.0 million for this reserve. Target minimum and maximums will be developed during the asset criticality assessment.
- Events and Conditions Prompting the Use of the Reserve – This reserve account is used to pay for approved Capital Improvement Projects, emergency replacement, and in certain circumstances, one-time operating expenditures related to specific projects. (Funding would be provided through use of this reserve rather than rate increases.)

# Capital Project Funding – Use of Reserves

| Project                      | FYE 2020           | FYE 2021           |
|------------------------------|--------------------|--------------------|
| Brine Line Protection        | \$5,041,923        | \$1,466,878        |
| Reach IV-D Corrosion Repairs | 76,211             | 82,151             |
| <b>Total</b>                 | <b>\$5,118,134</b> | <b>\$1,549,029</b> |



# Capital Projects

- Fund 320 Brine Line Protection
  - OCSD Rock Removal Project
  - Protection from stormwater/erosion
  - Reach IV-D MAS modifications
  - Alcoa Dike protection/relocation
- Fund 327 Reach IV-D Corrosion Repair
  - Evaluation of pipeline corrosion

# CIP versus Reserve Contributions

| Project                                     | FYE 2020             | FYE 2021            |
|---------------------------------------------|----------------------|---------------------|
| Pipeline Replacement Reserve Beg. Balance   | \$22,597,372         | \$18,914,716        |
| Contributions to Reserve                    | 1,435,478            | 1,810,491           |
| Use of Reserves for CIP                     | (5,118,134)          | (1,549,029)         |
| <b>Pipeline Replacement Reserve Balance</b> | <b>\$18,914,716</b>  | <b>\$19,176,178</b> |
|                                             |                      |                     |
| <b>Net Change from Contributions/Use</b>    | <b>(\$3,682,656)</b> | <b>\$261,462</b>    |

# OCSD Rehabilitation Reserve

This reserve was established to fund SAWPA's share of capital costs associated with its proportionate share of capacity right ownership in the SARI Line maintained by OCSD.

- Balance as of 03/31/2020 - \$3,690,111
- Target Level – The most recent Financial Study has identified a minimum target level of \$1.75 annually (adjusted for inflation). This needs to be reviewed based on OCSD CIP.
- Events and Conditions Prompting the Use of the Reserve – This reserve is utilized as needed to pay when due SAWPA's share of OCSD SARI Line capital costs.

# Debt Retirement Reserve

This reserve was initially established with funds received from SAWPA's member agencies for the purchase of pipeline capacity (30 MGD) in the Brine Line system to provide future funding on debt service payments for SRF loans required to build the Brine Line system. Treasury-strips were purchased with maturities to match annual principal and interest payments due on the long-term debt associated with the State loans. This reserve will be maintained and/or adjusted at levels set forth in future "bond covenants" or other debt obligation instruments as approved by the SAWPA Commission.

- Balance as of 03/31/2020 - \$3,317,311

# Debt Retirement Reserve

- Target Level – The minimum balance in this reserve should be sufficient to cover anticipated debt service payments as they come due. The balance in this reserve should reflect debt service obligations for which existing or projected revenues are insufficient to cover scheduled principal and interest payments.
- Events and Conditions Prompting the Use of the Reserve – This reserve is utilized to pay when due debt service payments on SAWPA's obligations.

# Debt Service Payments

| Debt                                     | 2020               | 2021               |
|------------------------------------------|--------------------|--------------------|
| Reach V Construction – SRF Loan 1 – 4    | \$1,126,278        | \$1,126,278        |
| Reach IV-A & B Capital Repair – SRF Loan | 1,044,273          | 1,044,273          |
| Reach V Capital Repair – SRF Loan        | 664,476            | 664,476            |
| <b>Total Debt Service Payments</b>       | <b>\$2,835,027</b> | <b>\$2,835,027</b> |

# Debt Service Funding

| Debt                          | Interest Rate | Final Payment | Funding Source       |
|-------------------------------|---------------|---------------|----------------------|
| Reach V Construction          | 2.7%          | 10/05/21      | T-Strips/Investments |
| Reach IV-A & B Capital Repair | 2.6%          | 12/29/32      | Rates                |
| Reach V Capital Repair        | 1.9%          | 03/31/48      | Rates                |

\$1,708,749 from rates

# Debt Service Covenants of Financing Agreement

- Debt Test
  - Net revenues must be 1.2 times the highest year of debt service
    - \$2,050,500 minimum net revenues
  - Net revenues must be 1.1 times all debt
    - \$3,118,530 minimum net revenues
  - FYE 2021 Budget Net Revenues are \$3,619,241 (only have \$500,711 difference)
- Reserve Fund
  - Must be equal to 1 year's debt service
    - \$1,708,750



# OCSD Future Capacity Reserve

This reserve is established to provide future funding as it becomes necessary for SAWPA to purchase additional treatment capacity (minimum 1 MGD increments) in the OCSD treatment plant facility. As incremental treatment capacity purchases are made from member agencies, funds will be deposited into this reserve account which can then be used to purchase treatment capacity from OCSD.

- Balance as of 03/31/2020 - \$1,809,234
- Target Level – There is no minimum balance for this reserve.
- Events and Conditions Prompting the Use of the Reserve – This reserve may only be utilized to purchase additional treatment capacity in the OCSD plant as approved by the SAWPA Commission.

# Self Insurance Reserve

This reserve was originally established to provide insurance liability, and worker's compensation claims. The reserve level, combined with SAWPA's existing insurance policies, should adequately protect SAWPA and its member agencies in the event of a loss or claim.

- Balance as of 03/31/2020 - \$4,311,780
- FYE 2021 Contribution of \$100,000
- Target Level
- Events and Conditions Prompting the Use of the Reserve – This reserve shall be utilized to cover out-of-pocket insurance losses experienced by SAWPA. Any reimbursement received by SAWPA from the insurance company as a result of submitted claim shall be deposited back into the reserve as replenishment for the loss.
- Contribution to Reserves – Contributions of \$100,000, annually.

# Self Insurance Reserve

## Insurance Policies:

- Commercial Property, General Liability, Umbrella Excess, and Auto
  - Through CalMutuals JPRIMA
  - \$5,000 deductible per incident
  - Pipelines not covered
- Environmental Legal Liability (Pollution)
  - Through Aspen Specialty Insurance Company
  - \$25,000 deductible per incident
  - \$5,000,000 limit of liability per incident
  - Actual cost of pipeline damage not covered

# Capacity Management Reserve

This reserve is established to set aside 100% of the funding derived from pipeline capacity sales to provide funds for future capacity needs within the Brine Line. As the pipeline reaches capacity, other alternatives will be needed to ensure the ability to discharge and achieve salt balance within the Santa Ana Watershed.

- Balance as of 03/31/2020 - \$11,817,079
- In 2006, sold additional pipeline capacity of 2.568 MGD
  - WMWD purchased 1.0 MGD for \$3,750,000
  - EMWD purchased 1.568 MGD for \$5,880,000
- \$9,630,000 total sales (2006)
- \$266,755 EnerTech capacity lease fees (2009)
- \$1,920,324 interest earnings

# Capacity Management Reserve

- Target Level – Given the nature of this reserve, there is no required minimum or maximum level. 100% of the funding derived from pipeline capacity sales should be deposited and maintained in this reserve.
- Events and Conditions Prompting the Use of the Reserves – This reserve is to be utilized to cover cost required to manage capacity within the pipeline, including costs to further concentrate Brine Line flows, reduction of flows to meet capacity needs, additional pipeline capacity, additional CIP, and other changes as appropriate.

# Flow Imbalance Reserve

This reserve is established to set aside funds in the event that a meter error occurs and the discharger is over-billed. Each month, meter readings are read for each discharger and the total for all dischargers is compared to the total at meter S-01. When the total for all dischargers exceeds the total at meter S-01, the difference will be calculated at the current flow rate and contributed to the reserve account.

No budgeted contributions to this reserve.

- Balance as of 03/31/2020 - \$87,444
- Initially established by adding \$1.00 to the flow rate for 2 years.
- Target Level – Based on SAWPA’s practice, a minimum of \$50,000 should be maintained for this reserve.
- Event and Conditions Prompting the Use of the Reserve – This reserve is utilized to refund dischargers in the event that a meter error occurs and the discharger is over-billed.

# Rate Model - Reserves

- Brine Line Rate Model Updated in 2018 by Raftelis
- Raftelis recommended additional studies to determine Pipeline Replacement Reserve Min and Max
  - Assess the replacement cost of the brine line
    - Completed – Estimated value is \$350 million
  - Conduct an asset criticality assessment

# Recommendation

- That the SAWPA Commission adopt Resolution No. 2020-06 establishing the new Inland Empire Brine Line rates to be effective July 1, 2020 (FY20-21).





Questions??

# Reserve Balance Projected EOY

| Reserve Account                     | FYE 2020            | FYE 2021            |
|-------------------------------------|---------------------|---------------------|
| Pipeline Repair/Replacement Reserve | \$15,467,521        | \$15,728,983        |
| OCSD Rehabilitation Reserve         | 3,591,892           | 3,591,892           |
| OCSD Future Capacity Reserve        | 1,761,077           | 1,761,077           |
| Self-Insurance Reserve              | 4,224,343           | 4,324,343           |
| Flow Imbalance Reserve              | 85,103              | 85,103              |
| Debt Service Reserve                | 3,928,308           | 3,417,032           |
| Capacity Management Reserve         | 11,502,545          | 11,502,545          |
| Operating Reserve                   | 3,133,547           | 3,133,547           |
| <b>Total Reserves</b>               | <b>\$43,694,336</b> | <b>\$43,544,522</b> |

## OCSD – SAWPA Rates (FY15 through FY21)

| OCSD - SAWPA Rates       | FY 14-15 | 15-16    | 16-17    | 17-18    | 18-19    | 19-20    | 20-21 (P) |
|--------------------------|----------|----------|----------|----------|----------|----------|-----------|
| Flow OCSD (per MGD)      | \$182.74 | \$178.94 | \$175.17 | \$175.68 | \$187.00 | \$221.00 | \$221     |
| Flow SAWPA               | \$777.00 | \$817.00 | \$858.00 | \$901.00 | \$946.00 | \$979.00 | \$1,018   |
|                          |          |          |          |          |          |          |           |
| BOD OCSD (per 1,000 lbs) | \$290.16 | \$284.12 | \$278.14 | \$278.96 | \$285.00 | \$320.00 | \$320     |
| BOD SAWPA                | \$295.00 | \$301.00 | \$307.00 | \$307.00 | \$307.00 | \$316.00 | \$335     |
|                          |          |          |          |          |          |          |           |
| TSS OCSD (per 1,000 lbs) | \$404.60 | \$396.19 | \$387.85 | \$388.99 | \$410.00 | \$472.00 | \$472     |
| TSS SAWPA                | \$411.00 | \$420.00 | \$429.00 | \$429.00 | \$429.00 | \$442.00 | \$469     |

## OCSD – SAWPA Rate Increase (FY15 through FY21)

| OCSD - SAWPA Rates | FY 14-15 | 15-16  | 16-17  | 17-18 | 18-19 | 19-20  | 20-21 (P) |
|--------------------|----------|--------|--------|-------|-------|--------|-----------|
| Flow OCSD          | 12.39%   | -2.08% | -2.11% | 0.29% | 6.44% | 18.18% | 0%        |
| Flow SAWPA         | 5.57%    | 5.15%  | 5.02%  | 5.01% | 4.99% | 3.49%  | 4%        |
|                    |          |        |        |       |       |        |           |
| BOD OCSD           | 16.34%   | -2.08% | -2.10% | 0.29% | 2.17% | 12.28% | 0%        |
| BOD SAWPA          | 10.90%   | 2.03%  | 1.99%  | 0.00% | 0.00% | 2.93%  | 4%        |
|                    |          |        |        |       |       |        |           |
| TSS OCSD           | 9.30%    | -2.08% | -2.11% | 0.29% | 5.40% | 15.12% | 0%        |
| TSS SAWPA          | 4.05%    | 2.19%  | 2.14%  | 0.00% | 0.00% | 3.03%  | 4%        |

## OCSD – SAWPA Rates (FY15 through FY20)

| OCSD - SAWPA Rates        | FY 14-15 | 15-16    | 16-17    | 17-18    | 18-19    | 19-20    | 20-21 (P) |
|---------------------------|----------|----------|----------|----------|----------|----------|-----------|
| Flow OCSD (per MG)        | \$182.74 | \$178.94 | \$175.17 | \$175.68 | \$187.00 | \$221.00 | \$221.00  |
| Increase from previous FY | 12.39%   | -2.08%   | -2.11%   | 0.29%    | 6.44%    | 18.18%   | 0%        |
| Flow SAWPA                | \$777.00 | \$817.00 | \$858.00 | \$901.00 | \$946.00 | \$979.00 | \$1,038   |
| Increase from previous FY | 5.57%    | 5.15%    | 5.02%    | 5.01%    | 4.99%    | 3.49%    | 6%        |
|                           |          |          |          |          |          |          |           |
| BOD OCSD (per 1,000 lbs)  | \$290.16 | \$284.12 | \$278.14 | \$278.96 | \$285.00 | \$320.00 | \$320.00  |
| Increase from previous FY | 16.34%   | -2.08%   | -2.10%   | 0.29%    | 2.17%    | 12.28%   | 0%        |
| BOD SAWPA                 | \$295.00 | \$301.00 | \$307.00 | \$307.00 | \$307.00 | \$316.00 | \$335.00  |
| Increase from previous FY | 10.90%   | 2.03%    | 1.99%    | 0.00%    | 0.00%    | 2.93%    | 6%        |
|                           |          |          |          |          |          |          |           |
| TSS OCSD (per 1,000 lbs)  | \$404.60 | \$396.19 | \$387.85 | \$388.99 | \$410.00 | \$472.00 | \$472.00  |
| Increase from previous FY | 9.30%    | -2.08%   | -2.11%   | 0.29%    | 5.40%    | 15.12%   | 0%        |
| TSS SAWPA                 | \$411.00 | \$420.00 | \$429.00 | \$429.00 | \$429.00 | \$442.00 | \$469.00  |
| Increase from previous FY | 4.05%    | 2.19%    | 2.14%    | 0.00%    | 0.00%    | 3.03%    | 6%        |

**RESOLUTION NO. 2020-06**

**A RESOLUTION OF THE COMMISSION OF THE  
SANTA ANA WATERSHED PROJECT AUTHORITY  
ESTABLISHING THE RATES (FOR THE TREATMENT AND DISPOSAL OF  
NON-RECLAIMABLE WASTEWATER, TEMPORARY DOMESTIC WASTEWATER,  
COLLECTION STATION DISCHARGES, AND CHARGES FOR SUSPENDED SOLIDS  
AND BIOCHEMICAL OXYGEN DEMAND) IN THE  
INLAND EMPIRE BRINE LINE  
AND RESCINDING RESOLUTION NO. 2019-05 AS STATED**

**WHEREAS**, the Santa Ana Watershed Project Authority (hereafter “SAWPA”) has constructed the Inland Empire Brine Line (Brine Line, also known as the Santa Ana Regional Interceptor) for the treatment and disposal of non-reclaimable wastewater, temporary domestic wastewater, and collection station discharges;

**WHEREAS**, the best and highest use of the Brine Line is the export of salt with the ultimate goal of achieving watershed “salt balance” and requires maximum utilization of the Brine Line;

**WHEREAS**, SAWPA’s vision is to maintain and operate the Brine Line as efficiently as possible, collect charges from SAWPA’s Member Agencies (“dischargers”) for the treatment and disposal of non-reclaimable wastewater, temporary domestic wastewater, and collection station discharges, including charges for the discharge of total suspended solids (“TSS”) and biochemical oxygen demand (“BOD”);

**WHEREAS**, it is the policy of the Commission to accurately and equitably allocate costs to those who generate the costs;

**WHEREAS**, SAWPA has implemented a rate structure using a characteristics-based rate that results in a “pass-through” of charges for Flow, BOD, and TSS from the Orange County Sanitation District (“OCSD”);

**WHEREAS**, SAWPA will make an adjustment to the flow measured at each discharge site if the total flow at meter S-01, located at the Orange County line, is higher than the aggregate of all dischargers;

**WHEREAS**, OCSD charges and other factors affecting the rate are outside SAWPA’s control, and it is the intention of the Commission that staff review the rates, propose modifications as necessary, and seek approval of any modifications prior to the beginning of each fiscal year;

**WHEREAS**, the sampling and monitoring fee policy allows recovery of all SAWPA costs related to sampling and monitoring of discharges;

**WHEREAS**, SAWPA is implementing a planned 20-year capital improvement program for the long-term repair and replacement of the Brine Line and is funding a 25% operating reserve for the Brine Line, all of which are intended to ensure the long-term reliability of the Brine Line;

**WHEREAS**, long-term system reliability is beneficial to the Brine Line, SAWPA has included debt repayment, long-term replacement, and operating reserve components in the rate structure;

**WHEREAS**, the collection station discharge rates, permit fees, and lease rates are derived from the same rate structure, and inclusion in this resolution provides clarity;

**WHEREAS**, a Peaking or Emergency Rate and two fixed charge components are included, consistent with the adoption of Resolution No. 461 establishing SAWPA's fee for service business model;

**WHEREAS**, some dischargers may from time-to-time fall below economical billing levels, a minimum charge is included;

**WHEREAS**, "Fiscal Year" means the period beginning July 1 of each year and ending June 30 of the following year for purposes of initiating a new rate period;

**WHEREAS**, "Rate Period" means the period of time from July 1, 2020 through December 31, 2020 and January 1, 2021 through June 30, 2021.

**WHEREAS**, SAWPA conducted a solids formation study to accurately measure and allocate TSS formed within the pipeline and has used a formula since July 1, 2007 to distribute the additional load created. The total TSS load is measured at the Orange County line and allocated to dischargers based on the individual discharger's direct and indirect contribution to the total load; the TSS allocation is based on a twelve (12) month rolling average. Any required adjustment will be approved by the Commission by separate action;

**WHEREAS**, SAWPA has completed and continues to update closed-circuit television (CCTV) inspection of the gravity flow portion of the system and found significant accumulation of material throughout most of the pipeline. Pipeline cleaning in these areas is required on a recurring basis. The cost for pipeline cleaning is included in the Flow charge;

**WHEREAS**, a surcharge for Flow, BOD, and TSS treatment and disposal capacity is applicable when discharge quantities exceed owned capacity; and

**WHEREAS**, a rate stabilization fund has been established to mitigate the impact of larger cost increases.

**WHEREAS**, SAWPA and the Member Agencies established a Lease Capacity Pool Agreement to allow smaller dischargers to lease Pipeline and Treatment & Disposal Capacity Rights from SAWPA in lieu of purchasing capacity rights. Brine Line lease rates are derived from the same rate structure, and inclusion in this resolution provides clarity. Leasing capacity requires a lease agreement between SAWPA and the discharger, if lease capacity is available.

**WHEREAS**, the SAWPA Commission has established different rates for the July 1, 2020 through December 31, 2020 and the January 1, 2021 through July 31, 2021 periods.

**NOW, THEREFORE, BE IT RESOLVED** that the Commission of the Santa Ana Watershed Project Authority hereby resolves that:

1. For the Rate Periods identified below, the treatment and volumetric user charges paid to SAWPA for treatment and disposal of non-reclaimable and temporary domestic wastewater shall be as follows, with a minimum charge of \$150.00 for the flow component:

| <u>Rate Period</u>    | <u>Flow/MGD</u><br><u>(a)</u> | <u>BOD/</u><br><u>1,000 lbs.</u><br><u>(b)</u> | <u>TSS/</u><br><u>1,000 lbs.</u><br><u>(c)</u> | <u>Fixed</u><br><u>Pipe</u><br><u>(d)</u> | <u>Fixed</u><br><u>Treatment</u><br><u>(e)</u> |
|-----------------------|-------------------------------|------------------------------------------------|------------------------------------------------|-------------------------------------------|------------------------------------------------|
| 7/1/2020 – 12/31/2020 | \$979                         | \$316                                          | \$442                                          | \$6,398                                   | \$12,985                                       |
| 1/1/2021 – 6/30/2021  | \$1,018                       | \$329                                          | \$460                                          | \$6,654                                   | \$13,505                                       |
| FY2021-22 (f)         | \$1,059                       | \$342                                          | \$478                                          | \$6,920                                   | \$14,045                                       |

- (a) This component shall be calculated and assessed per gallon (i.e., \$0.000979 from July 1, 2020 through December 31, 2020 and \$0.001018 from January 1, 2021 through June 30, 2021) of discharge (flow) to the Brine Line each month. The flow charge is comprised of an OCSD “Pass-Through” flow charge as well as a SAWPA flow charge.
  - (b) This component shall be calculated and assessed per pound (i.e., \$0.316 from July 1, 2020 through December 31, 2020 and \$0.329 from January 1, 2021 through June 30, 2021) of dry weight of BOD calculated from the average of sample results each month.
  - (c) This component shall be calculated and assessed per pound (i.e., \$0.442 from July 1, 2020 through December 31, 2020 and \$0.460 from January 1, 2021 through June 30, 2021) of dry weight of TSS calculated from the average of sample results each month.
  - (d) This component for fixed costs (also known as Readiness to Serve) shall be assessed per MGD of owned pipeline/connection capacity per month.
  - (e) This component for fixed costs shall be assessed per MGD of owned treatment and disposal capacity per month for the corresponding rate period.
  - (f) Future rates are for planning purposes only. The Commission will separately evaluate and set the rates annually for each FY.
2. Total flow for each discharger will be adjusted if flows at meter S-01 are higher than the aggregate of all the discharger flows.
  3. Actual OCSD charges for Flow, BOD, and TSS shall be “passed through” to dischargers.
  4. A sampling surcharge shall be applied to all BOD and TSS dischargers to account for the actual cost of necessary sampling and shall be assessed to all dischargers. Increased sampling is defined as any and all costs in excess of one sample per month. Increased sampling shall be determined solely by SAWPA and billed monthly. High BOD, TSS, or high variability dischargers will be sampled more frequently as required, and low BOD/TSS or low variability dischargers will be sampled monthly or quarterly as required to obtain reliable data.

5. SAWPA shall continue to measure BOD and TSS entering and exiting the system. Should a difference in BOD and TSS exist between the total of all dischargers and the SAWPA discharge to OCSD, the strength values for each discharger shall be adjusted to fully allocate the SAWPA discharge to OCSD. This adjusted strength shall be used for determining discharger invoice amounts.
6. The annual permit fee for each directly connected discharger shall be not less than \$600. The annual permit fee for each indirect discharger shall be not less than \$300. The annual fee for emergency permits is \$1,100. Additional permit fees may be charged for speculative or special permit work to cover actual costs and administration as determined by the SAWPA General Manager. The annual fee for a Liquid Waste Hauler permit shall be not less than \$250.
7. Truck-delivered non-reclaimable wastewater discharges from sources within the Santa Ana River Watershed at SAWPA-authorized collection stations shall be charged based on the strength of the waste discharged. Waste shall be charged at \$0.015 per gallon (from July 1, 2020 through December 31, 2020) and at \$0.016 (from January 1, 2021 through June 30, 2021) of waste discharged to the Brine Line for Brine discharges (less than 100 milligrams per liter (mg/l) average concentration for BOD and TSS), and a Non-Brine tier which shall be charged based on the measured strength for each load as defined by Notes (b) and (c) corresponding to the July 1, 2020 through December 31, 2020 and January 1, 2021 and June 30, 2021, respectively. Proposed and future estimated rates are shown below. All permitting, permit fees, monitoring, labor, and other costs are the responsibility of the member agency providing the service.

| <b>Waste Strength</b> | <b>BOD or TSS Concentration</b> | <b>7/1/2020 – 12/31/2020</b> | <b>1/1/2021 – 6/30/2021</b> | <b>FY 2021-22 (a)</b> |
|-----------------------|---------------------------------|------------------------------|-----------------------------|-----------------------|
| Brine Tier            | Less than 100 mg/l              | \$0.015                      | \$0.016                     | \$0.016               |
| Non Brine Tier        | 100 mg/l and higher             | (b)                          | (c)                         |                       |

- (a) *Future rate for planning purposes only. The Commission will separately evaluate and set the rates annually for each FY. Planned FY21-22 charges are: \$0.016 per gallon, \$0.81/pound of BOD, and \$0.77/pound of TSS.*
- (b) *If either BOD or TSS exceeds the concentration of 100 mg/l, the full discharge will be charged using the following cost component: \$0.015 per gallon, \$0.75/pound of BOD, and \$0.716/pound of TSS*
- (c) *If either BOD or TSS exceeds the concentration of 100 mg/l, the full discharge will be charged using the following cost component: \$0.016 per gallon, \$0.78/pound of BOD, and \$0.745/pound of TSS.*

8. If approved in the future by Orange County Sanitation District and the Commission, truck-delivered non-reclaimable wastewater discharges from outside the Santa Ana River Watershed at SAWPA-authorized collection stations, shall be charged a surcharge of 10% on waste discharged to the Brine Line. This surcharge shall be added to the rates indicated in paragraph 7 and represents the administrative costs associated with serving these customers. All permitting, monitoring, labor, and other costs are the responsibility of the Member Agency providing the service. Discharges from sources outside the watershed require specific Commission and Orange County Sanitation District approval.
9. An Emergency Rate shall be charged for standby discharges. The Emergency Rate shall be comprised of 110% of the surcharges in Paragraph 10, plus 110% of the Flow, BOD, and TSS



charges in Paragraph 1. Surcharges shall be assessed for discharges in excess of the owned capacity, subject to General Manager's approval.

10. A treatment and disposal surcharge shall be charged when contractually owned capacity for BOD, TSS, and/or Flow is exceeded in any given month. Rates from July 1, 2020 through December 31, 2020 shall be \$0.3923 per pound BOD, \$0.2405 per pound TSS, and \$0.0020 per gallon Flow; rates from January 1, 2021 through June 30, 2021 shall be \$0.4080 per pound BOD, \$0.2501 per pound TSS, and \$0.0021 per gallon Flow. These charges are in addition to the charges for Flow, BOD, and TSS outlined in Paragraph 1.
11. Capacity Lease Rate. Rates from July 1, 2020 through December 31, 2020 shall be \$0.00253 per gallon up to 250 mg/l BOD and 250 mg/l TSS; rates from January 1, 2021 through June 30, 2021 shall be \$0.00263 per gallon up to 250 mg/l BOD and 250 mg/l TSS. This rate is in addition to the charges for Flow, BOD, and TSS outlined in Paragraph 1. Any discharge exceeding the 250 mg/l BOD and 250 mg/l TSS concentration shall be billed as a loading surcharge at a rate of \$0.3923 per pound BOD and \$0.2405 per pound TSS for the period corresponding to July 1, 2020 through December 31, 2020; and at a rate of \$0.4080 per pound of BOD and \$0.2501 per pound of TSS for the period between January 1, 2021 and June 30, 2021.
12. The provisions of SAWPA Ordinance No. 8 and any amendments or successors thereto, are hereby incorporated by this reference, as though set forth herein in full.
13. Payment of invoices not made within 45 days of the invoice date shall bear interest at a rate of one percent (1.0%) per month from the date of invoice.
14. The user's charges and surcharges established by this Resolution are effective July 1, 2020 and as indicated for the corresponding periods between July 1, 2020 through December 31, 2020 and January 1, 2021 and June 30, 2021, and Resolution No. 2019-05 is rescinded once this Resolution takes effect.

**ADOPTED** this 19<sup>th</sup> day of May 2020.

**SANTA ANA WATERSHED PROJECT AUTHORITY**

By: \_\_\_\_\_  
David J. Slawson, Chair

Attest:

By: \_\_\_\_\_  
Kelly Berry, CMC, Clerk of the Board

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## COMMISSION MEMORANDUM NO. 2020.35

**DATE:** May 19, 2020

**TO:** SAWPA Commission

**SUBJECT:** Santa Ana River Watershed Weather Modification for Water Supply Feasibility Study | Milestone Report

**PREPARED BY:** Mark Norton P.E., Water Resources & Planning Manager

### RECOMMENDATION

Staff recommends that the SAWPA Commission receive this status report on the Santa Ana River Watershed Weather Modification for Water Supply Feasibility Study by North American Weather Consultants Inc. and concur there is sufficient justification to complete the study.

### DISCUSSION

On June 4, 2019, SAWPA staff in conjunction with Tom Ryan, Metropolitan Water District of Southern California (MWDSC and/or MWD), provided a presentation to the Commission about weather modification for water supply programs commonly known as cloud seeding programs. Cloud seeding is the process of adding a specific chemical agent into an already existing cloud mass that causes the cloud to thicken and/or water vapor to condense and fall as rain or snow. Cloud seeding programs have proven successful in many locations throughout Northern California and neighboring states; however, the program in Santa Barbara Water District is the only Southern California program in operation at this time. MWDSC has been financing water districts in Colorado and Northern California for several years to increase snowpack in the mountains using these methods. The project benefits MWD's customer water districts and neighboring states who also draw from the Colorado River, and who also contribute money to the project.

After the June 4, 2019, Commission meeting, SAWPA approached the SAWPA member agency GMs to determine if there was interest in conducting a feasibility study for potential weather modification for water supply in the Santa Ana River Watershed. The GMs were supportive and felt such a feasibility study could be a good first step for possible regional implementation and funding of such a program using DWR Proposition 1 Integrated Regional Water Management (IRWM) grant funding under Round 2 anticipated in the FY 20-21 timeframe. Further, the potential benefits of increased precipitation in the watershed, 5-15% on average, could have significant benefit to local ski resorts, forest fire suppression, downstream stormwater recharge, and replenishment of natural lakes like Lake Elsinore which is very dependent on storm flow.

On August 6, 2019, the SAWPA Commission supported SAWPA staff issuing a Request for Proposals (RFP) for a feasibility study to conduct the Santa Ana River Watershed Weather Augmentation Study. Tom Ryan of MWDSC was contacted by staff for a list of firms who provide such services and staff received a list of four firms who have expertise in conducting such studies. On December 17, 2019, the SAWPA Commission approved an agreement for services and task order with North American Weather Consultants Inc. to conduct a feasibility study for the Watershed Weather Modification for Water Supply Feasibility Study, also known as cloud seeding. Funding for

this study was provided by each SAWPA member agency contributing \$15,000 each for the \$75,000 study.

In accordance with the Scope of Work, a milestone decision point interim report is prepared reflecting the first two tasks: Task 1 Data Collection and Task 2 Target Sites Selection. Mr. Garrett Cammans, President of North American Weather Consultants Inc. will provide a presentation about the preliminary results. Staff has reviewed these preliminary and recommends that there is sufficient justification at this stage to continue the completion of the feasibility study.

### **CRITICAL SUCCESS FACTORS**

#### OWOW

- Data and information needed for decision-making is available to all.

### **RESOURCE IMPACTS**

The feasibility study was not included in the SAWPA FYE 2019/2020 Budget. Each member agency was invoiced \$15,000 to conduct this work as agreed by the SAWPA Commission. All revenue has been received to complete the work.

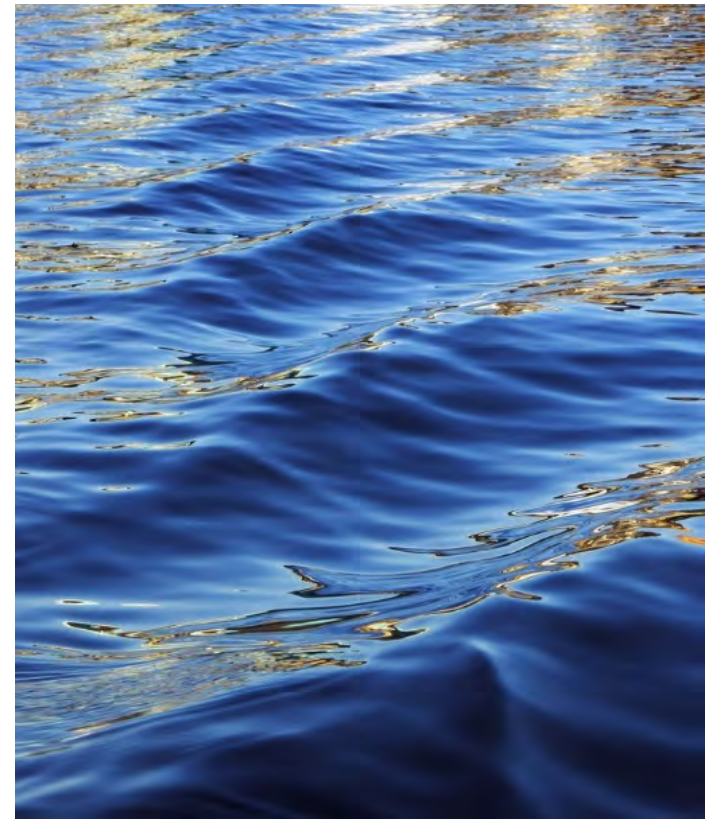
#### Attachments:

1. PowerPoint Presentation
2. Interim Report | Santa Ana Watershed Weather Modification Feasibility Study Tasks 1 & 2 (May 2020)



# Weather Modification Feasibility Study

SAWPA  
Item No. 6.C. | May 19, 2020



# Feasibility Review

- State of Water in the Western USA
- SAWPA Climatology
- Seeding Methods & Design
- Precipitation & Streamflow Estimates
- Conclusion

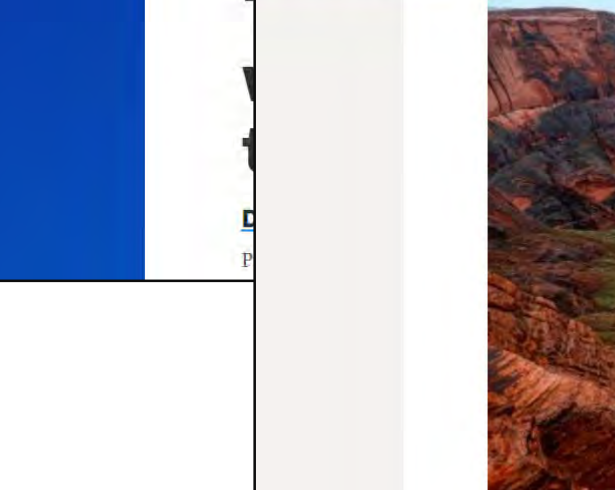


# State of Water in the Western USA





# US Drought Could Last A Century As We Now Enter A Megadrought, Study Finds



Los Angeles Times

CLIMATE & ENVIRONMENT

Smithsonian MAGAZINE

SUBSCRIBE SMARTNEWS HISTORY SCIENCE INGENUITY ARTS & CULTURE TRAVEL

## The American West May Be Entering a 'Megadrought' Worse Than Any in Historical Record

A new study of ancient climate has a dire warning about today's dry conditions

Los Angeles Times

SUBSCRIBE \$1 for -

## U.S. 'megadrought' the

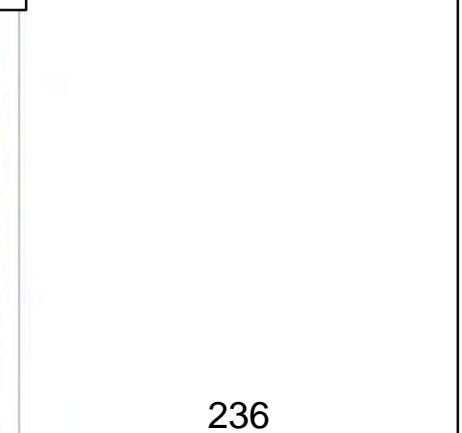
States has experienced four

CBS NEWS NEWS CORONAVIRUS SHOWS LIVE

# Megadrought emerging in western U.S. could be the worst in 1,200 years, study finds

BY JEFF BERARDELLI  
APRIL 17, 2020 / 9:30 AM / CBS NEWS

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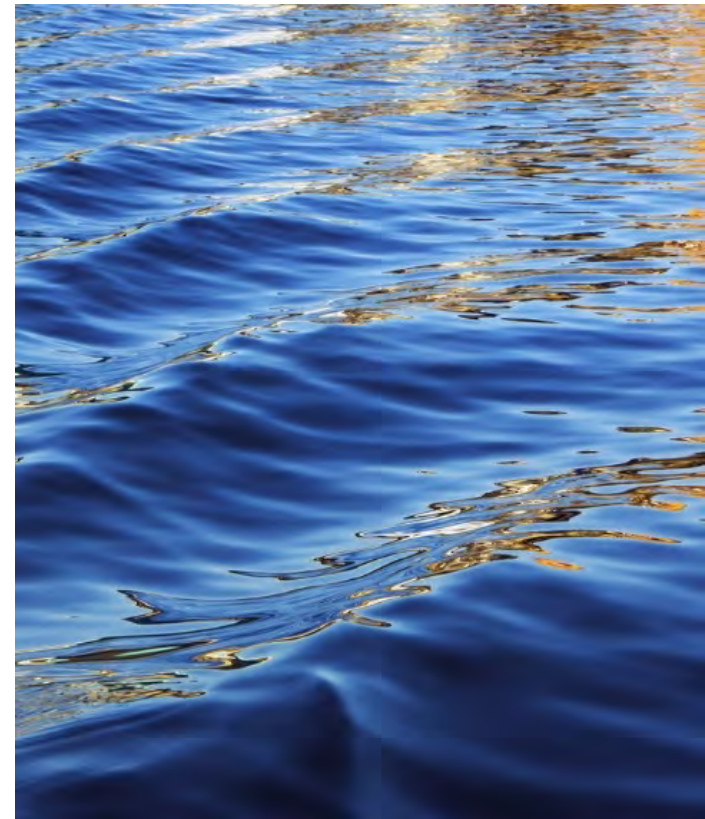
# Take-Aways

- Climate change is happening
- No need for fear if we prepare
  - Conservation Efforts
  - Infrastructure Improvements
  - Regulatory Changes
  - Scientific Advancements



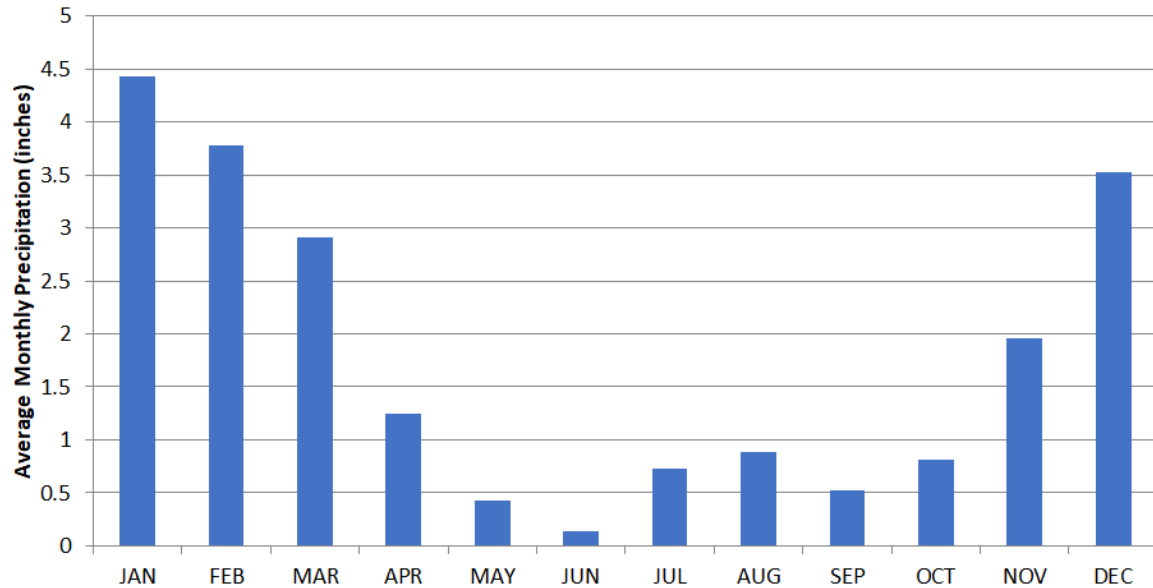


# SAWPA Climatology



# Precipitation Trends

## Seasonality



Big Bear Lake 1961-2019 monthly precipitation

## Elevation

There is a strong correlation between elevation and average precipitation. Mountainous areas (above 2,000-3,000 feet) experience 20-40 inches of precipitation per year. Lower elevation coastal areas receive about 10-20 inches of precipitation per year.

Most snowfall occurs above 5,000ft with areas above 7,000 ft often receiving greater than 100 inches annually (retaining 25-35 inches of snowpack).

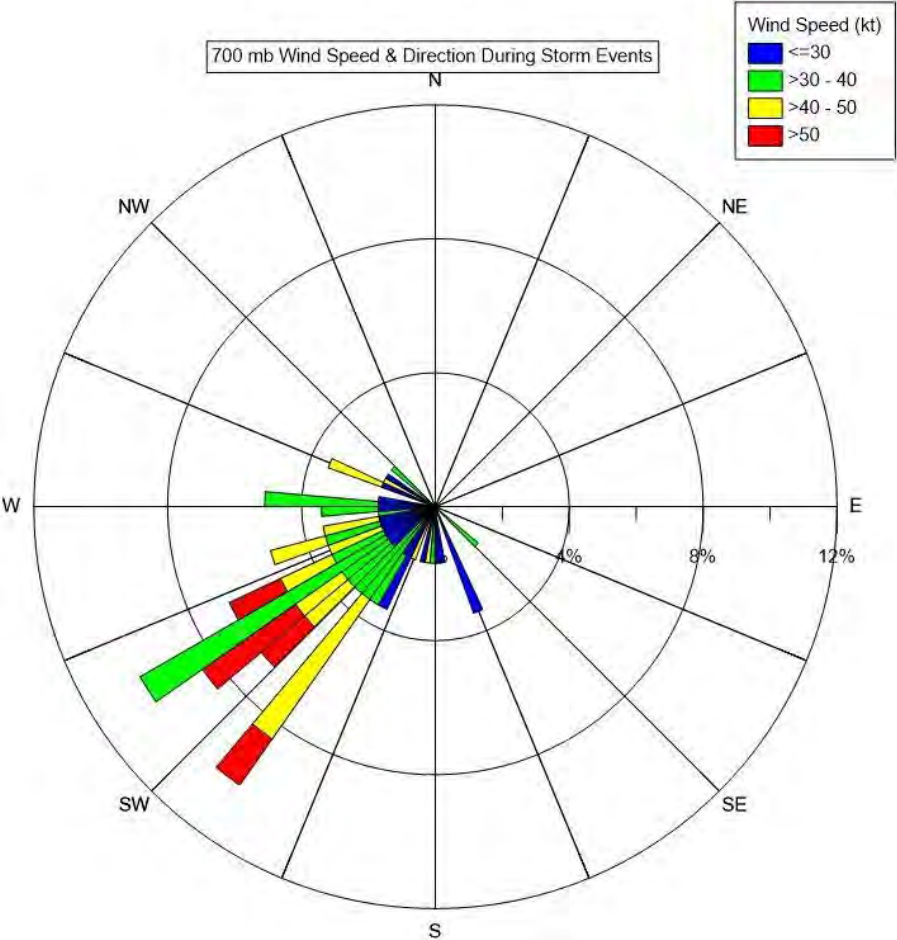
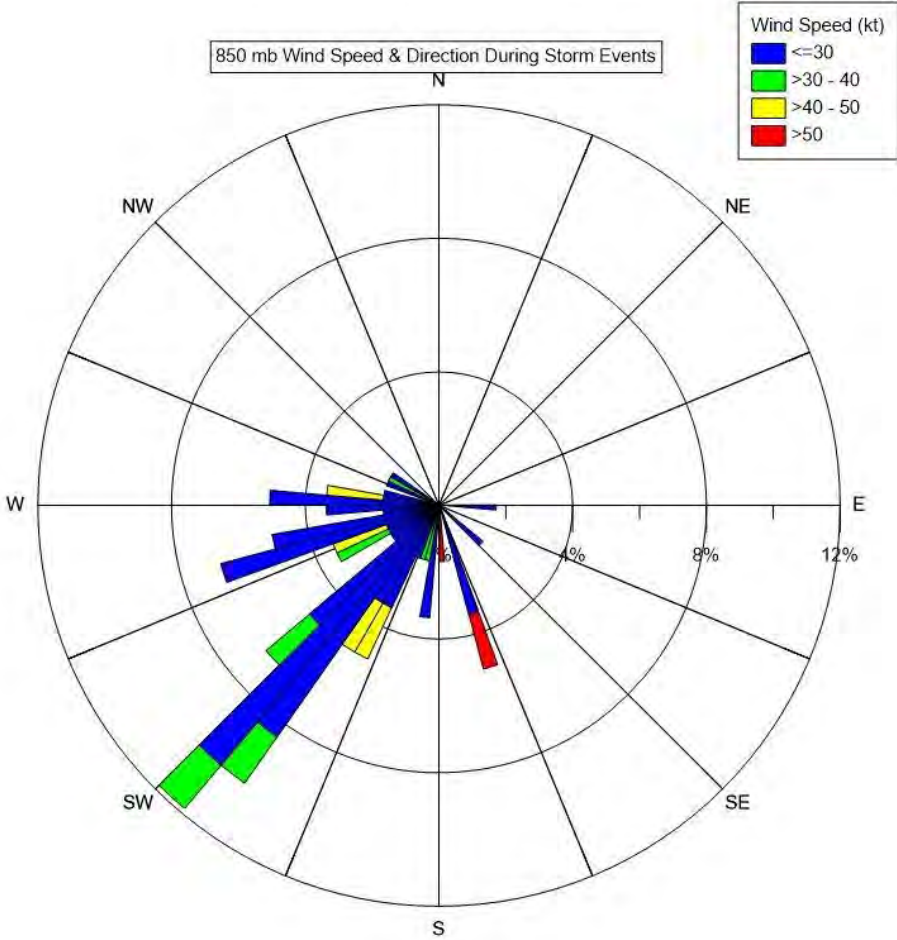


# Designation of Target Areas



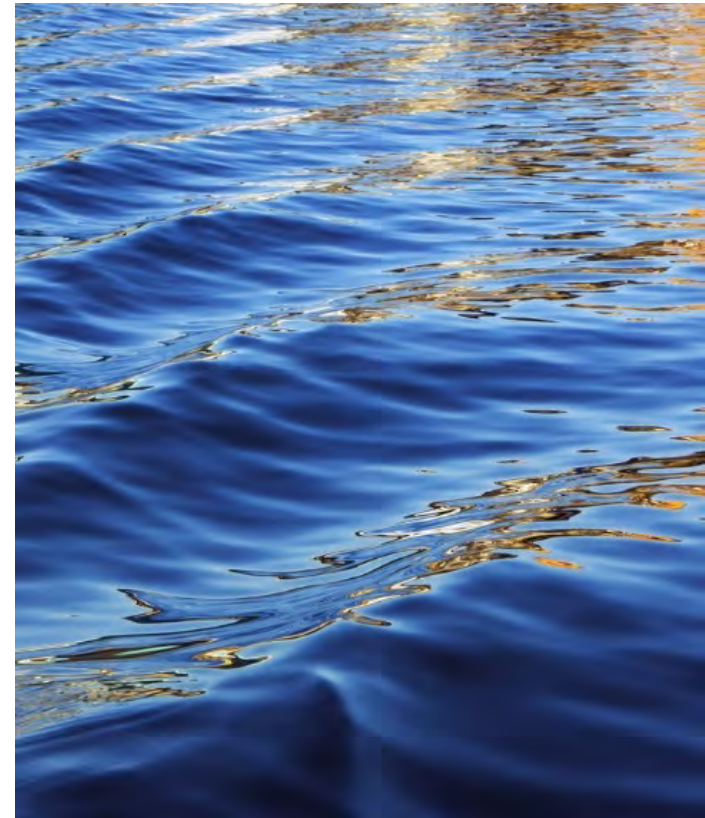


# Understanding Storm Winds and Movement





# Seeding Methods & Design



# Ground Based Seeding Methods

## CNG's (Cloud Nuclei Generators)



- Ideal for orographic lift (winds caused by land barriers)
- Create a continuous plume
- Inexpensive to install and operate

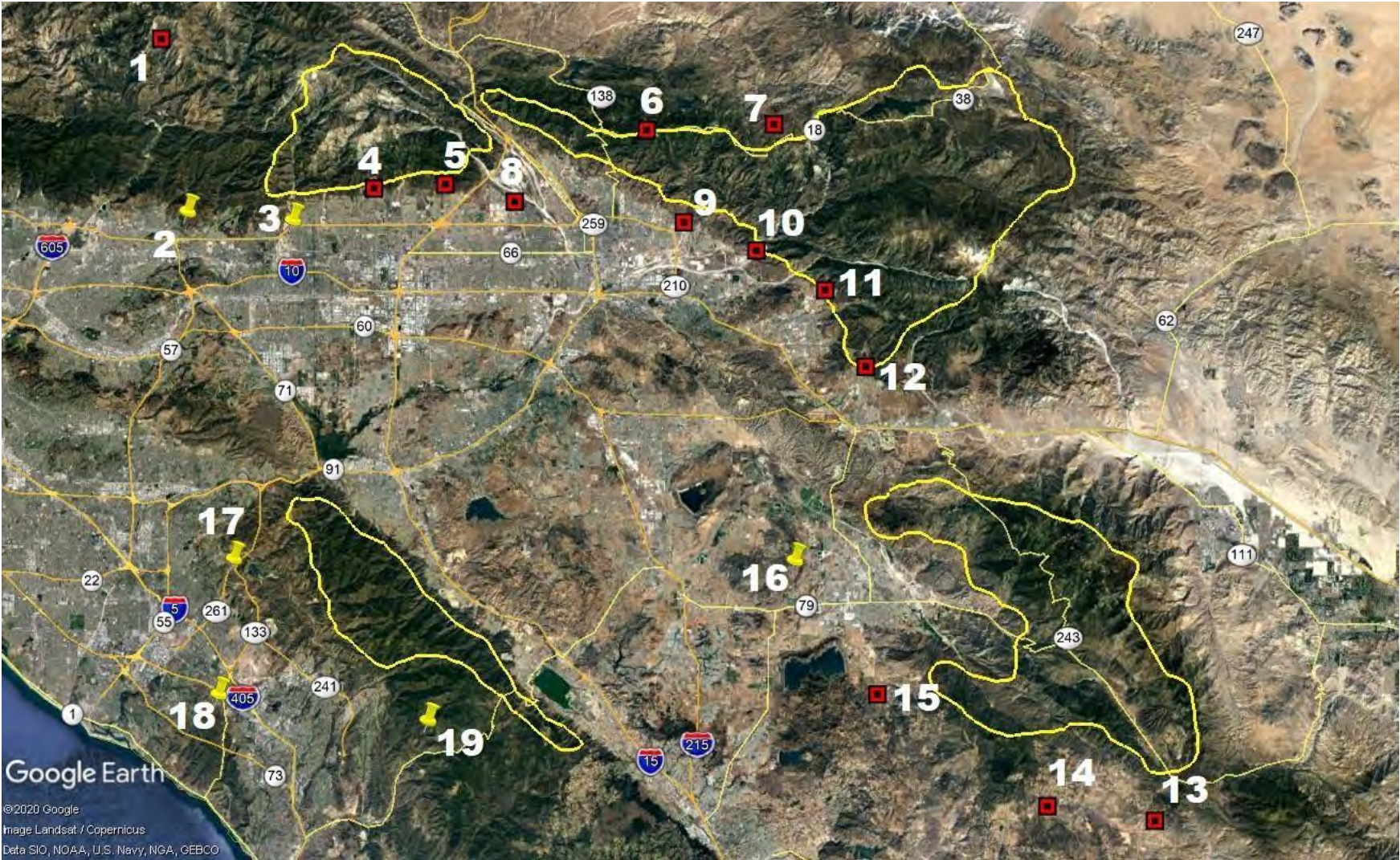
## AHOGS (Automated High Output Ground Seeding) Systems



- Depend on strong convective storm attributes (turbulence)
- Deliver a higher concentration of Silver Iodide – rapid release
- Operated remotely

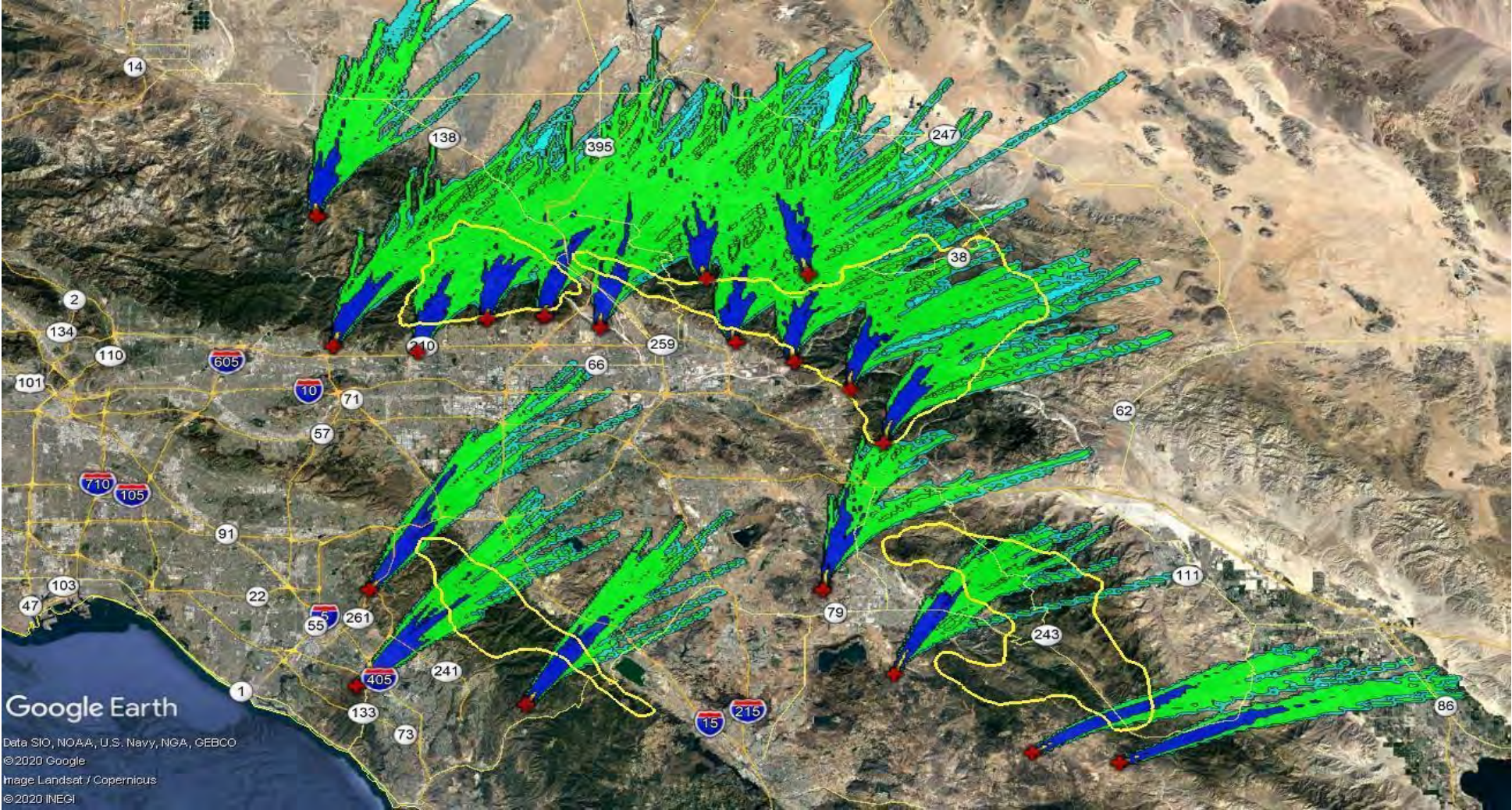


# Ground Based Seeding Locations





# Ground Based Seeding Dispersion Model





# Aerial Seeding



## Technical Feasibility

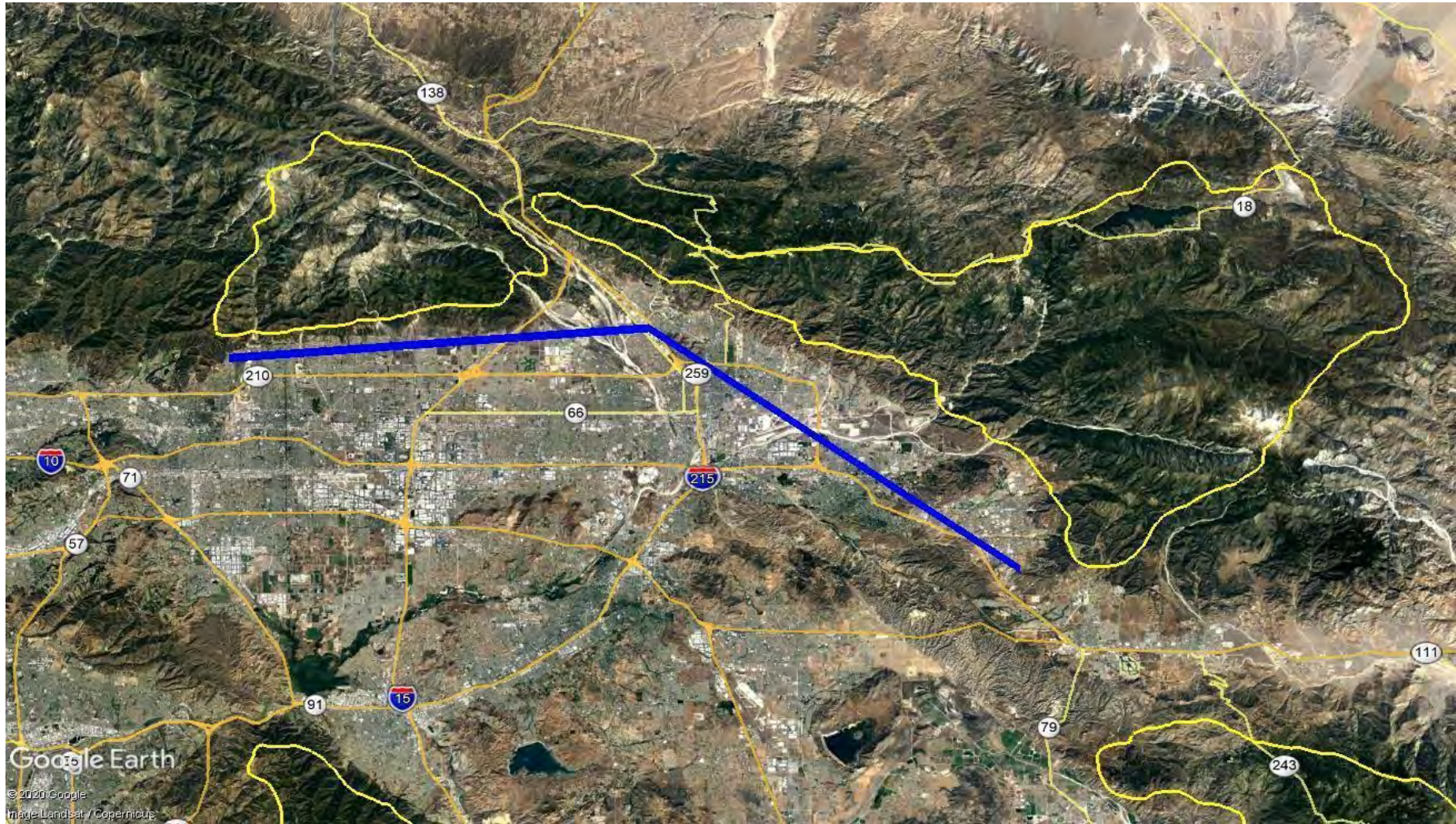
- Unlike commercial air traffic that quickly leaves an area of high traffic, cloud seeding aircraft occupy the same airspace for an extended period of time
- Flight tracks for the eastern target areas are more likely to receive FAA approvals during times of high traffic, and during periods of storm activity.

## Economic Feasibility

- Land barriers must be of an appropriate size to benefit from aerial seeding
- Annual runoff must support the investment of an aerial component
- Preference should be given to areas with greater potential increases

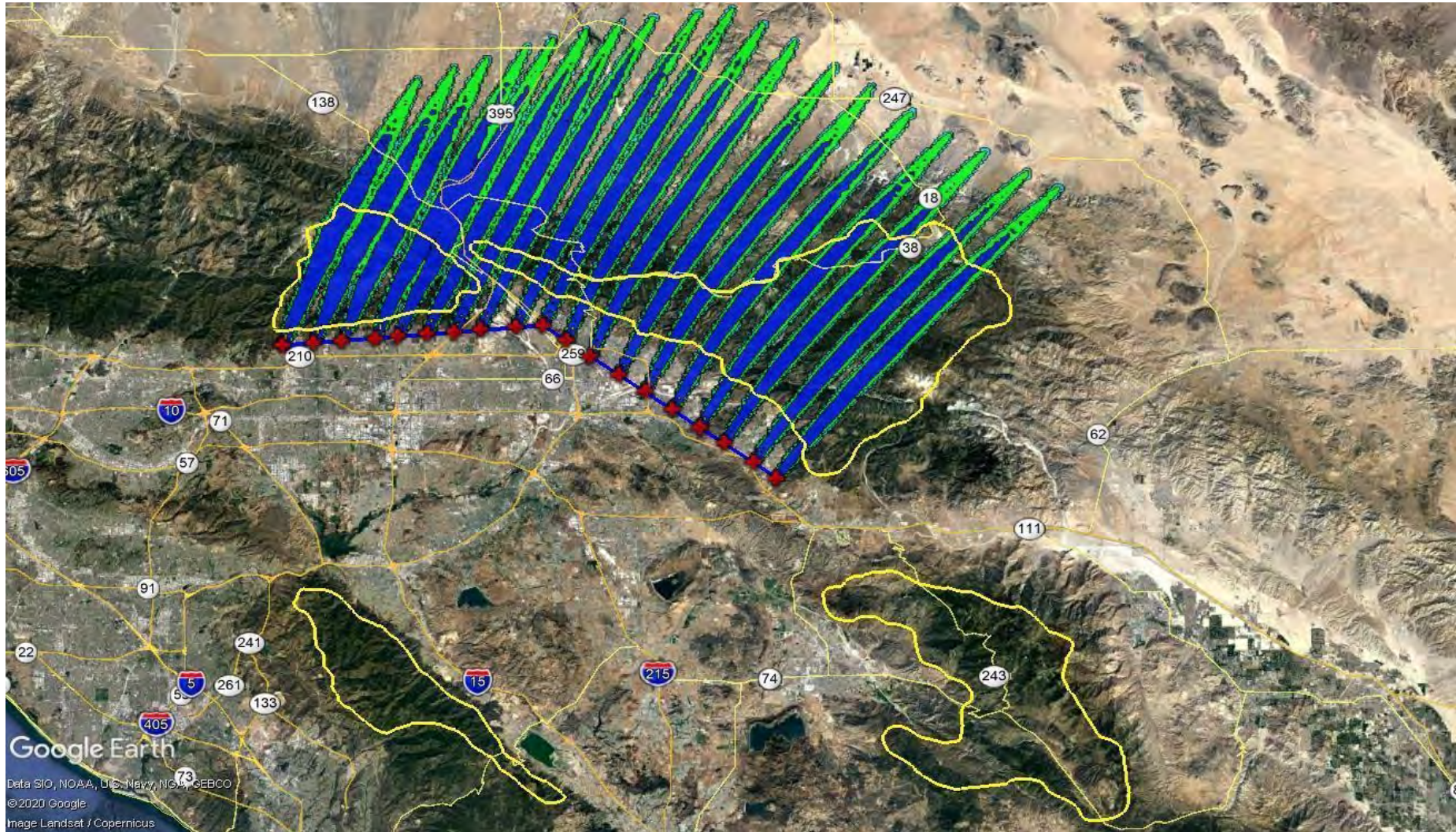


# Aerial Seeding Flight Path





# Aerial Seeding Dispersion Model





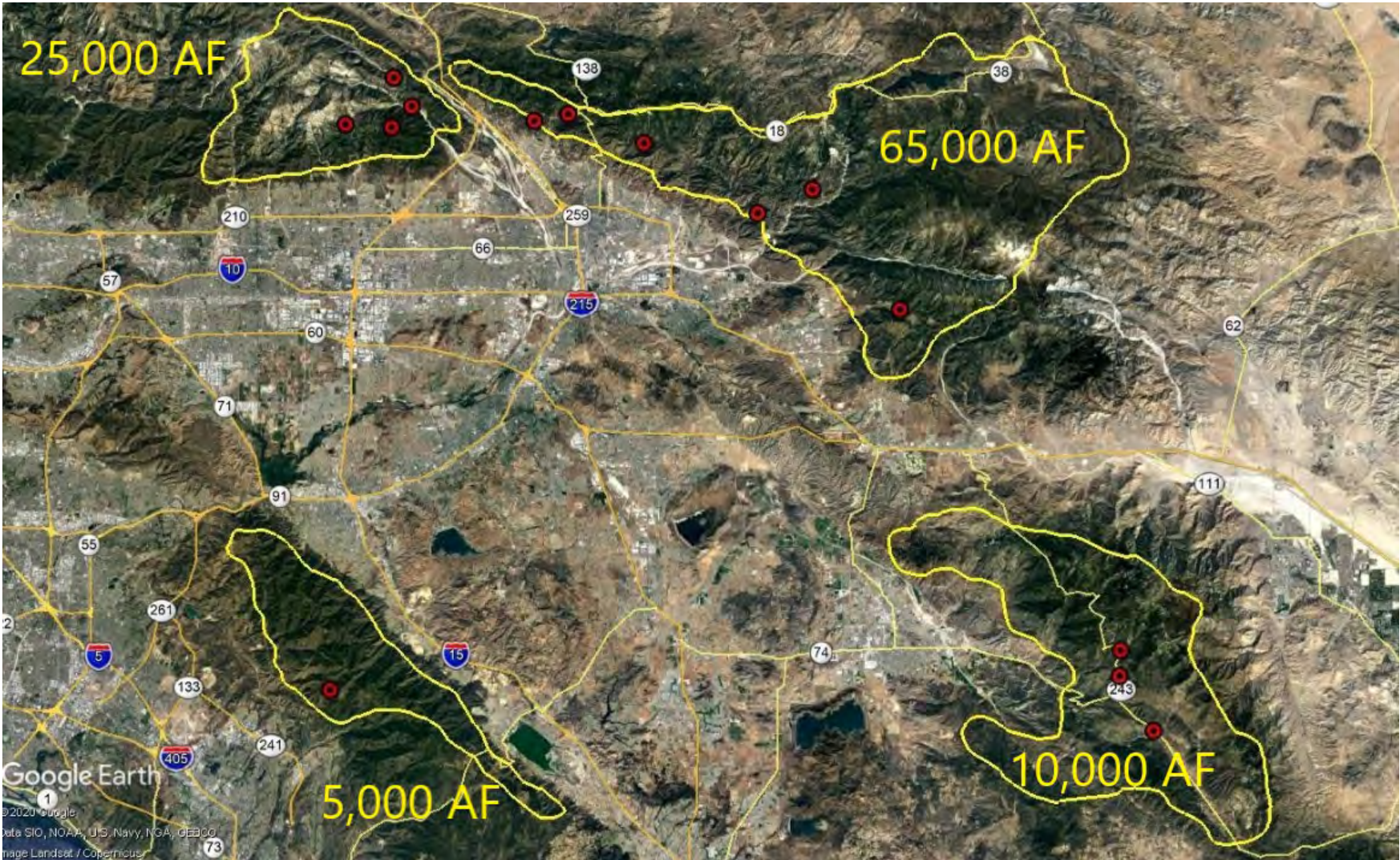


# Precipitation & Streamflow Estimates





# Estimated Annual Streamflow



# Estimated Increases in Seasonal Precipitation

| Target Area       | Seasonal Increase (inches) | Percent Increase |
|-------------------|----------------------------|------------------|
| NW                | 0.41                       | 3.5%             |
| NE (ground only)  | 0.49                       | 4.1%             |
| NE (air & ground) | 0.89                       | 7.3%             |
| SW                | 0.59                       | 3.7%             |
| SE                | 0.49                       | 4.5%             |

- 58 storms over 5 seasons were considered, 47 of the 58 were found to be seedable
- Of the seedable events 21% were considered seedable by aircraft only, and 79% were found to be seedable by aircraft or ground based systems
- Estimated seasonal increases to precipitation were determined for each target area by adding the potential increase for each individual storm event

# Estimated Increases in Seasonal Streamflow

| Target Area       | Average Natural Streamflow (AF) | Expected <b>Average</b> Streamflow Increase (AF) |
|-------------------|---------------------------------|--------------------------------------------------|
| NW                | 25,000                          | 2,043                                            |
| NE (ground only)  | 65,000                          | 4,330                                            |
| NE (air & ground) | 65,000                          | 7,772                                            |
| SW                | 5,000                           | 447                                              |
| SE                | 10,000                          | 1,373                                            |

- Regressions (mathematical models) between **precipitation** and **streamflow** were developed based on long-term data sets from various time periods, some beginning as early as the 1920s.
- The R-value for the derived regressions were all close to .8 suggesting a strong correlation between precipitation and runoff for all 4 target areas. (80% confidence threshold)
- The estimated precipitation increases derived from the former portion of the study were applied to the mathematical models for each target area, to determine the effective increases in streamflow.



# Total Projected Increases

| Target Area       | Seasonal Precip. Increase (inches) | Percent Increase | Avg. Natural Streamflow (AF) | Streamflow Increase (AF) | Percent Increase |
|-------------------|------------------------------------|------------------|------------------------------|--------------------------|------------------|
| NW                | 0.41                               | 3.5%             | 25,000                       | 2,043                    | 8.2%             |
| NE (ground)       | 0.49                               | 4.1%             | 65,000                       | 4,330                    | 6.7%             |
| NE (air & ground) | 0.89                               | 7.3%             | 65,000                       | 7,772                    | 12.0%            |
| SW                | 0.59                               | 3.7%             | 5,000                        | 447                      | 9.0%             |
| SE                | 0.49                               | 4.5%             | 10,000                       | 1,373                    | 13.7%            |
|                   |                                    |                  | <b>TOTAL</b>                 | <b>11,635</b>            | <b>11.1%</b>     |

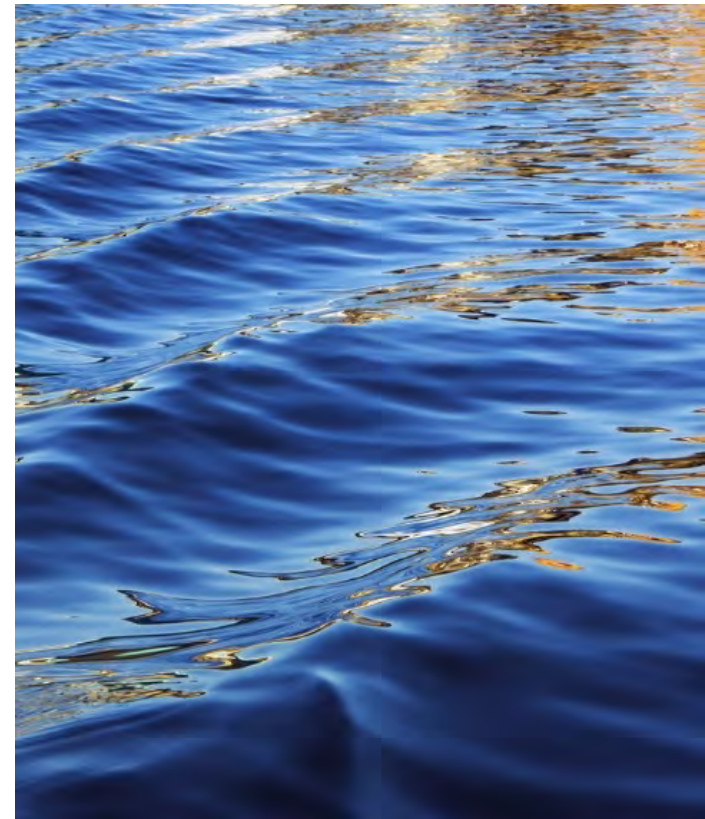
These estimates are largely conservative. Calculating increases from cloud seeding activity is not an exact science, we have decades of research, but every storm is unique. As the purpose of this study is determine economic and technical feasibility, we felt an obligation to err on the side of caution.

Areas where we chose to be conservative:

- We do not have access to runoff data for all natural streams and waterways. Rather than adding a reasonable increase to each target area for untracked runoff, we assumed runoff only occurs in waterways with active gauges.
- Research performed in the 1970's suggests rainfall increases of 20% are achievable when seeding organized convective bands. Though we agree a 20% increase is fathomable, circumstances would have to be truly ideal in order to achieve such dramatic results, are projections were significantly more modest.



# Conclusion



# Preliminary Benefit to Cost Assessment

- Depending on the method of seeding, the combined total estimated runoff increase from the four target areas is between 8,393 AF and 11,835 AF for an “average year.”
- With a typical retail value around \$1,000/AF. The additional runoff from cloud seeding would be valued between \$8,000,000 and \$12,000,000 (if fully allocated).
- Based on these values we predict a benefit to cost ratio upwards of 15:1 far greater than ASCE 2016 Guidelines of at least a 5:1 benefit to cost ratio.
- More specific estimates will be made under Task 4 when detailed estimated costs for a program are prepared.

We attest to the strong potential gain from a well executed weather modification program and endorse a continuation in the feasibility study.

**SANTA ANA WATERSHED  
WEATHER MODIFICATION FEASIBILITY STUDY  
TASKS 1 & 2**

*Prepared for*

**Santa Ana Watershed Project Authority**

*by*

**Garrett L. Cammans  
David P. Yorty, WMA CM  
Todd R. Flanagan, WMA CM  
Stephanie D. Beall, WMA CO  
Don A. Griffith, AMS CCM and WMA CM**

**North American Weather Consultants, Inc.  
8180 S. Highland Dr., Suite B-2  
Sandy, Utah 84093**

**Report No. WM 20-447-1  
NAWC Project No. 19-447**

**May 2020**

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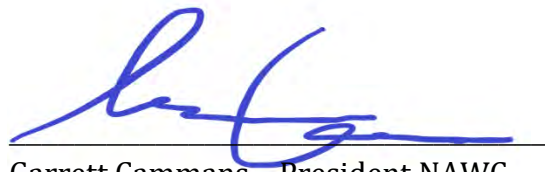
*Air Quality, Applied Meteorology, Meteorological Research, Weather Modification*

We are pleased to present the completion of the first two of five tasks pertaining to the Santa Ana Watershed Project Authority (SAWPA) Weather Modification Feasibility Study.

We would like to take a moment to thank those who have helped us compile the data necessary for us to perform this extensive study. With your help we have been able to review historic rainfall and streamflow data dating as far back as the 1920's.

We understand that this study has taken place during a time of great social strain, with unprecedented constraints on your time and resources. We appreciate the cooperation you have all provided and the swift responses to our inquiries amidst these social challenges.

It is our hope that this report finds you all in good health, and your cities and counties in a state of swift recovery.



Garrett Cammans – President NAWC

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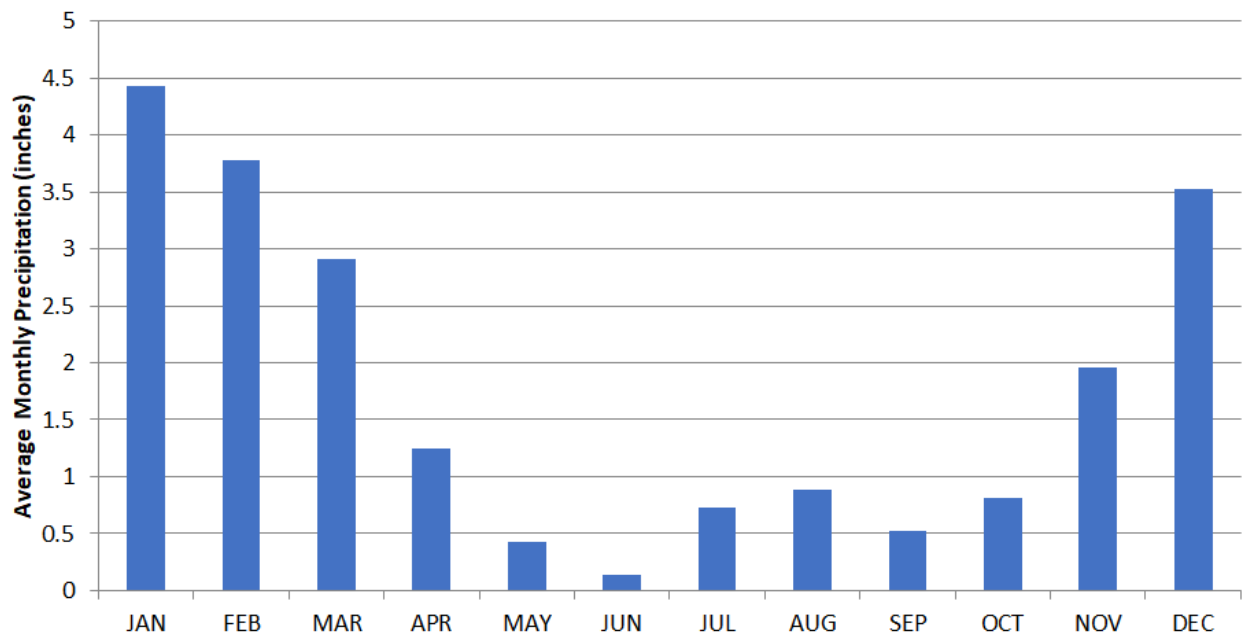
## EXECUTIVE SUMMARY

### General Climatology

The Santa Ana Watershed Project Authority (SAWPA) watershed shares a Mediterranean-type climate with the rest of Southern California. Typical for this climate SAWPA experiences warm, dry summers and cool, somewhat moist winters. Though precipitation can be highly variable season to season, after reviewing over 30 years of seasonal precipitation there are significant patterns that emerge.

There is a strong correlation between elevation and average precipitation. Mountainous areas (above 2,000-3,000 feet) experience 20-40 inches of precipitation per year. Lower elevation coastal areas receive between about 10-20 inches precipitation annually. Semi-arid regions generally receive less than 10 inches of precipitation annually.

Average precipitation exhibits a strong seasonal trend. This is illustrated in the figure below. The greatest precipitation generally occurs between the months of December – March. On average, the months of January through March experience the most snowfall in the higher elevations of some of the target areas. Based on seasonality of precipitation and storm activity in this region, the meteorological analysis for this study focused on the November - April season.



**Monthly precipitation averages at Big Bear Lake, 1961-2019. This illustrates the seasonal patterns typical of the mountainous areas of southern California.**

Average snowfall varies dramatically with elevation, with most snowfall occurring over 5,000 feet and areas above 7,000 feet observing 100-150 inches annually. Snowfall becomes more sporadic below about 4,000 feet.

### **Primary Target Areas**

The SAWPA watershed has four potential target areas for weather modification. Each of the target areas exhibit relatively distinct geographical and climatological attributes. Listed in order of their contribution to seasonal runoff (least to greatest):

- The northwest target area (NW Target), bordering Los Angeles and San Bernardino Counties encompasses a portion of the Central Transverse Ranges, to the west of the I-15 freeway. Estimated average seasonal runoff: 25,000 AF.
- The northeast target area (NE Target) in San Bernardino County encompasses the area of the Central Transverse Ranges east of I-15, extending down to I-10 north of Palm Springs. Estimated average seasonal runoff: 65,000 AF
- The southeast target area (SE Target) includes the mountains in Riverside County centered just to the west and southwest of Palm Springs. Estimated average seasonal runoff: 10,000 AF.
- The southwest target area (SW Target) area includes the mountain range that lies on the border of Orange and Riverside counties. Estimated average seasonal runoff: 5,000 AF.

### **Estimated Increases**

To estimate the net potential gain in annual runoff for the Santa Ana watershed, NAWC first analyzed individual storm periods from five representative November - April seasons to determine the potential gain in precipitation from a well-executed weather modification program.

For 58 storms that were selected over five winter seasons to represent dry, normal and wet seasons, 81% had characteristics favorable for cloud seeding. Of these seedable storms, 21% were considered to likely be seedable by aircraft only, with the remaining 79% considered to be seedable from ground-based sites. To determine the potential increases in precipitation, hourly rain gauge data was collected for each storm, and numerous storm attributes were carefully tabulated and considered.

Estimated seasonal increases in November – April precipitation were determined for each target area by adding the estimated potential increases for each individual storm event. The results for each target area over the five seasons were then averaged to determine an average projected increase. The results are summarized in the table below.

Following the determination of projected increases in precipitation, NAWC created regression equations to model the relationship between precipitation and streamflow for each target area. Data were collected from rain gauges and streamflow gauges dating back, in some cases, to the 1920's. These models allowed NAWC to predict the impact that the aforementioned increases in precipitation would have on total seasonal runoff.

In most cases the correlation between precipitation and runoff was found to be very strong, with R-values near to or greater than 0.8. The table below summarizes both the precipitation increases estimates, and the resulting streamflow increase estimates, for a typical or "average" season. These estimates were used in the determination of the total potential benefit, both quantities of increased runoff and preliminary benefit-to-cost ratios of a seeding program as described in this study.

### **Estimated precipitation and streamflow increases**

| <b>Target Area</b> | <b>Seasonal Precipitation Increase (inches)</b> | <b>Percent Increase</b> | <b>Avg. Annual Natural Streamflow (AF)</b> | <b>Annual Streamflow Increase (AF)</b> | <b>Percent Increase</b> |
|--------------------|-------------------------------------------------|-------------------------|--------------------------------------------|----------------------------------------|-------------------------|
| NW                 | 0.41                                            | 3.5%                    | 25,000                                     | 2,043                                  | 8.2%                    |
| NE (ground)        | 0.49                                            | 4.1%                    | 65,000                                     | 4,330                                  | 6.7%                    |
| NE (air & ground)  | 0.89                                            | 7.3%                    | 65,000                                     | 7,772                                  | 12.0%                   |
| SW                 | 0.59                                            | 3.7%                    | 5,000                                      | 447                                    | 9.0%                    |
| SE                 | 0.49                                            | 4.5%                    | 10,000                                     | 1,373                                  | 13.7%                   |
|                    |                                                 | <b>TOTAL</b>            | 105,000                                    | 11,635                                 | 11.1%                   |

### **Targeting and Modeling**

Storm events that affected southwestern California over five winter seasons were analyzed, and a detailed climatology was developed. From this, an array of seeding sites for the Santa Ana Watershed's four target areas was compiled. Sites were selected based on their common upwind location from their intended target areas, with most sites located to the south through west of their target areas.

Two methods of ground-based seeding were considered. The first method incorporates manually operated ground based CNGs (Cloud Nuclei Generators), which burn a solution of silver iodide (AgI) dissolved in acetone in a propane flame. These generators create a continuous plume of silver iodide seeding material that provides broad coverage

over primarily mountainous terrain with strong orographic effects. The second method of seeding from the ground incorporates proprietary AHOGS or (Automated High Output Ground Seeding) systems. These remotely operated units use burn in place flares that release a high concentration of silver iodide nuclei very rapidly. These generators are ideal for seeding convective bands with high concentrations of supercooled liquid water and strong turbulence. NAWC has considerable experience in the use of AHOGS sites in a long-term winter cloud seeding program being conducted for the Santa Barbara County Water Agency to target two different drainage basins.

In addition to ground-based seeding, aerial seeding was also assessed. The use of an aircraft allows for the immediate release of seeding agents at the most desirable locations within a cloud. Though highly effective, aerial seeding can be cost prohibitive and requires special permits and approvals from the Federal Aviation Administration (FAA).

For each of the four target areas NAWC considered their unique geographies and topographies, as well as their average contribution to runoff to determine the most advantageous seeding method or methods.

After determining the best general design for each target area, advanced computer modeling was utilized for a subset of the analyzed storm events in order to model the horizontal and vertical movement of seeding plumes from ground-based equipment and aerial releases under typical storm conditions. Adaptations to equipment placement and flight tracks were made until results indicated successful dispersion of seeding agents over the designated targets.

## **Conclusion**

It is our recommendation that, if implemented, a weather modification program focus on storms with wind flows south through west during the period from November 15<sup>th</sup> to April 15<sup>th</sup>, when most of the area's precipitation occurs.

From our preliminary work, an aerial component could prove favorable for the NE Target area. The ideal flight path for the SW target would be in direct conflict with airspace used by both Los Angeles International Airport (LAX) and John Wayne Airport (SNA) for holding patterns and is therefore not feasible. Similarly, the proximity of the NW target to the Ontario International Airport (ONT) would render an aerial program challenging. Due to the geography of the SE target area, we do not believe an aerial component would prove economically favorable.

In our conservative estimates we predict an average seasonal increase in total runoff of between 8,000 and 12,000 AF. The variability in the estimated increase is largely a function of which seeding modes are employed. With a retail value generally in excess of \$1,000 per AF, this represents more than \$8 million (if fully allocated) in additional runoff for SAWPA.

Though at this stage an exact cost for a fully operational program has not yet been determined, it is estimated that the benefit to cost ratio will be well in excess of 15:1. This far exceeds general minimum recommendation of a 5:1 benefit to cost ratio as recommended in the American Society of Civil Engineer's "Guidelines for Cloud Seeding to Augment Precipitation" publication (ASCE, 2016).

## **1.0 INTRODUCTION**

### **1.1 Background**

North American Weather Consultants (NAWC), received a Request For Proposals (RFP) to conduct a weather modification feasibility study for the Santa Ana watershed located in southern California. This RFP was issued by SAWPA on October 1, 2019 with the title Weather Modification Program. “The primary objective of the study is to determine the feasibility of a weather modification or cloud seeding program to increase precipitation and snowpack in the Santa Ana River Watershed”.

There are five tasks to be completed in this study:

- Task 1 - Collection of Data.
- Task 2 - Selection of Target Areas.
- Task 3 - Development of Program Design and Seeding Increase Estimates.
- Task 4 - Perform a Benefit/Cost Analysis.
- Task 5 - Delivery of Final Report

NAWC was awarded this work with an effective start date of January 2, 2020. NAWC, in discussions with Mr. Mark Norton of SAWPA, reached an agreement that Tasks 1 and 2 could be combined with a due date for these tasks of May 9, 2020. After review of these initial steps SAWPA will determine whether or not to proceed to the following tasks. If a decision is made to proceed, NAWC welcomes any feedback from SAWPA on the content of this initial report. In correlation with the work done for tasks 1 and 2, seeding increase estimates (formerly part of Task 3) have been included with this submission to assist SAWPA in their decision regarding the remainder of the feasibility study.

#### **Task 1, Collection of Data, and Task 2, Selection of Target Areas**

##### **Task 1, The RFP specifies:**

- The Consultant shall search and evaluate potential weather modification generator locations in the watershed by considering factors such as ease of property access for permanent equipment, climate trends at the sub-watershed level, and location of existing water supply infrastructure such as groundwater banks and surface water reservoirs.
- The Consultant shall determine the appropriateness of cloud seeding locations and methodologies. The Consultant shall collect cost data from similar weather modification programs implemented in other watersheds.

- The Consultant shall provide a summary of its findings to SAWPA. Selected meteorological and hydrologic data to be used in the development of the weather modification program shall be provided in Task 1 Memorandum, draft and final report.
- The Consultant shall prepare Task 1 Memorandum that describes the climatology of the Santa Ana River Watershed and whether the weather modification to increase rainfall and/or snowfall appears feasible and deserves further analysis. After considering this Task 1 Memorandum, SAWPA will determine whether to proceed with further analysis and tasks.

**Task 2, the RFP specifies:**

- The Consultant shall select the most suitable locations for implementation of a potential Cloud Seeding Program. Recommendations for a prioritized list of target areas based on storm direction shall be included in the report. Recommended locations shall be limited to areas within the Santa Ana River Watershed boundaries.
- The Consultant shall use the best available land use and hydrologic data to determine the most suitable weather modification target areas.
- The Report shall show an area map indicating the designated target areas of the watershed to be covered by each cloud seeding generator under expected normal conditions of air movement during typical storm types, which Consultant will identify. For land-based seeding sites, the Consultant shall consider target location's parcel information such as parcel size, access roads and ownership as available. For aerial-based seeding sites, the Report shall evaluate any limitations for flight paths.

**1.2 General Description of Cloud Seeding**

Clouds form when temperatures in the atmosphere reach saturation, that is, a relative humidity of 100%. This saturated condition causes water vapor to condense around a nucleus forming a cloud droplet. These nuclei, which may be small particles like salts formed through evaporation off the oceans, are known as "cloud condensation nuclei". Clouds can be composed of a combination of water droplets, supercooled water droplets and ice crystals

In cold regions (< 0°C) of clouds, cloud water droplets may not freeze. The reason for this is the purity of the water droplets. In a controlled environment, pure water droplets can remain unfrozen down to a temperature of -39°C. As many clouds will never reach temperatures as cold as -39°C water droplets depend on impurities to induce freezing. Naturally occurring impurities often consist of tiny soil particles or bacteria. Cloud seeding is the process of introducing additional nucleating agents into storm systems to improve the

efficiency of the nucleation process. Research has demonstrated that microscopic particles of silver iodide can be much more effective nucleating agents than naturally occurring freezing nuclei within a temperature range of about -5 to -15°C.

Once an ice crystal forms within a cloud, it will grow as cloud droplets around it add their mass to the ice crystal, eventually forming a snowflake. Ice crystals can also gain mass as they fall and accrete surrounding supercooled cloud droplets, a process known as “riming.” Once heavy enough, these snowflakes can precipitate and fall to ground as either rain drops or snowflakes depending on air temperatures near the ground.

### 1.3 Critical Terms and Concepts

**Automated High Output Ground Seeding (AHOGS) systems:** Proprietary real-time, remotely controlled equipment that makes use of burn-in-place flares to release high concentrations of seeding agents over a short period of time.

**Cloud Nuclei Generator (CNG):** A generator that burns a solution of a particular seeding agent. Generally, these are ground based, manually operated units.

**Convection:** This is the tendency of warmer air to rise and cooler air to sink under the influence of gravity. Convection plays an important role in the development of some cloud structures and is a defining attribute of some of our targeted storm systems.

**Convective Bands:** An organized or semi-organized area of convective clouds that produces precipitation, often linear or banded in appearance. These storm types are of particular interest in cloud seeding, as they lift seeding agents efficiently and generally contain high concentrations of supercooled liquid water.

**Ice Nucleation:** The process of water droplets suspended in a cloud to gather and freeze.

**Inversion:** Referring to temperature, a layer of air in which temperature increases with altitude. This is important as the principle characteristic of an inversion layer is the presence of static stability, such that very little turbulent exchange occurs within it.

**Orographic Effect:** As air near the surface is forced up and over mountain barriers, the air cools. As the air cools it can reach its saturation point (i.e., 100% relative humidity) which results in the formation of cloud droplets.

**Orographic Lift:** Lifting of air masses by underlying mountainous terrain.



**Nucleating Agents:** Impurities (naturally occurring or induced through the process of cloud seeding) that instigate the formation of water droplets or ice crystals.

**Wind Direction:** In meteorology, the standard convention is for wind direction to be reported as the direction from which the wind is blowing. For example, a southwest wind would indicate the wind is blowing from the southwest, towards the northeast.

When analyzing storm characteristics to understand the potential effectiveness of cloud seeding, there are a few attributes that are critical to consider:

- Vertical profile of temperatures
- Wind: speed and direction at ground level and aloft
- Atmospheric stability, including temperature inversions
- Precipitation type and intensity
- Convective lifting/convection, which influences mixing and vertical dispersion of the seeding agent.
- Topography of the target areas and localized storm characteristics

#### **1.4 Potential Target Areas**

An early requirement in developing a cloud seeding feasibility study to augment precipitation is to identify potential target areas. Logically, the target areas should encompass regions in which the most useful precipitation occurs. In the case of the Santa Ana watershed the most useful precipitation in generating streamflow will be derived from locations that receive the highest amounts of precipitation. For the Santa Ana watershed, as is the case in many mountainous areas of the world, the highest winter season precipitation typically occurs at the highest elevations of the watersheds. This is due to an atmospheric phenomenon known as the “orographic effect”. This effect is produced when lower-level air accompanying winter storms is forced up and over mountain barriers.

Based upon this discussion, there are potentially four possible target areas that could be considered in the Santa Ana watershed. Figure 1.1 provides a map of these potential target areas that will be referred to as Northwest (NW), Northeast (NE), Southeast (SE) and Southwest (SW). The boundaries of these areas are based upon the 3,000-foot elevation contour and also on the barrier crests in the case of the NE and SE areas. One exception is the SW target area, where lower average elevations exist; this area was created using the 2,000-foot elevation contour.



## 2.0 CLIMATE

Southern California has a Mediterranean-type climate with warm, dry summers and cool, somewhat moist winters. Winter precipitation is somewhat sporadic and highly variable from one season to another. Average annual precipitation ranges from between 20-40" annually in mountainous areas (above about 2,000 to 3,000 feet in elevation), between about 10-20" in lower elevation coastal areas, less than 10" in desert areas and under 5" in the drier inland deserts.

Although higher elevation areas (and more inland areas) receive some occasional monsoonal or convective type shower activity beginning in July, the months of June and July are the driest on average. During the months of July – September monsoonal moisture, as well as occasional moisture surges from decaying tropical systems in the eastern Pacific (most common around September) leads to slight increases in the precipitation average, most pronounced for inland areas. The beginning of eastern Pacific frontal system activity in the fall results in continued average precipitation increases. The greatest precipitation in general is during December – March, with the early season (December) precipitation events tending to be the warmest, having higher snow levels in general, than the remainder of this seasonal period.

Mountain snowfall is most common in mid to late winter, with the months of January through March having the greatest average snowfall. Most of this occurs above 5,000 feet in elevation, where a significant snowpack can accumulate. An accumulating snowpack is most common in areas above 7,000 feet in elevation, which often record between 100 – 150" of snowfall annually. Snowpack occasionally accumulates to 2 feet or more in depth in these areas. Snowfall is more sporadic below about 4,000 feet in elevation, with areas near 4,000 feet more likely averaging 20-25" of snowfall in a given season. Snow is much more uncommon below 2,000 feet in elevation but does occasionally fall at or below this level. It should be noted that even the month of April can bring storm events cold enough to produce snowfall at relatively low elevations, partly related to the fact that the sea-surface temperature along the California coast reaches a minimum in the spring.

The four primary target areas of the Santa Ana watershed are distinct in terms of their geography and topographic features. The southwestern portion (Santa Ana Range), bordering Orange and Riverside counties, is by far the lowest in elevation of the four, generally topping near 4,000 feet in elevation, with a few peaks (such as Modjeska and Santiago) exceeding 5,000 feet. The portion of this range in the Santa Ana watershed above 2,000 feet elevation is over 20 miles long by approximately 7 miles wide. This area generates primarily winter runoff directly pertaining to rainfall events, with little to no accumulating snowpack under normal circumstances. Annual precipitation in this range is believed to be generally between 15-25", although there is a lack of precipitation stations in higher elevation portions.

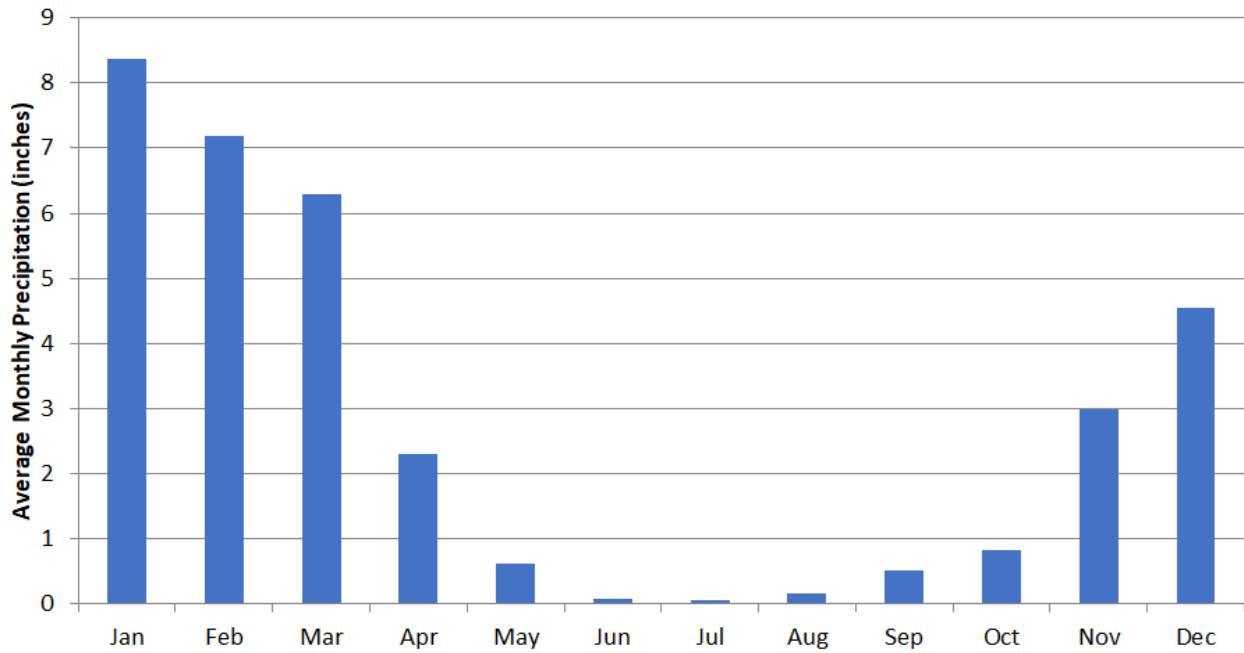
The northwestern portion (NW target area), bordering Los Angeles and San Bernardino Counties (mostly in the latter) encompasses a portion of the Central Transverse Ranges, to the west of the I-15 freeway. This portion of the watershed above 3,000 feet is a triangular area about 10-12 miles in scale, containing multiple peaks above 8,000 feet elevation. Most of this area receives about 25-35" of annual precipitation, as well as some significant snow accumulation in higher elevations. Runoff from this area appears at a general maximum from about December – April, with snowmelt in some seasons keeping streamflow elevated into May.

The northeastern portion (NE target area) in San Bernardino County encompasses the area of the Central Transverse Ranges east of I-15, extending down to I-10 north of Palm Springs. This is by far the largest of the four target areas in this study above 3,000 feet, with a length dimension (oriented northwest – southeast) over 35 miles and a width (for the Santa Ana watershed portion of the area) ranging from 2 miles on the northwestern side to about 20 miles in the much broader eastern portion. This eastern portion extends generally southward from Big Bear Lake and includes some very high terrain with some peaks reaching over 11,000 feet in elevation (such as San Gorgonia Mountain). This portion of the SAWPA watershed generally receives between 20-40" of annual precipitation, including significant snowpack accumulation in some seasons at higher elevations. Runoff originating in this area appears to have a distinct peak around late March/early April, which is likely a combination of direct runoff from rainfall as well as snowmelt runoff. In some seasons, snowmelt contributes to runoff into May. This portion of the watershed is by far the largest contributor to runoff, with typical runoff 2-5 times that of the other three areas in the watershed.

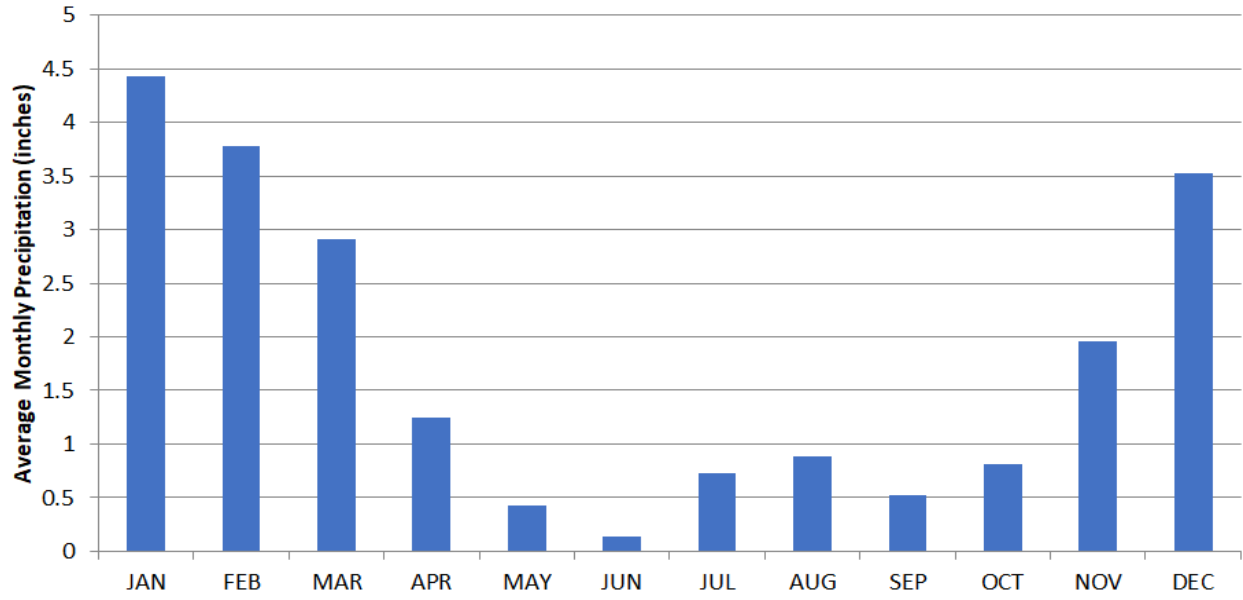
The southeastern portion (SE target area) of the watershed, in Riverside County centered just to the west and southwest of Palm Springs, appears significantly drier than more northern areas despite an area of high elevation terrain. On the eastern side, there are portions above 8,000 feet in elevation with Mt. San Jacinto (on the eastern boundary) exceeding 10,700 feet. The overall target watershed area over 3,000 feet elevation is about 28 miles long (northwest to southeast dimension) and approximately 12 miles (northeast to southwest dimension). This area generally receives about 15-25" of annual precipitation, with a limited amount of high elevation area, over about 7,000 feet on the eastern side, as the only location that is likely to have any significant snow accumulation.

Figures 2.1 – 2.4 show annual precipitation patterns representative of each of these areas. These monthly plots are derived from long-term precipitation stations that appear to be most representative of the respective areas. The periods of record for these plots vary somewhat but are based on sites that appear to have the best long-term periods of monthly precipitation records. These graphs show a strong winter season (December – March) precipitation maximum overall, with the months of November and April also having some

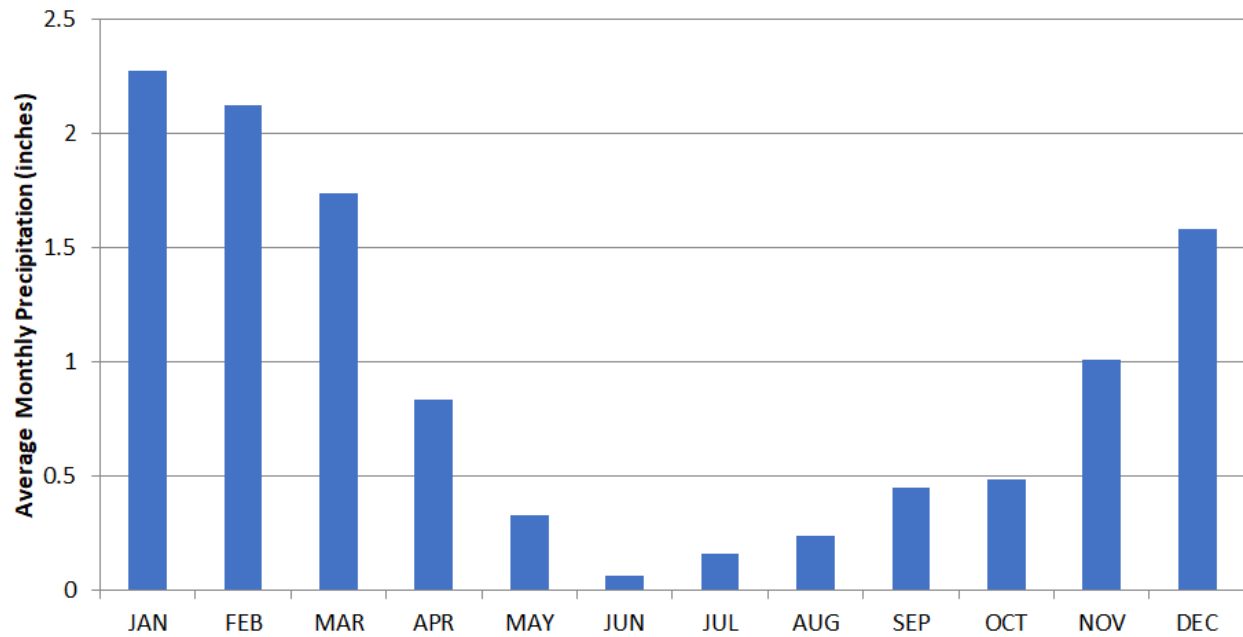
significant precipitation although generally half or less of the average of the other winter season months. A strong precipitation minimum is observed in the summer (especially June and July), with this being most pronounced in the more western areas closer to the coast. A minor monsoonal precipitation maximum is observed around July to September in the more eastern (inland) areas when convective showers and thundershowers sometimes develop in these areas.



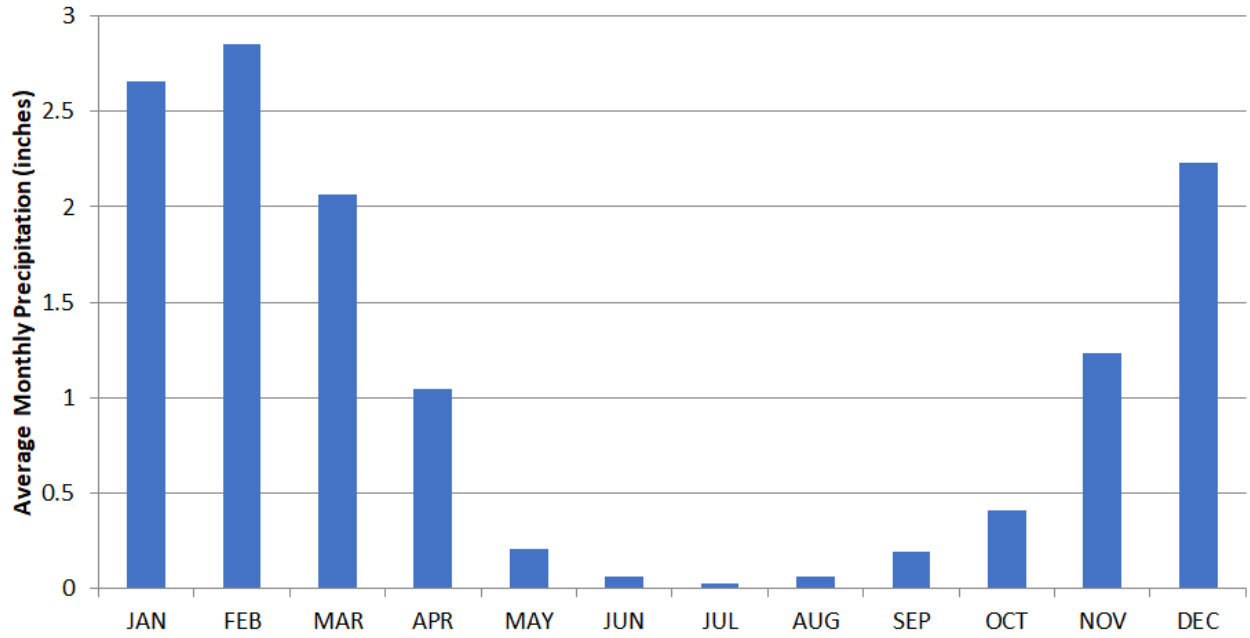
**Figure 2.1 Lytle Creek Range Station, 1942-2000 monthly precipitation averages, northwest target area.**



**Figure 2.2** Big Bear Lake, 1961-2019 monthly precipitation averages, northeast target area.



**Figure 2.3** Hemet, 1943-2019 monthly precipitation averages, southeast target area.



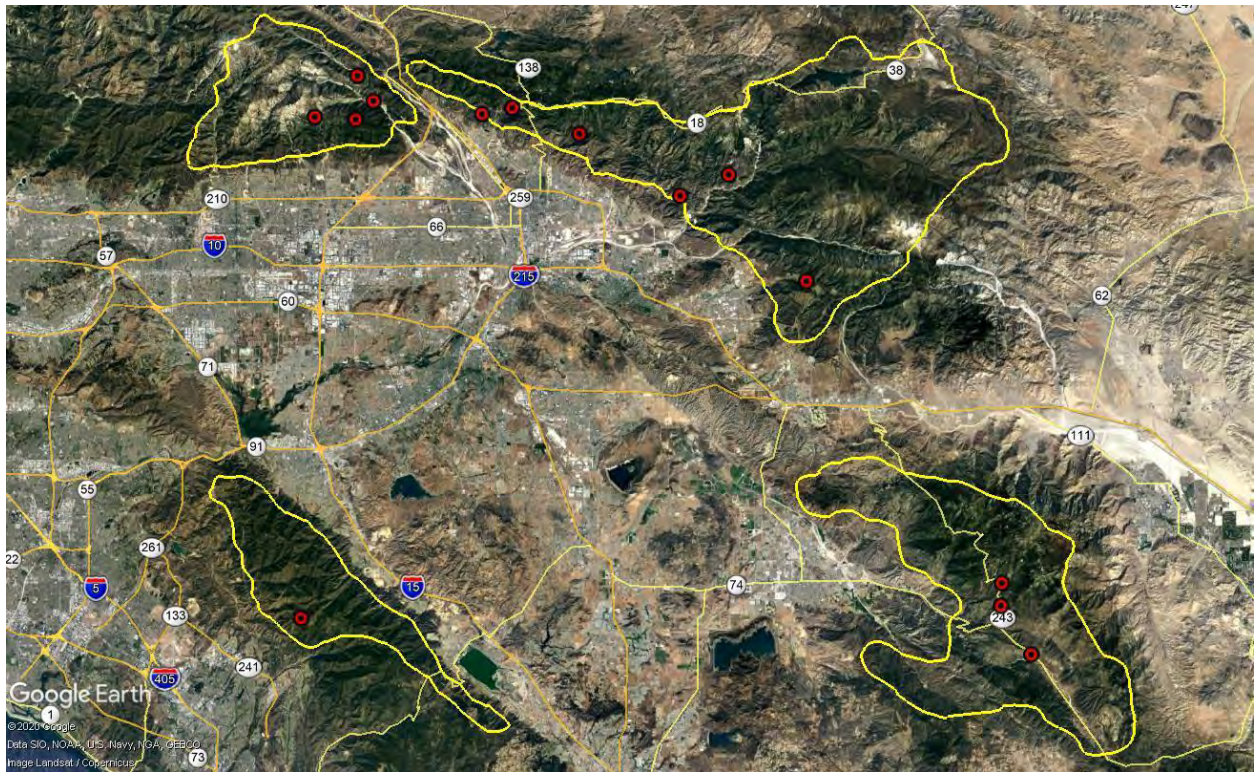
**Figure 2.4** Santa Ana Fire Station, 1923-2019 monthly precipitation averages, southwest target area.

## **3.0 ANALYSES**

### **3.1 Storm Period Meteorological Analyses**

A total of 58 precipitation periods during five November – April seasons were analyzed to determine potential seeding increases in precipitation on a seasonal basis. These seasons were selected so as to include wet, dry and near average years that may be representative of the long-term climatology. The seasons include the 2010-11 season as well as 2014-15, 2015-16, 2016-17, and 2017-18. Significant precipitation periods were identified during those seasons and data were collected, including storm structure, precipitation type, vertical profiles of temperature, moisture, winds, and hourly precipitation for sites representative of each of the four target areas. These sites with hourly precipitation data that were utilized in the analyses are shown in Figure 3.1. These data were used to analyze each individual storm situation, including factors such as precipitating cloud types, any atmospheric thermodynamic stability, the height of the -5°C level (where cloud seeding becomes effective) and winds at the 700 mb (approximately 10,000 feet above sea level) and 850 mb (approximately 5,000 feet) levels as relevant to potential targeting of seeding material. Estimates of possible seeding effects were made for both ground-based seeding and aircraft seeding in each proposed target area for each of these cases. The results were compiled to generate estimated "average" seasonal increases (November – April) in precipitation with each seeding mode. Appendix A includes samples of the data used in these analyses.





**Figure 3.1** Hourly rain gauge sites (shown as red circles) utilized in the storm period analyses. Yellow outlines define the four target areas.

Several relevant issues were addressed in these analyses. These include the percentage of precipitation events that are classified as potentially seedable during a typical winter season, the frequency of events classified as distinct convective bands and the frequency/degree of thermodynamic stability below the  $-5^{\circ}\text{C}$  level that may reduce the effectiveness of ground-based seeding.

When analyzing storm characteristics to understand the potential effectiveness of cloud seeding, there are a few attributes that are critical to consider. The first, is that silver iodide (AgI) does not exhibit strong glaciogenic effects until liquid water has cooled to around  $-5^{\circ}\text{C}$ . The height of the  $-5^{\circ}\text{C}$  level is therefore important, particularly for ground-based seeding operations in situations where the primary mode of air mass lifting is orographic rather than convective. This is because when the lifting mechanism is orographic, the height of a lifted air parcel is typically limited by the terrain height and its configuration relative to the wind field. Convective processes, on the other hand, can much more quickly lift an air parcel to significant altitudes where temperatures are much colder. This has important implications for the targeting of silver iodide, particularly from ground-based sites.

Cloud-top temperatures are an important factor, with some cases clearly having "warm" cloud tops where the top of the cloud is at an elevation below the  $-5^{\circ}\text{C}$  level and

thus are not considered to have glaciogenic seeding potential. Though cloud top temperatures are frequently difficult to determine and are typically highly variable with regards to both time and location during a given storm event, there were some clear-cut situations in these analyses where cloud tops were determined to be too low (warm) for effective seeding operations. Some research programs have shown that cloud seeding effectiveness typically becomes negligible in the  $-20^{\circ}\text{C}$  to  $-25^{\circ}\text{C}$  temperature range.

Analysis of wind direction during potential seeding periods was conducted and utilized in the development of a seeding site array for each potential target area. Airborne seeding was also included for the NE target area, in the analysis presented in this section. In reviewing both ground and airborne seeding, wind directions at the ground and aloft were considered. Models that can predict the dispersion of silver iodide into specific storm systems take into consideration varying speeds and directions.

For each target area, an array of precipitation sites with available hourly data was selected, with the objective of best representing the actual target area(s) precipitation amounts and patterns. These hourly precipitation totals were combined for the analyzed periods to obtain precipitation-weighted, target area-specific totals pertaining to the storm periods.

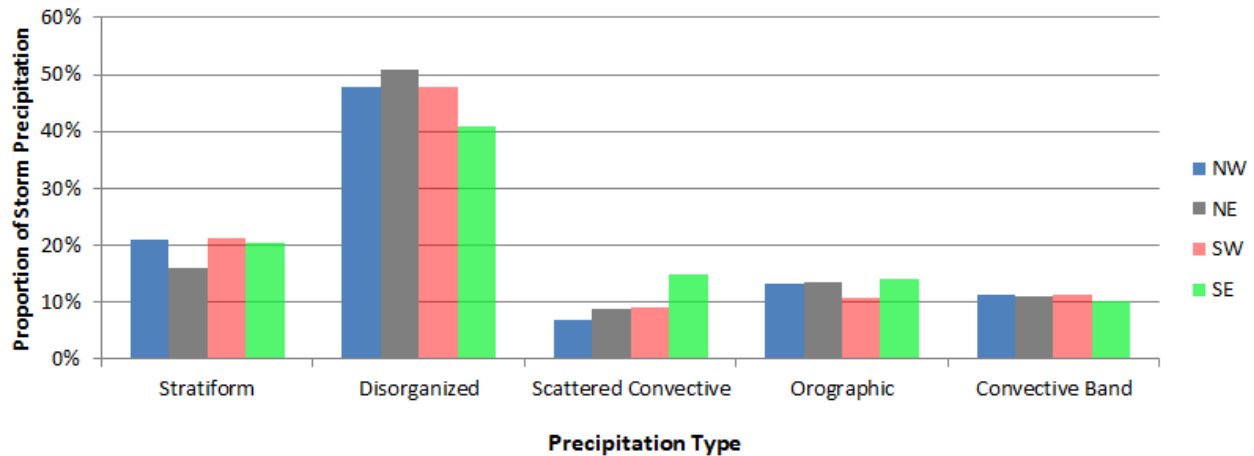
In the analysis of underlying seeding potential for each precipitation period, 11 of the 58 cases (19%) were determined to be not seedable by any mode due to overall storm characteristics, with the majority of these having low (warm) cloud tops, where all precipitation was apparently being produced below the  $-5^{\circ}\text{C}$  level. A small subset of these cases involved only a higher cloud deck which produced only light stratiform precipitation and that are likely not seedable. An additional 12 cases (21%) were considered likely seedable by aircraft but not from ground-based sites, due to the  $-5^{\circ}\text{C}$  level exceeding 700 mb (in stratiform cases) and/or a significant amount of thermodynamic stability (sometimes referred to by the term inversion) below the  $-5^{\circ}\text{C}$  level which would trap the silver iodide nuclei below their threshold activation temperature. For this reason, while an overall 81% of the analyzed periods were theoretically seedable with aircraft, only 60% were judged to be seedable using ground-based sites. There were a number of additional cases where a greater degree of seedability was assigned to aircraft than to ground-based sites due to a marginally high  $-5^{\circ}\text{C}$  level and/or indications of minor stable layers below the  $-5^{\circ}\text{C}$  level, although ground-based seeding was still considered to be viable in these cases. Overall, strong stability below the  $-5^{\circ}\text{C}$  level that would prevent ground-based seeding operations was noted in only about 10 of the 58 analyzed cases. Another 13 cases exhibited at least some minor stability that may potentially limit the vertical mixing from the surface up to this level but may not be a significant problem. To summarize, detailed analysis of 58 storm periods from five different winter seasons suggest that approximately 60% to 80%

of those cases deemed seedable could be effectively seeded, with 60% seedable via ground-based seeding versus 80% seedable via aerial seeding.

Storm structure played an important role in the analyses and in the percentage of likely seeding increases attainable in each case. Based on previous studies of well-defined convective bands in coastal California, these situations were assigned the greatest overall potential with a likely 15% precipitation increase in ideal cases. However, distinct convective bands were a small minority of the precipitation periods identified, constituting only 10 of the 58 or about 17%. Frequently observed categories included scattered convective cells (generally assigned a 10% potential seeding increase), as well as situations with disorganized precipitation that typically involved a mixture of convective and stratiform precipitation types. These cases were generally assigned a 5% to 10% likely increase based on careful consideration of storm characteristics. Situations with distinct orographic (terrain-induced) precipitation, either stratiform or convective, were typically considered to have a 10% potential increase due to seeding. Situations involving widespread (non-orographic) stratiform precipitation, as well as other cases with some marginal parameters, were considered to have about a 5% potential increase in precipitation.

The definition of distinct convective vs scattered convective cells is somewhat subjective. All of these are admittedly estimates, based on knowledge of the available literature and meteorological experience related to operational seeding programs both in California and other western states. As storm conditions are so variable, there is, unfortunately, no specific formula available to calculate specific percentage increases. An attempt was made to provide reasonable and somewhat conservative estimates that would pertain to an operational seeding program targeting these portions of the Santa Ana watershed. For comparison to our estimates in these cases, the Weather Modification Association 2016 capability statement suggests a seasonal range of increases from 5% to 15% in most winter seeding programs.

Figure 3.2 shows some general categories of storm types and the rough proportion of total precipitation associated with each precipitation type, although these categorizations are admittedly somewhat subjective. The most precipitation by far was in situations labeled as "disorganized", which generally included a lot of larger events that were a mix of stratiform and convective precipitation but lacked any distinct frontal precipitation features. These proportions of total precipitation did vary somewhat between the different target areas.



**Figure 3.2** Rough proportion of precipitation in various types of storm situations, by target area.

For the analyzed periods, 59 representative soundings from San Diego (the closest RAOB site) were used to assess temperatures and winds. An example of a sounding is shown in Figure 3.3. These were selected as representative of periods judged to have some seeding potential based on other factors as described previously, with non-seedable (such as warm-cloud topped cases) excluded for this wind analysis. Some interpolation of the data was necessary, as sounding times were only available twice a day and a storm period could fall in between these during a storm period when synoptic and mesoscale conditions are changing quickly. The average 700 mb temperature for these representative soundings was  $-3.5^{\circ}\text{C}$ , which correlates with an average  $-5^{\circ}\text{C}$  height of around 11,000 feet MSL or roughly 675 mb. This is quite high for ground-based seeding in stratiform situations, although most precipitation periods had at least some convective activity which could more quickly carry ground-based seeding plumes to elevations well above the terrain height (and thus likely to above the  $-5^{\circ}\text{C}$  level). Therefore, ground-based seeding was judged to be viable for many of the warmer situations in the absence of any significant stable layers. The overall variation of 700 mb temperatures was from  $+4.0^{\circ}\text{C}$  to  $-12.7^{\circ}\text{C}$ . At 850 mb (about 5,000 feet MSL) the average temperature was  $+5.3^{\circ}\text{C}$ , with an overall variation from  $+12.0^{\circ}\text{C}$  to  $-2.3^{\circ}\text{C}$  at this level.



72293 NKX San Diego

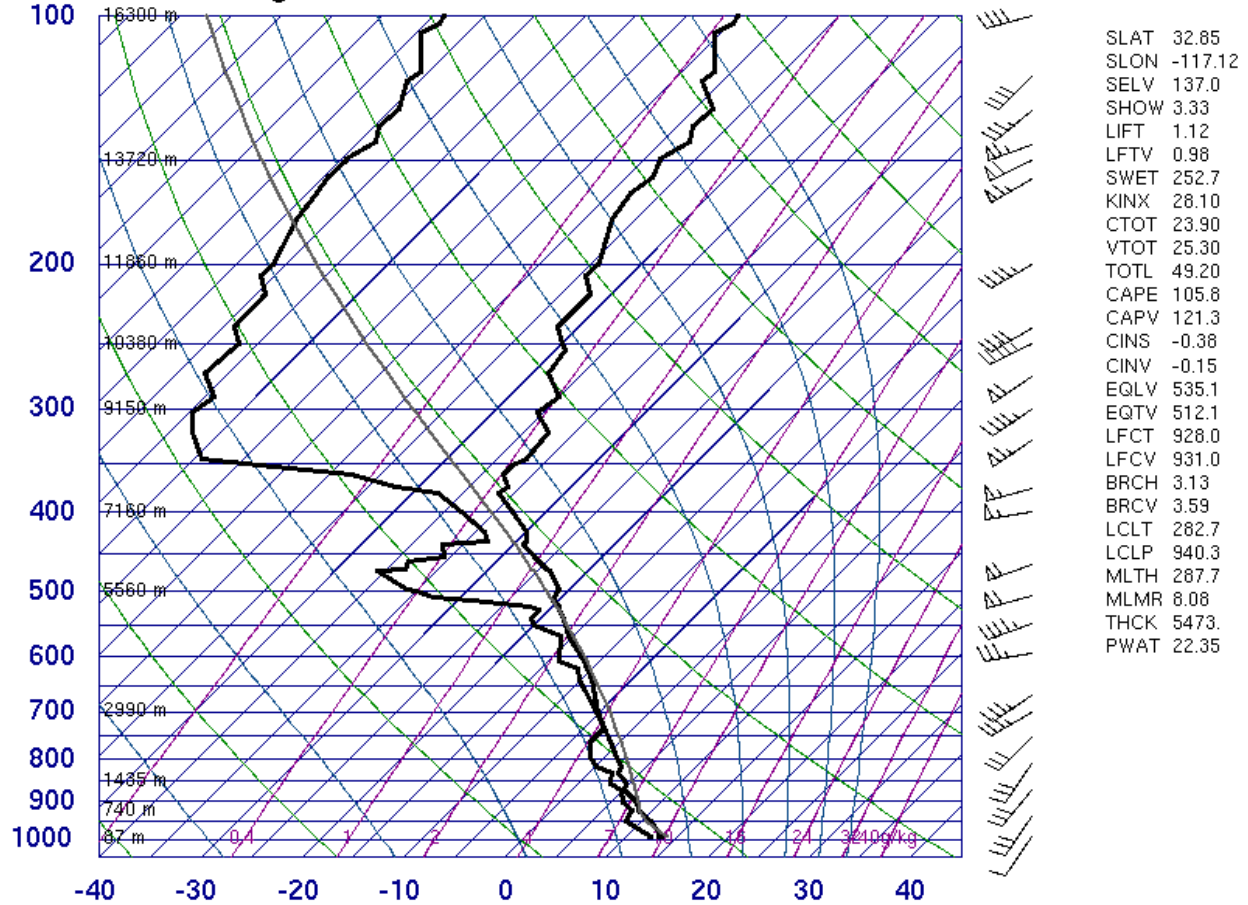
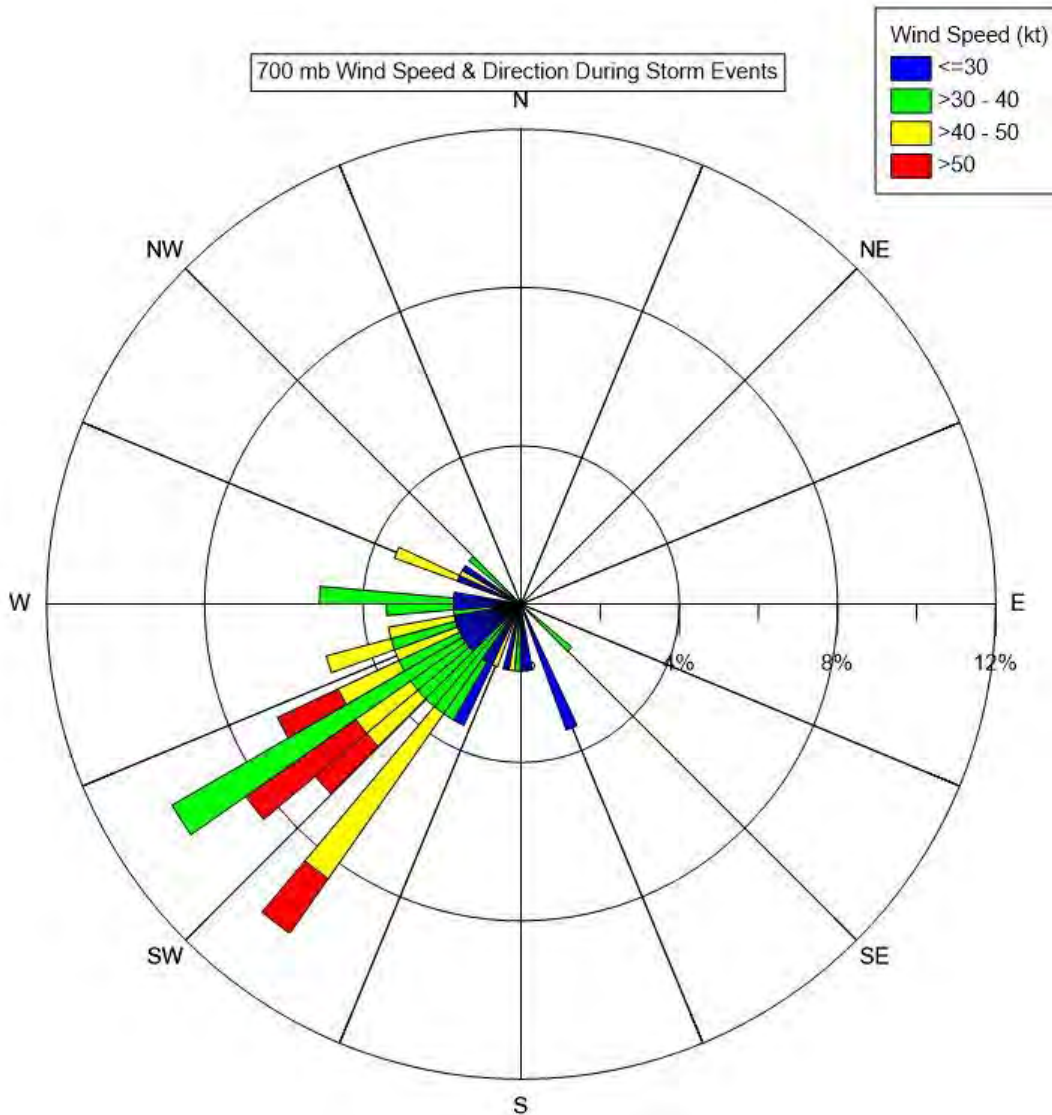


Figure 3.3 RAOB (weather balloon) sounding from San Diego at 00Z January 10, 2018; black lines are temperature and dew point, and barbs at right of the plot show winds.

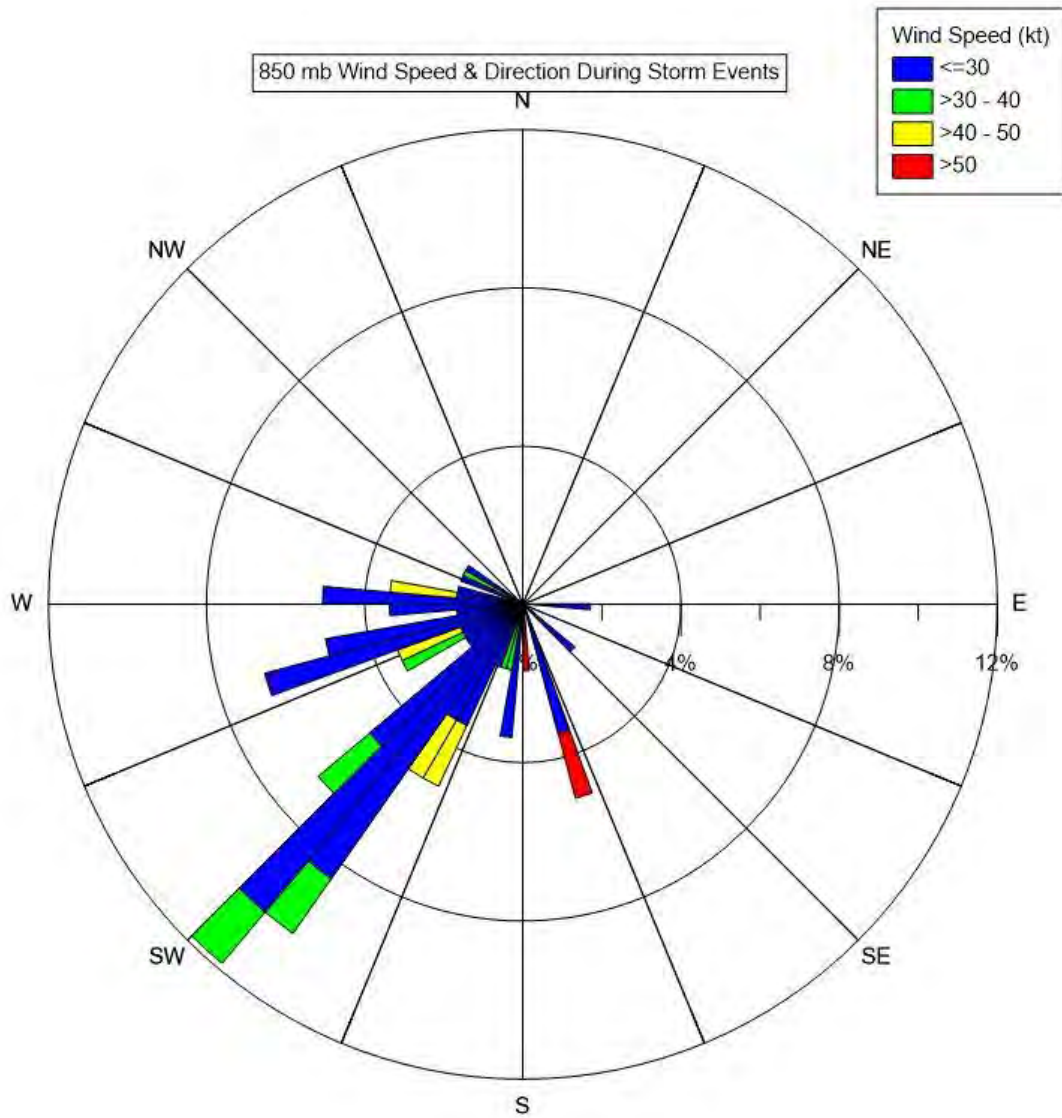
Wind analysis for the 700 mb level showed an average wind direction from 236° (slightly west of due southwesterly, which is 225°). Wind directions varied from 135° (southeasterly) to 315° (northwesterly), distributed through the southerly/westerly sectors with 46 of the 59 or 78% between due southerly and due westerly (see wind rose plot in Figure 3.4). In interpreting the wind rose plots, meteorological convention is for wind directions to be reported in the direction **from** which the wind is blowing. For example, a southwest wind direction would indicate the wind is blowing from the southwest towards the northeast. A wind rose plot provides the frequency of different ranges of wind direction and wind speed. Only four cases were east of southerly at 700 mb, and nine were north of due westerly. Consequently, the winds at the 850 and 700 mb levels are primarily blowing from the southwest. This will be an important finding in terms of selecting potential ground-based seeding sites, a topic to be discussed in a separate section. The average wind speed at 700 mb was 35 knots in these soundings, varying from 7 knots minimum to 67 knots

maximum. There was an overall peak in the average wind speed at this level (over 40 knots) for cases where winds were southwesterly, or close to 235°. The average 700 mb temperature varied from about -1°C for due southerly periods (more southerly than about 210°) to roughly around -5°C for wind directions more westerly than about 240°.



**Figure 3.4** Wind rose diagram showing 700 mb winds for all 58 storm periods.

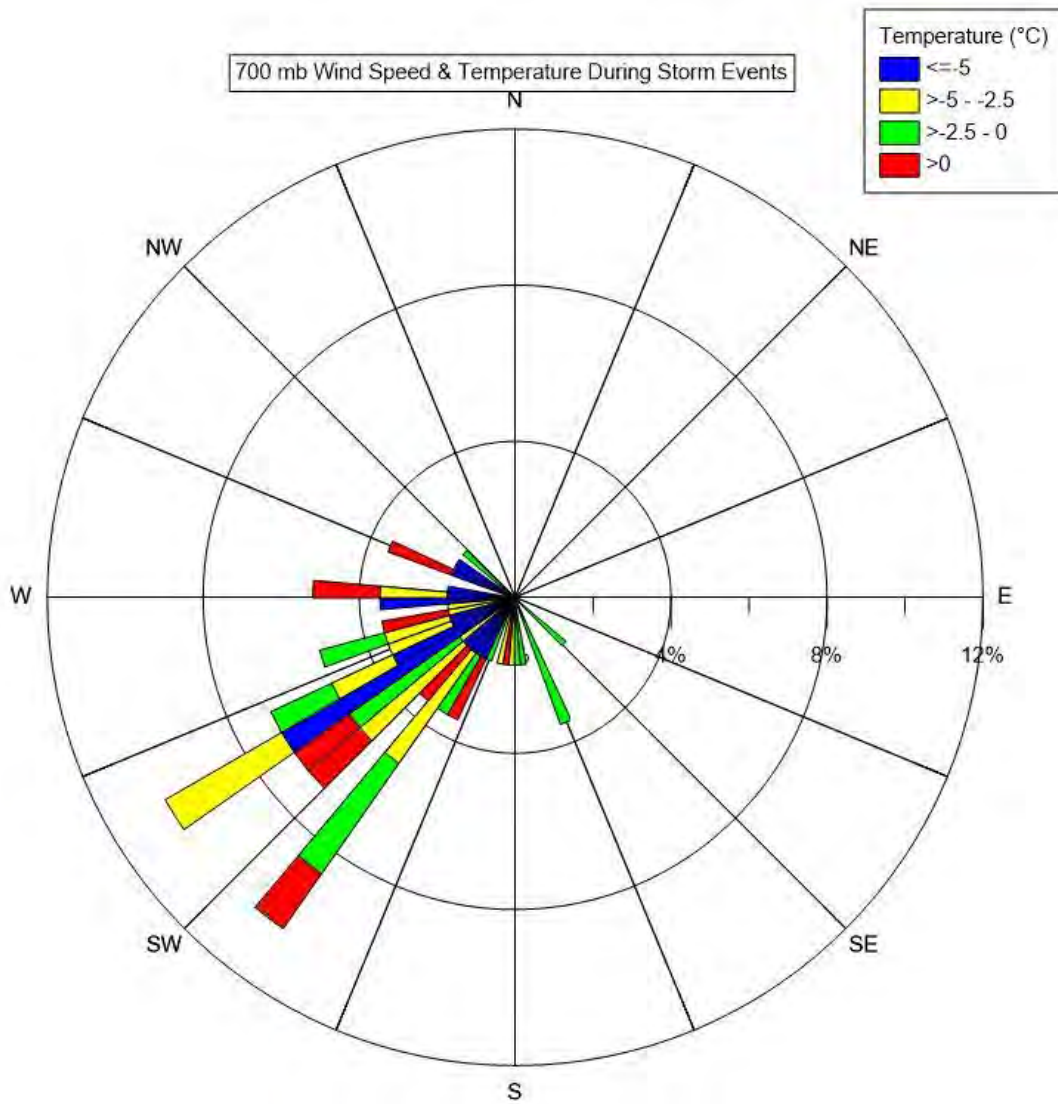
While the 700 mb wind distribution may be more applicable to aircraft seeding in the vicinity of the -5°C level, the 850 mb (approximately 5,000 feet MSL) wind may be more applicable to the targeting of seeding material from ground-based sites. A similar analysis at this level showed a mean southwesterly wind direction from 231°, varying from 95° (southeasterly) to 305° (west-northwesterly), as seen in Figure 3.5. 76% of the soundings had 850 mb winds between due southerly and due westerly, with 5 to the left (east of south)



**Figure 3.5** Wind rose diagram showing 850 mb winds for all 58 storm periods.

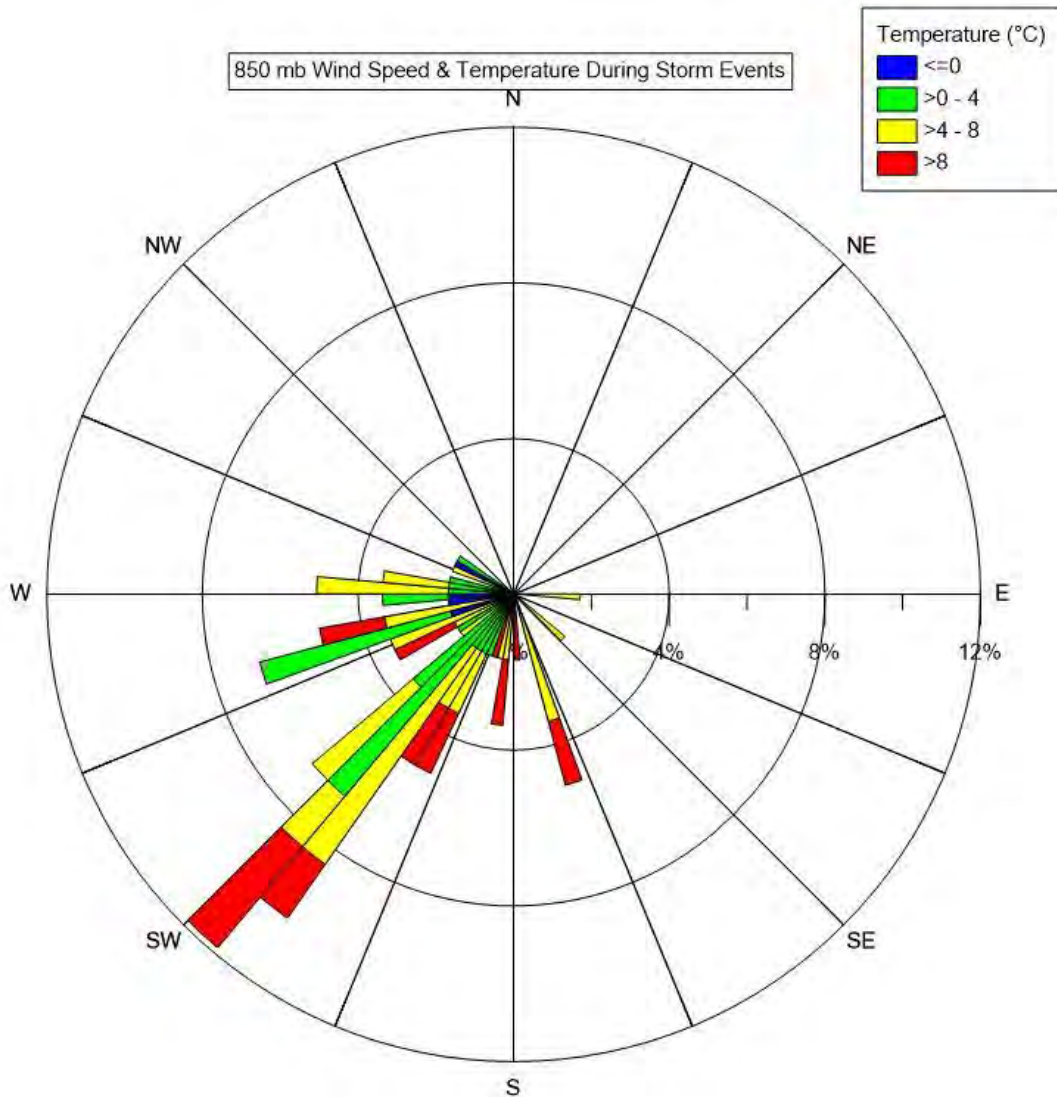
and 9 to the right (north of westerly). The average wind speed was 24 knots at 850 mb, varying from 1 knot to 53 knots. At 850 mb, the wind speed did not show any clear relationship to wind direction. The 850 mb temperature average varied from about +8°C for southerly cases to around +3°C for westerly cases to the right of about 260°. The temperature change with respect to wind direction is similar at both the 700 mb and 850 mb levels, implying that the westerly wind situations are roughly 5°C colder than southerly situations. This suggests a likely bias toward more favorable ground-based seeding conditions, particularly when winds are more westerly in direction. Meteorologically, more westerly winds are typically associated with an upper-level trough axis closer to the area, resulting in colder temperatures aloft. Although the bulk of the precipitation with an event frequently occurs in pre-frontal conditions associated with more southerly winds, a higher -5° C level can make ground-based seeding somewhat more challenging in those situations. Figures 3.6

and 3.7 are wind roses showing the distribution of winds and temperatures during the storm periods, at 700 mb and 850 mb, respectively.



**Figure 3.6** Wind rose diagram showing distribution of 700 mb winds and their corresponding temperatures (color shading) for all 58 storm periods.





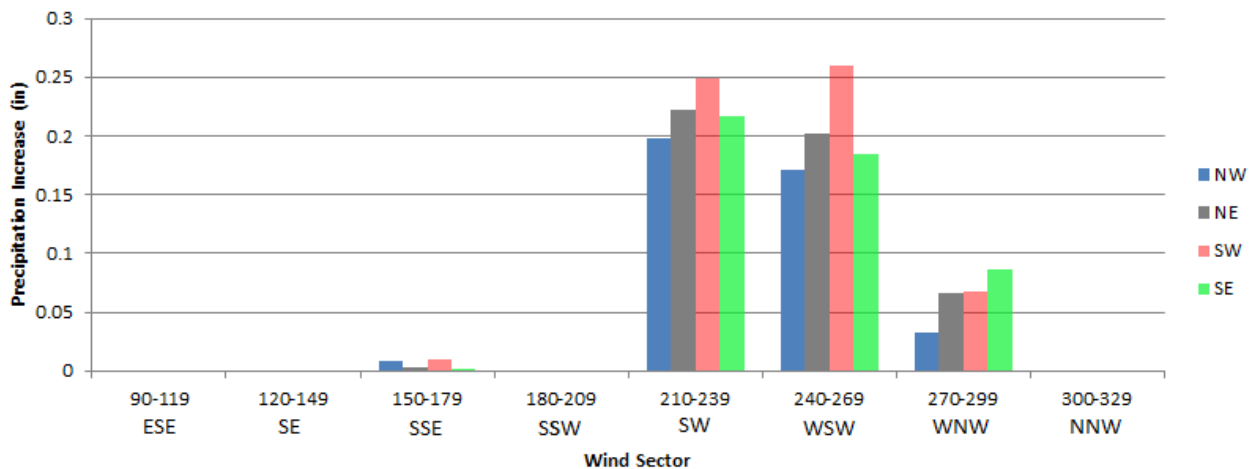
**Figure 3.7** Wind rose diagram showing distribution of 850 mb winds and their corresponding temperatures (color shading) for all 58 storm periods.

### 3.2 Estimates of Potential Seeding Increases in Precipitation

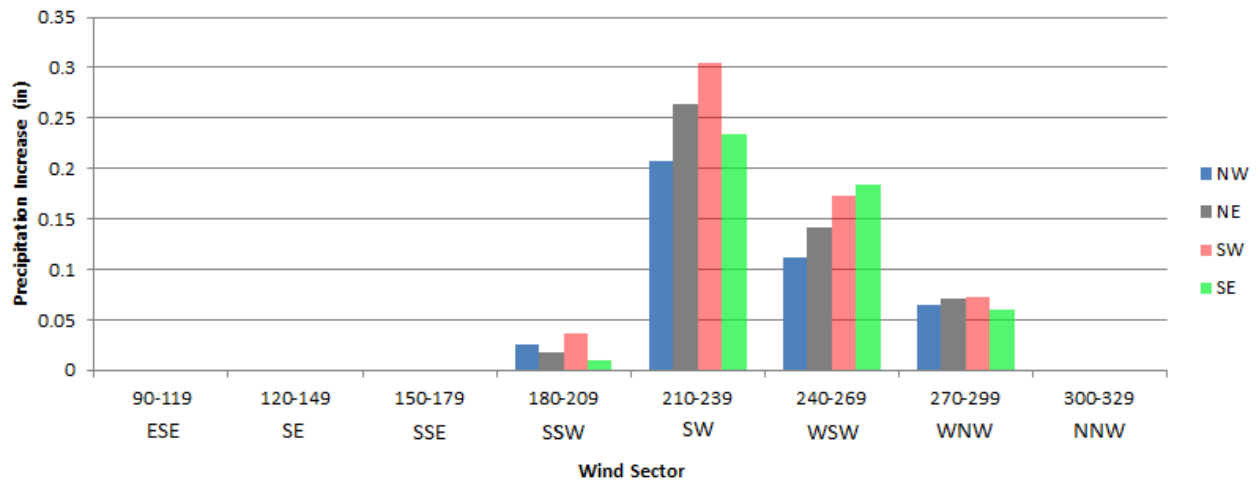
Compiling the data and resulting seedability estimates for each of the storm periods in the five-season analysis allows a precipitation-weighted estimate of an average seasonal increase for each target area. Due to differences in precipitation patterns with respect to geography of these areas, the total estimated seeding increases differ somewhat. For the NW target area, an estimated seasonal (November – April) precipitation increase of 3.5% due to ground-based seeding was obtained in this analysis. For the NE target area, an estimated precipitation increase of 4.1% for ground-based seeding and 7.3% for ground and aircraft seeding operating in tandem was obtained. This is the only area where aircraft

seeding is currently being included in the analysis. For the SW target area, an estimated seasonal precipitation increase of 3.7% was indicated for ground-based seeding. For the SE target area, the estimate for ground-based seeding increase was 4.5%. These estimates may be somewhat conservative, but they are useful for pairing with the precipitation/streamflow relationships to obtain rough estimates of total streamflow increases that are likely from a cloud seeding program of this type. These estimates are presented in Table 3.1 in Section 3.3 of the report.

The total estimated seeding increases in precipitation for these analyzed storm periods, examined with respect to winds at the 700 and 850 mb levels, showed that most of the increases were associated with winds between southerly and westerly. Figures 3.8 and 3.9 show the distribution of the estimated increases with respect to wind direction at these two levels. Almost none of the estimated seeding increases in precipitation for these cases were associated with winds east of southerly at these two levels; however, it was observed that roughly 10-15% of the estimated increases, that is, the total potential benefit due to seeding, were associated with winds in the WNW sector (between 270-300 degrees) at the 700 and 850 mb levels. This result varied somewhat between target areas, although in the cases of deeper WNW flow (i.e., that seen at the 700 mb level), significant differences were noted between target areas. The NW target area in particular had the least amount of seeding increase associated with this WNW wind sector (only 8% of its total) and the SE target area had the highest corresponding proportion (nearly 18% of its total) in this 700 mb wind sector. Given the topography, the expected shadowing of the NW target area by adjacent terrain to the west and likely channeling of air through the LA/Riverside basin areas toward the SE target area with winds in this sector, these results appear to make sense.



**Figure 3.8** Estimated (annualized) precipitation increases from seeding, by 700 mb wind direction.



**Figure 3.9** Estimated (annualized) precipitation increases from seeding, by 850-mb wind direction.

### 3.3 Development of Precipitation/Streamflow Regressions

Estimates of streamflow based on long-term data from USGS and other sources suggest the following long-term “average” annual runoff for the various potential target areas: NW target area: 25,000 AF; NE target area: 65,000 AF; SE target area: 10,000 AF; and SW target area: 5,000 AF. These target areas were identified in Figure 1.1. The two southern areas have highly variable runoff from one year to another and may generate little to no runoff during some years. It is important to note that, based on a review of the topography of the various target areas and the available stream gauge data, we believe there may be significant amounts of runoff that are not included in the data at the available gauge sites. Therefore, further review and discussion of the hydrology of these areas is recommended as part of the remaining tasks in this study.

Regression equations were developed between precipitation and streamflow based on long-term data sets from various time periods, some beginning as early as the 1920s. Appendix A contains samples of these regression analyses, which will all be available as separate files in support of the final results of the study. Figures 3.10 and 3.11 show the long-term precipitation and stream gauge sites utilized in this portion of the analysis, and Appendix B contains coordinates for each of these sites. As a whole, the precipitation/streamflow regressions suggest that the best and most representative correlations relevant to this study are between November – April total precipitation and the annual (November – October) runoff. The data sets were utilized in this way for the precipitation/streamflow regression calculations. However, the results using various seasonal periods appear similar in terms of the increases in runoff as a result of increased precipitation, with nearly all of the annual streamflow generated by November – April

precipitation. It should also be noted that, although some of the precipitation data sets involve sites that are no longer active (and in fact, a few of these stopped collecting data decades ago), there was no bias evident in the results of these regression when using different historical periods. In fact, good to excellent correlations between precipitation and streamflow, as well as consistency regarding the results for a given geographic area, were generally observed. Results of these regressions are summarized for the various seeding target areas under consideration, using the estimated increases to seasonal (November - April) precipitation derived from the storm period analyses.



**Figure 3.10** Sites with long-term monthly precipitation data in and near the target areas.





**Figure 3.11 Stream gauges utilized in the precipitation/streamflow regressions.**

For the NW target area, correlations between Lytle Creek streamflow and the best correlated precipitation gauges in or near the target area resulted in R values around 0.85 (Mount Baldy FS and Lytle Creek RS). These precipitation gauges did not have current data, but a long period with good records for both precipitation and streamflow (back to about the 1930s) was available for analysis. A regression for a nearby gauge at Cajon Creek below Lone Pine (averaging close to 8,000 AF annual flow during its period of record) was only possible using the Lytle Creek RS precipitation gauge, for which significant overlap of the historical data period with this station is available. An R value of 0.91 was obtained indicating excellent correlation using this gauge. A long-term annual average natural runoff base value is estimated at about 25,000 AF for the NW target area.

For the NE target area, regressions for several tributaries were developed. For Devil Canyon streamflow, good correlations (R values in the 0.73 to 0.85 range) were obtained with San Bernardino Fire Station, Lake Arrowhead, and Lytle Creek RS precipitation stations. Good correlations were also developed between the San Bernardino FS precipitation gauge and streamflow in East Twin Creek, City Creek, and Plunge Creek (corresponding R values were between 0.80 and 0.90). A very long precipitation record at the San Bernardino FS site resulted in long periods (from 50 to 80+ years) of corresponding data from which to develop these regressions. For the Santa Ana River gauge near Mentone, a good correlation was

obtained with the San Bernardino FS precipitation data (R value of 0.76). However, this Santa Ana River stream gauge, which measures by far the largest portion of the streamflow originating in the NE target area, is better correlated with precipitation in the Big Bear Lake area. A precipitation gauge at Big Bear Lake provided the best correlation (R value of 0.82) with the main stem of the Santa Ana River. The equations developed using well-correlated data (e. g. precipitation and streamflow) were quite consistent, regardless of the historical time period involved. The NE target area has a much higher long-term annual average natural runoff value than for all the other areas combined, with an estimate of approximately 65,000 AF.

For the SE target area, the San Jacinto River near San Jacinto was well correlated with a couple of precipitation sites. Regressions for those sites with long precipitation records and good correlation (Idyllwild Fire Dept and Hemet) had R values for these regressions of 0.84 and 0.79, respectively. A site called Mount San Jacinto, with a very short precipitation record of less than 10 years in length collected during the 1970s, had a very high correlation to the San Jacinto River gauge (R value of 0.94) for this short period; however, this period of record is considered too short to provide a truly reliable regression. A long-term annual average of 10,000 AF of natural runoff is the base value estimate for the SE target area.

For the SW target area, several precipitation sites with reasonable overlap periods to Santiago Creek were found: Elsinore, Corona, Tustin Irvine Ranch, and Santa Ana Fire Station. Correlations in all these regressions were good, with R values between 0.82 and 0.91. The Santa Ana FS, having a very long precipitation record that provided a regression period of 57 years with Santiago Creek, was used as the primary site for determining the precipitation/streamflow relationship for this area. A long-term annual average of 5,000 AF of natural runoff is the base value used for the SW target area, based largely on the runoff in Santiago Creek.

It should be noted that the estimates of average annual runoff for the four target areas may be on the conservative side since it is likely that not all tributaries from these areas have stream gauges to observe streamflow.

### **3.4 Increased Runoff Estimates**

For each target area, the storm period seedability estimates (as described in Section 3.2) can be utilized in the long-term precipitation/streamflow regressions as described above, for the various tributaries fed by these watersheds. These yield estimates for increases in total annual runoff (expressed in acre-feet) were derived from estimates of the increase in November - April precipitation due to cloud seeding operations. The estimates for annual streamflow increase are in turn used to calculate preliminary benefit/cost ratios for each of the four geographical (target) areas, as well as for each seeding mode being

considered. These costs and benefit/cost ratios will be refined under Tasks 3 and 4 of the contract. Appendix A contains information on the precipitation and streamflow regression equations.

For the NW target area, a composite 3.5% November – April precipitation increase was applied to long-term regressions for Lytle Creek and Cajon Creek. Resulting increases in annual streamflow calculated by this regression were 10.8% (1,725 AF) for Lytle Creek and 4.5% (318 AF) for Cajon Creek. In total, a **2,043 AF** increase to annual runoff was obtained for this area, which can be applied to an annual average base runoff value of approximately 25,000 AF, which is roughly an estimated 8.2% increase.

For the NE target area, estimated precipitation increases for both ground-based and aircraft seeding were produced for several tributaries. Composite seasonal precipitation increases of 4.1% (ground-based) and 7.3% (aircraft) were applied to runoff from Devil Canyon, East Twin Creek, City Creek, Plunge Creek, and the main stem Santa Ana River near Mentone. For ground-based seeding, the total increased runoff obtained for all these tributaries was **4,330 AF**, which (applied to a base annual runoff value of 65,000 AF for the target area) is an estimated total increase of 6.7%. With the addition of aircraft seeding, a total of **7,772 AF** is projected, which, when applied to the same base value of 65,000 AF is an estimated total increase of about 12.0%. **It should be noted in this analysis of dual seeding modes that aircraft seeding is considered to be the total increase attainable with ground and aircraft operating in tandem.**

For the SW target area, an estimated 3.7% precipitation increase due to ground-based seeding was applied to the regression for Santiago Creek. This results in an estimated increase of **447 AF** of runoff for a typical season, or around a 9% increase. The natural base value of runoff for this target area was estimated to be about 5,000 AF in a typical year, roughly represented by that contained in Santiago Creek. However, it should be emphasized that runoff for this area is somewhat uncertain, and there have been suggestions that some of it may be contributing mainly to groundwater recharge rather than surface runoff. Also, runoff in this area is highly variable on an annual/seasonal basis, such that the runoff may be essentially zero in some dry seasons, and thus a seeding program may not achieve an obvious benefit in certain dry years for this particular target area. As we will discuss in more detail in later portions of the feasibility study, for this reason, this target area would not be considered feasible as a stand-alone program.

For the SE target area, an estimated 4.5% precipitation increase due to ground-based seeding was applied to the regression for the San Jacinto River gauge near San Jacinto. The precipitation percentage increase was a bit higher for this area, likely due to a greater proportion of precipitation occurring in the somewhat colder, more westerly wind situations that are typically more conducive to ground-based seeding. Two regressions (using both

Hemet and Idyllwild Fire Department precipitation sites) were similar in terms of historical period of record. The results using Hemet are somewhat more conservative and indicate an estimated increase of **1,373 AF** of runoff for a typical season. An average annual base flow estimate used for this target area as a whole is around 10,000 AF. Based on this, an increase of 1,373 AF represents an increase of 13.7% in streamflow. Considering that the more conservative result of the two regression equations was used, this is believed to be a reasonable increase achievable due to seeding for this area even when using a somewhat lower base flow value. However, like the SW target area, runoff in this region is highly variable from year to year, with total natural runoff of less than 1,000 AF indicated by the San Jacinto River gauge for several dry years. This high variability increases the uncertainty of runoff increase estimates for this area, especially percentagewise. As with the SW target area, this variability, and its impact on economic feasibility will be addressed in greater detail in later stages of the feasibility study.

Table 3.1 shows estimated precipitation increases and resulting streamflow increases for each of the target areas under consideration. For the NE target area, estimates for ground-based and aircraft seeding are shown separately. Figure 3.12 summarizes the results for each target area.

**Table 3.1**  
**Estimated Precipitation and Streamflow Increases**

| Target Area       | Seasonal Precipitation Increase (inches) | Percent Increase | Avg. Annual Natural Streamflow (AF) | Annual Streamflow Increase (AF) | Percent Increase |
|-------------------|------------------------------------------|------------------|-------------------------------------|---------------------------------|------------------|
| NW                | 0.41                                     | 3.5%             | 25,000                              | 2,043                           | 8.2%             |
| NE (ground)       | 0.49                                     | 4.1%             | 65,000                              | 4,330                           | 6.7%             |
| NE (air & ground) | 0.89                                     | 7.3%             | 65,000                              | 7,772                           | 12.0%            |
| SW                | 0.59                                     | 3.7%             | 5,000                               | 447                             | 9.0%             |
| SE                | 0.49                                     | 4.5%             | 10,000                              | 1,373                           | 13.7%            |
|                   |                                          | <b>TOTAL</b>     | 105,000                             | 11,635                          | 11.1%            |





**Figure 3.12 Map of target areas with precipitation and streamflow increase estimates.**

It should be noted that, given the high year to year variability in southern California's precipitation patterns, the potential impacts of cloud seeding are likely to be quite variable from one season to another as well. Appendix C discusses the potential magnitude of this variability in terms of additional runoff generated in wet vs. dry years, using various precipitation/streamflow regression techniques. The comparison of wet to dry years in this context involves complex hydrological issues that are somewhat beyond the scope of this study, but it highlights some important considerations that may be relevant to the conduct of a seeding program and to general water management decisions.

### **3.5 Microwave Radiometers**

A useful tool in assisting with feasibility studies and operational winter cloud seeding programs is an instrument called a microwave radiometer. A radiometer placed in an area before the inception of an operational cloud seeding program could potentially provide data to the client that would help to better target weather systems to impact the intended target area(s) and determine how often and in what weather scenarios supercooled liquid water (SLW) occurs. As discussed elsewhere in this memorandum, SLW is the target of winter

glaciogenic cloud seeding programs like the one under consideration by the SAWPA. Figure 3.13 shows a photo of a microwave radiometer used in a past NAWC feasibility study.



**Figure 3.13 Microwave radiometer.**

A microwave radiometer measures atmospheric bright body temperature. This bright body temperature is then used in algorithms within the radiometer to derive several different parameters including temperature, relative humidity, any atmospheric stability layers and, most importantly to the field of weather modification, liquid water. With the two variables of temperature and liquid water, one can determine if the liquid water is in fact, supercooled. This is important as SLW (water that exists as a liquid at temperatures colder than  $-5^{\circ}\text{C}$ ) is the target of glaciogenic cloud seeding. Most weather systems contain some SLW, ranging anywhere from minimal to large amounts. It is this supercooled liquid water interacting with ice nuclei, either naturally or in cloud seeding operations (silver iodide) that can create snowflakes and in cases where melting occurs, rain. Systems in the Intermountain West generally contain somewhat less supercooled water, as colder systems contain less liquid water than the warmer, more robust systems that often affect California. Convective bands that frequently occur in coastal California winter storms, are generally recognized to contain large amounts of supercooled liquid water.

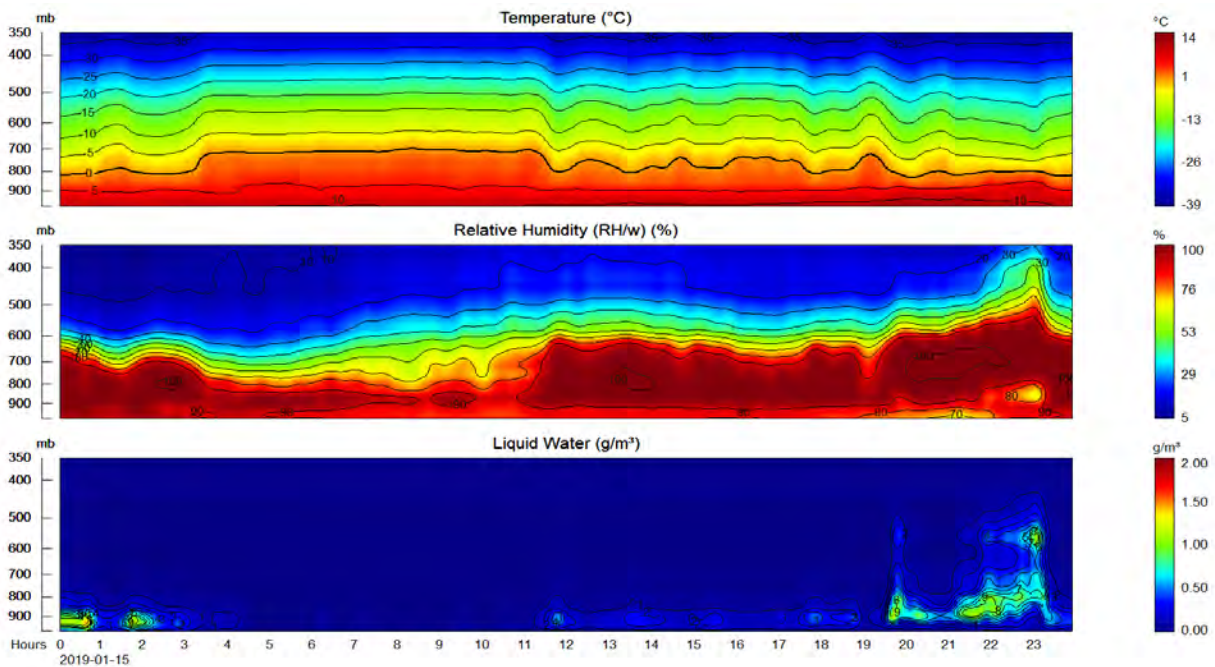
Temperature data observed by the radiometer can be converted into upper level sounding information in real-time, like that provided by National Weather Service weather balloon observations (known as rawinsondes). These soundings can be useful in identifying several different parameters important to cloud seeding operations and post-storm analysis. If a radiometer is utilized on an operational winter program or prior to the formation of an



operational program, the temperature information along with the SLW information can be provided to the project meteorologist on a continuous, real-time basis. This means that the project meteorologist can derive an upper air temperature sounding at any time, versus the National Weather rawinsonde observations which are only taken twice per day at relatively scattered locations across the United States. Such information is especially useful in the conduct of ground-based cloud seeding operations.

A radiometer has been operating in Simi Valley, California for the past several winter seasons sponsored by the County of Ventura Public Works Department. The raw data taken from this radiometer can be useful in observing supercooled liquid water in a variety of storm conditions in real time. Archived data can also be analyzed after the fact to make detailed studies on supercooled liquid water occurrence during storm periods.

Figure 3.14 shows an example of a processed radiometer time cross-section plot from the Simi Valley location, where the top panel shows temperatures in degrees Celsius, the middle panel shows relative humidity with respect to water and the bottom plot shows liquid water in  $\text{g}/\text{m}^3$ . Liquid water values of  $0.10 \text{ g}/\text{m}^3$  or less are usually deemed minimal amounts which are likely not conducive to effective seeding. Liquid water amounts of  $0.10\text{-}0.50 \text{ g}/\text{m}^3$  or greater are more indicative of colder winter systems that have some glaciogenic seeding potential. Convective type weather systems have been shown to have values much higher than this, ranging as high as  $3.00 \text{ g}/\text{m}^3$  (Linacre & Geerts, 1999) In short, the greater the amount of liquid water that is supercooled, the better a potential target for glaciogenic cloud seeding.



**Figure 3.14** Radiometer plot from Simi Valley, California on January 15, 2020.

The three parameters discussed were observed during a convective band passage over the radiometer on January 14-15, 2020. At around 0000 UTC, or 1600 PST on the 14th, liquid water was observed near the surface. Temperatures during this time period, as observed by the radiometer, were near or above freezing. This was likely some prefrontal precipitation ahead of the main convective band that moved through around 2000 UTC, or 1200 PST on the 15<sup>th</sup>. The temperature plot in the upper panel of Figure 3.14 shows that the atmosphere cooled somewhat; however, more notably in the lower panel, liquid water extends higher in the atmosphere during the latter part of the time period. The liquid water plot shows measurable amounts starting around 900 mb or 3,200 feet MSL and extending up to around 600 mb where the temperature is as cold as -15°C. This result is encouraging in terms of seeding potential in this case since the SLW must be colder than approximately -5°C for the silver iodide nuclei to become active. The plot shows a large amount of supercooled liquid water during this convective band passage, with liquid water values between 0.50-1.3 g/m<sup>3</sup> observed. This range has been frequently observed in convective bands along frontal zones in California.

The radiometer can be placed wherever the user desires to observe the atmospheric conditions related to storm seedability. NAWC has deployed many radiometers in the field during operational cloud seeding projects and one in support of a feasibility study conducted in Utah (Beall et al., 2018). Radiometers deployed in support of operational programs help with real-time targeting decisions and learning more in post analysis about a particular area's seedability (Beall et al., 2017).

A microwave radiometer could be operated for one winter season before the initiation of an operational cloud seeding program in the SAWPA areas of interest. This would help verify NAWC's assumptions about the location, frequency, and magnitude of SLW occurrences within these areas. Such an application would provide observations to validate various computer models that are available that predict liquid water and temperature fields.

Neither a Mitigated Negative Declaration (MND) nor any type of seeding permit would be required since the radiometer is a passive system and no seeding would be conducted. This possibility can be explored in more detail under Task 3, Program Design if the SAWPA decides to move forward with the remaining three tasks as outlined in section 1.0.

### 3.6 Dispersion Modeling

Accurate targeting of seeding releases is of great importance. In real time operations, the temperatures and winds can vary considerably from storm to storm and within storms. Given this large degree of natural variability, the task of the weather modification operator is to know where and when seeding should be conducted in each “seedable” storm event. Silver iodide typically does not become an active ice nucleating agent at temperatures warmer than about -5°C. Silver iodide becomes progressively more active at colder temperatures. Ice crystals created at -5°C will be of a different habit (shape) and grow at different rates than those created at -15°C. In recent years NAWC has utilized an atmospheric plume dispersion model developed in part by the National Oceanic and Atmospheric Administration (NOAA) known as **HY**brid **S**ingle-**P**article **L**agrangian **I**ntegrated **T**rajectory (HYSPLIT) for its wintertime cloud seeding programs. This model is used with operational forecast model data (e.g., NAM, GFS, HRRR) to produce dispersion estimates for free-floating material released from a point source or sources. This can be of value in deciding if/when to seed in some situations, and in selecting which sites may be appropriate for given storm conditions. NAWC’s project meteorologist can use the HYSPLIT model to assist in making targeting decisions in real-time.

The HYSPLIT model is the newest version of a complete system for computing simple air parcel trajectories to complex dispersion and deposition simulations. As a result of a joint effort between NOAA and Australia's Bureau of Meteorology, the model has been upgraded several times, most recently in September 2019. New features include improved advection algorithms, updated stability and dispersion equations, a new graphical user interface, and the option to include modules for chemical transformations. Without the additional dispersion modules, HYSPLIT computes the advection of a single pollutant particle, or simply its trajectory.

The dispersion of particles released into the atmosphere is calculated by assuming either puff or particle dispersion. In the puff model, puffs expand until they exceed the size of the meteorological grid cell (either horizontally or vertically) and then split into several new puffs, each with its share of the pollutant mass. In the HYSPLIT particle model, a fixed number of initial particles are advected about the model domain by the mean wind field and a turbulence component. The model's default configuration assumes a puff distribution in the horizontal and particle dispersion in the vertical direction.

The model can be run interactively on the Web through the READY system on the NOAA site, or the code executable and meteorological data can be downloaded to a Windows PC. The Web version has been configured with some limitations to avoid computational saturation of the web server. The registered PC version is complete with no computational restrictions, except that the user must download the necessary meteorological data files. The

unregistered version is identical to the registered version except that it will not work with forecast meteorology data files (i.e. it utilizes archived files only). The HYSPLIT model can predict the dispersion of seeding material from ground or aircraft sources. This model does not predict the subsequent nucleation (freezing) of supercooled water droplets forming ice crystals nor the growth and fallout of snowflakes (some of which will reach the earth's surface as raindrops if the freezing level is above the earth's surface).

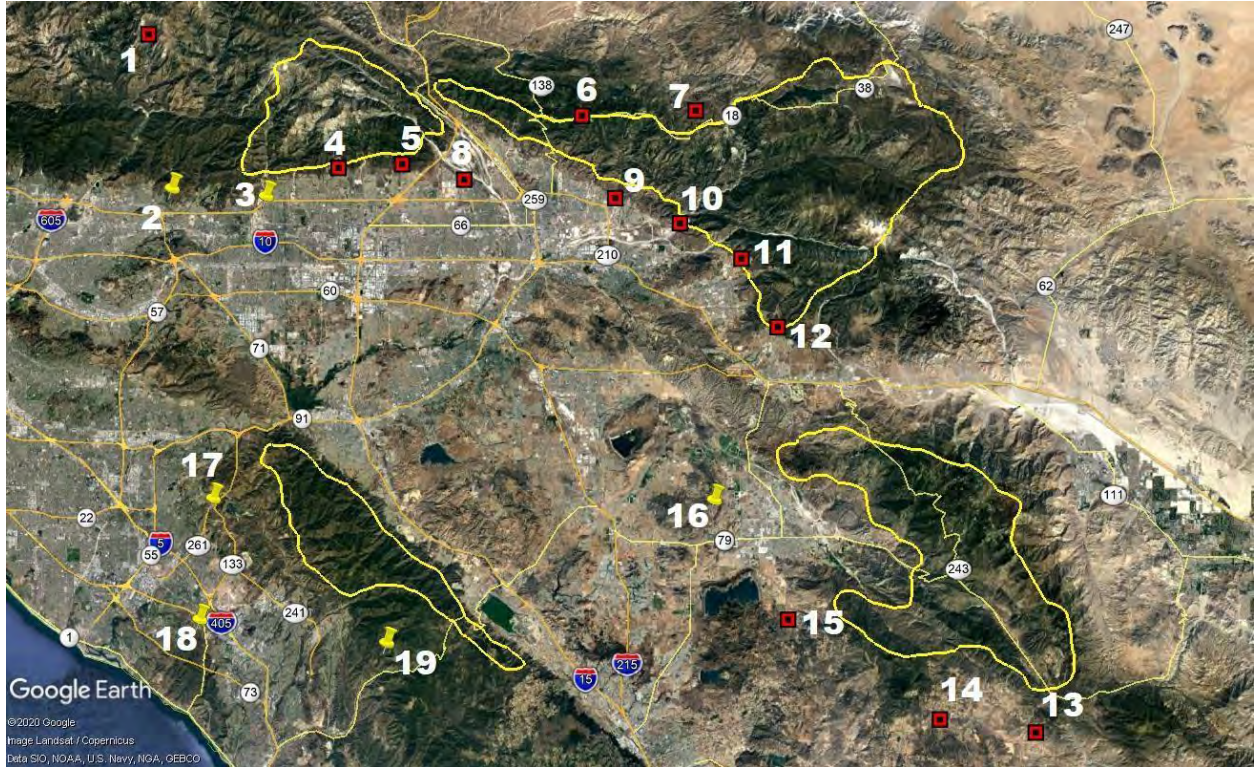
### **3.6.1 Selection of potential sites for seeding**

For the purposes of this feasibility study, several winter seasons, beginning with 2010-2011 and ending with 2017-2018 were reviewed and storm periods noted as described in section 3.1 of this report. A total of 58 storm events were identified during a five-season period. Various parameters, such as mid-level wind speeds and temperatures (e.g., 850 mb/approx. 5000 feet MSL; 700 mb/approx. 10,000 feet MSL) were collected along with radar data showing the evolution of precipitation during these storm events as well as hourly precipitation from various sites. Having developed a base of information from all storm events, potential ideal sites for the location of ground-based Cloud-Nuclei Generators (CNGs) and AHOGS (Automated High Output Ground Seeding systems) were identified using Google Earth. This was done for each of the four target areas within the Santa Ana Watershed identified earlier in the report (see section 1.4).

Sites were selected based on their common upwind location from their target areas, with the vast majority of sites located to the south through west of their intended target areas; a few sites were also placed to the northwest of two of the target areas to account for less frequent cases where flow was northwesterly. Locations were based upon a predominant wind flow from the Southwest at 850 mb (approximately 5,000 feet) as documented in a wind rose in an earlier section (Figure 3.5). Accessibility to the site was also taken into consideration, with many locations either fenced off or on private property such that the general public would not have easy access. Should a program eventually come to fruition, more or less sites may actually be used for targeting in the different areas of interest; for this study, a total of 19 ground-based seeding sites (6 AHOGS, 13 CNGs) were selected for the four target areas in the Santa Ana Watershed, shown in Figure 3.15. In practice, the AHOGS sites would primarily be activated during the passage of convective bands as is done by NAWC on a long-term cloud seeding program conducted for the Santa Barbara County Water Agency.

The AHOGS sites were chosen based on their location, with all but one located close to the coast where convective bands were most common based upon the analyses of the 58 discrete storm events and would be most effectively seeded from such a unit. In the case of the inland site at Hemet, it was surmised that convective bands periodically made it far enough inland through the Inland Empire such that an AHOGS site west of the San Jacinto

Mountains would be feasible. The remaining CNG sites were ideal for seeding stratiform and upslope/orographic storm events. Figure 3.15 graphically provides these locations in relation to the intended target areas. Table 3.2 provides the digital locations and elevations of these sites.



**Figure 3.15** Location of ground seeding sites for each of the target areas. Red squares are CNG sites, while yellow pushpins are AHOGS sites. Numbers correspond to locations in Table 3.2.



**Table 3.2**  
**Locations and Elevations of Ground-based seeding sites**  
 \* indicates AHOGS sites

| <b>Site Name</b>          | <b>Elevation (ft)</b> | <b>Latitude</b>  | <b>Longitude</b>  |
|---------------------------|-----------------------|------------------|-------------------|
| 1 - Crystal Lake          | 5716                  | 34° 19' 24.51" N | 117° 50' 08.42" W |
| 2 - Wildwood Ranch*       | 1287                  | 34° 08' 03.95" N | 117° 48' 50.88" W |
| 3 - Agua De Lejos*        | 1608                  | 34° 07' 32.17" N | 117° 40' 54.97" W |
| 4 - Deer Canyon           | 2641                  | 34° 10' 23.47" N | 117° 34' 24.85" W |
| 5 - San Sevaine Canyon    | 2462                  | 34° 10' 39.96" N | 117° 29' 06.23" W |
| 6 - Strawberry Peak       | 6151                  | 34° 13' 54.84" N | 117° 14' 03.72" W |
| 7 - Green Valley Lake     | 6967                  | 34° 14' 12.96" N | 117° 04' 38.68" W |
| 8 - Lytle Creek Plant     | 1624                  | 34° 09' 38.23" N | 117° 23' 56.95" W |
| 9 - City Creek            | 1548                  | 34° 08' 21.73" N | 117° 11' 18.79" W |
| 10 - Seven Oaks Reservoir | 1996                  | 34° 06' 37.22" N | 117° 05' 54.89" W |
| 11 - San Felipe Olive     | 3284                  | 34° 04' 09.48" N | 117° 00' 48.16" W |
| 12 - Edgar Canyon         | 3236                  | 33° 59' 26.83" N | 116° 57' 47.67" W |
| 13 - Heller Springs       | 4359                  | 33° 31' 28.64" N | 116° 36' 29.87" W |
| 14 - Cahuilla Casino      | 3702                  | 33° 32' 23.21" N | 116° 44' 24.29" W |
| 15 - Rancho Armendariz    | 1837                  | 33° 39' 15.10" N | 116° 56' 55.39" W |
| 16 - Hemet*               | 1864                  | 33° 46' 37.58" N | 117° 03' 26.16" W |
| 17 - Handy Creek*         | 825                   | 33° 46' 35.50" N | 117° 45' 14.86" W |
| 18 - Shady Canyon*        | 640                   | 33° 38' 10.35" N | 117° 46' 22.08" W |
| 19 - Lazy W Ranch*        | 981                   | 33° 36' 40.61" N | 117° 30' 41.42" W |

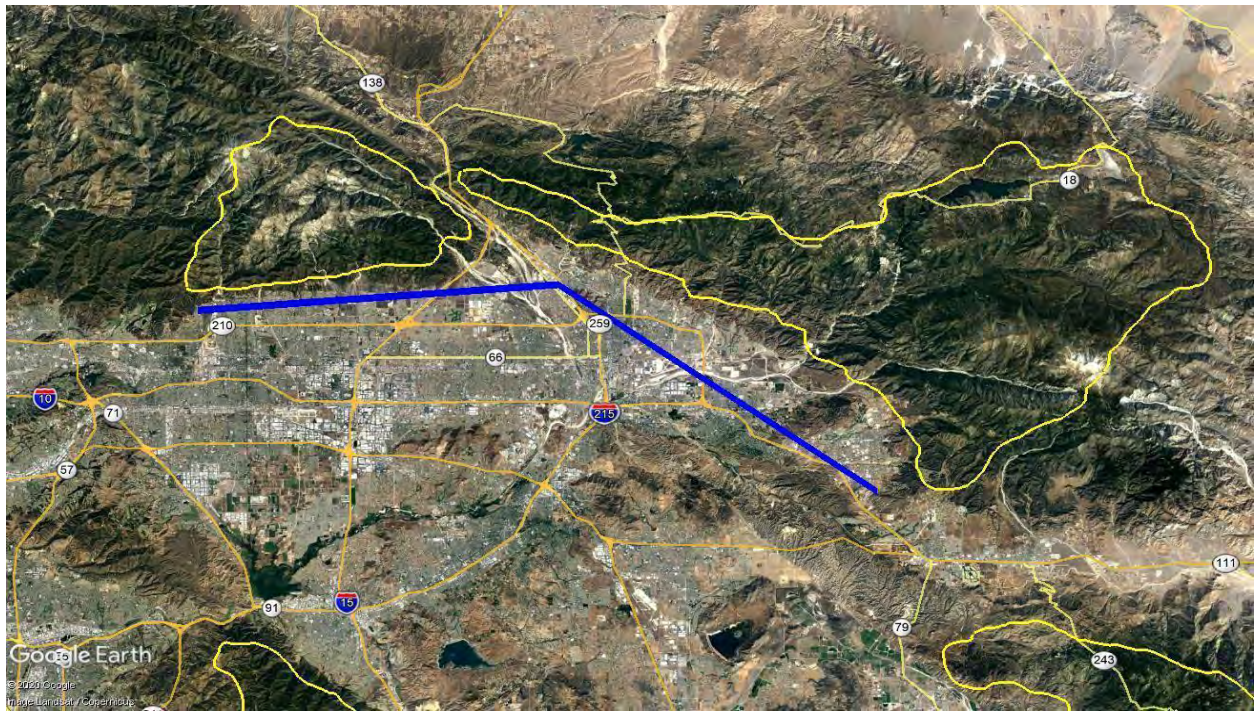
In addition to ground seeding sites, airborne seeding was considered as well. Aircraft seeding, utilizing either solution generators or seeding flares, is another seeding mode used on winter cloud seeding programs. Seeding flights would need to be conducted under Instrument flight rules (IFR) and would be under FAA control to maintain separation between the seeding aircraft and other commercial, military or private aircraft. If seeding flights could be conducted under visual flight rules (VFR), then the pilot of the seeding aircraft could maintain separation from other aircraft flying in the same airspace. This would not be the case in most seeding situations due to the presence of low and middle cloud decks. Storm winds at appropriate flight levels during potential seeding events are expected to be blowing from southerly to northwesterly directions. Flights would need to be conducted upwind of the intended target areas to allow time for the nucleation, growth and fallout of the augmented precipitation in order to fall within the intended target areas. Flights would likely be flown at the -5°C level (the average -5°C height from the storm period analysis was approximately 11,000 feet). This would mean that in most situations that seeding flights



would need to be conducted over the Los Angeles Basin at relatively low altitudes. Recall that the average wind directions at the 700 mb level (approximately 10,000 feet) were from the southwest; that would mean that most seeding flights would need to be conducted over the Los Angeles Basin to impact the intended target areas. There are a number of major commercial as well as private airports in the Los Angeles Basin. It can be difficult to get FAA approval for a seeding flight during times of high traffic; unlike typical flights that quickly leave crowded airspace, seeding flights run the same track for an extended period of time. Such flights are likely to intersect take-off and landing zones for other aircraft since typical flight levels would be at relatively low altitudes over the Los Angeles Basin.

A flight track to the south of the two northern target areas was developed, shown in Figure 3.16. It was chosen considering that most storm events contain south through southwest flow aloft, and the position of this flight track would be ideal for aircraft seeding properly targeting clouds over the two northern target areas.

The potential to conduct aircraft seeding to the north of the Los Angeles Basin over an area that would experience less commercial aircraft traffic was considered by NAWC. There were some storm periods that exhibited WNW wind flow at the 700 mb level (the likely altitude of aircraft seeding). Under these conditions it was surmised that aircraft seeding could be feasible to designed to impact the NE target area which provides the highest amount of runoff and which might be worth the expense of adding an airborne capability for this area in addition to ground-based seeding. This possibility was explored using the HYSPLIT model, but as will be mentioned in the summary, output from the model indicated that plumes were not ideally transported into the target area until after the storm event was over.



**Figure 3.16** Location of airborne seeding flight track, in blue.

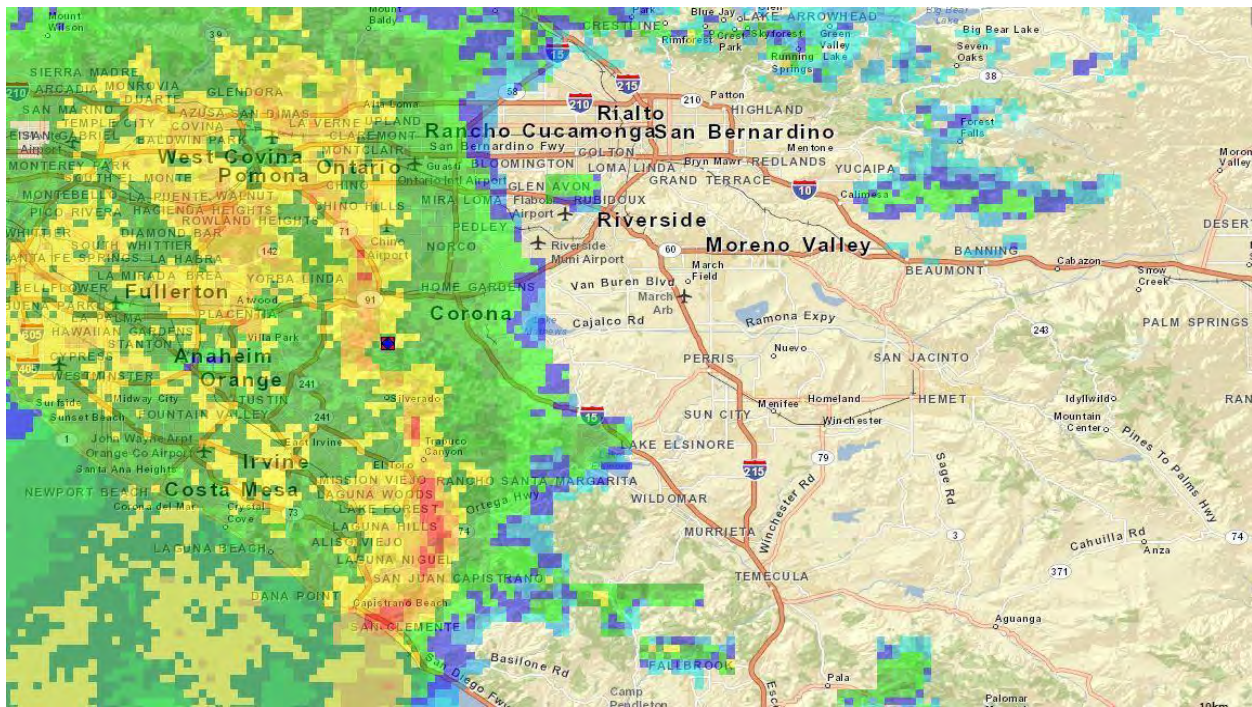
Once potential seeding sites were selected for each of the target areas, the next step was to utilize the HYSPLIT model to determine how seeding plumes from each location would be predicted to behave under varying storm conditions. As previously mentioned, 58 storm events were analyzed between the 2010-2011 winter season and the 2017-2018 winter season. From these, a subset of 11 events which represent the different storm structures experienced in the SAWPA area of interest were chosen for HYSPLIT modeling. Archived model data from the subset of storm events were collected and the model was set up and run during periods where it was determined that seeding operations would have been feasible. For brevity, only two cases will be shown here, but HYSPLIT data from other cases are provided in Appendix D.

### **3.6.1.1 March 7, 2016**

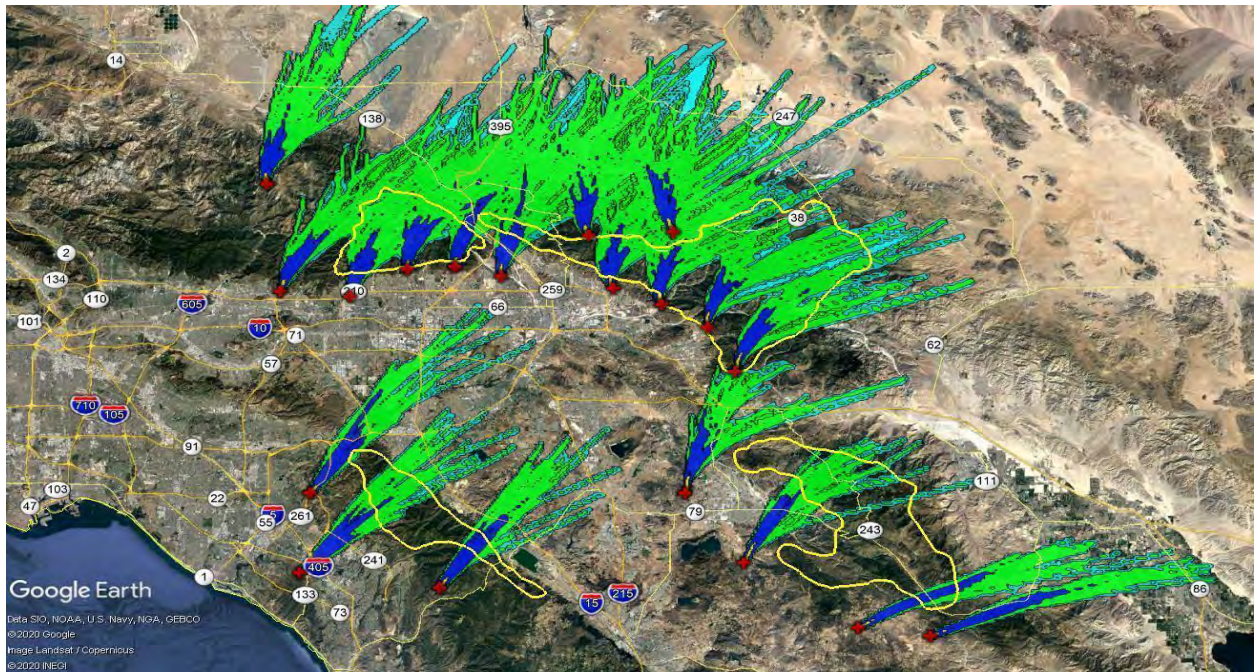
A cold upper level trough moved across the state during the day. There were two bands of precipitation as the trough pushed through: the first early in the day and the second later in the afternoon. 700 mb temperatures fell from  $-5^{\circ}\text{C}$  to  $-11^{\circ}\text{C}$  as the cold core of the storm neared, while 850 mb temperatures dropped from  $2^{\circ}\text{C}$  to  $0^{\circ}\text{C}$ . Winds at low and mid-levels varied from southerly near the surface to west-northwesterly at mid-levels.



Figure 3.17 shows a NEXRAD radar image at 0730 PST depicting the first band of precipitation moving into the Santa Ana Watershed region. Figure 3.18 shows the HYSPLIT one-hour run of all 19 ground-based seeding sites and their respective plumes valid at 0800 PST. Note that most sites are properly targeting their respective target areas. The meteorologist, having a good idea of the wind field in the area at the time of the event, would have most likely not chosen to run all sites, particularly sites north of the two northern target areas. Figure 3.19 shows a vertical cross section of a two-hour long plume originating from the three sites targeting the southwestern target area valid at 1600Z (0800 PST). These sites are all theoretical AHOGS sites which would be activated during convective band passages, where the vertical dispersion of silver iodide particles would be enhanced through convective updrafts on the band's leading edge. Note the height of the plume at that point, indicated in meters above ground level (AGL). The top of the seeding plume is reaching near 3000 m (9840 feet) AGL, which, on this day, was above the height of the -5°C level and thus at sufficiently cold temperatures to initiate ice nucleation. Even though the particle concentrations are less near the top of the predicted plumes, this feature is offset since the activity of silver iodide ice nuclei are known to exponentially increase with decreasing temperatures based upon cloud chamber tests.



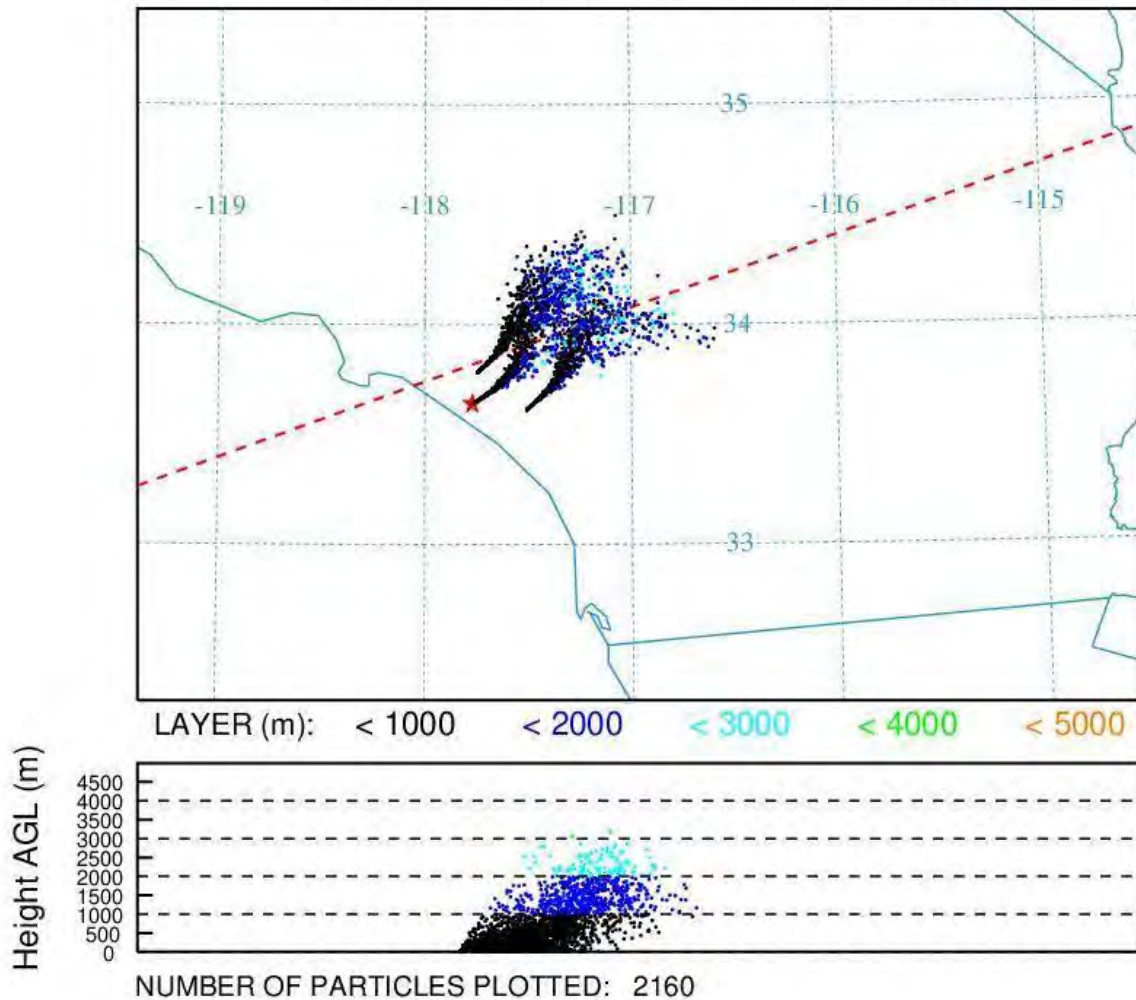
**Figure 3.17** National Weather Service NEXRAD Radar image from 0730 PST on March 7, 2016.



**Figure 3.18** HYSPLIT one-hour plume dispersion from all 19 ground-based seeding sites (red crosses), valid at 0800 PST on March 7, 2016. The blue colors indicate highest concentrations of particles, with green and cyan areas indicating lower concentrations. Yellow outlines are the four target areas.



**NOAA HYSPLIT MODEL  
PARTICLE CROSS-SECTIONS  
PARTICLE POSITIONS AT 16 00 07 Mar 16**



**Figure 3.19** HYSPLIT two-hour plume dispersion for three sites targeting southwestern target area, valid at 1600Z (0800 PST) on March 7, 2016. Top map shows horizontal dispersion, bottom image shows vertical distribution of particles, with y-axis indicating height in meters above ground level.

**3.6.1.2      January 9, 2018**

A cold-core upper low, that had merged with a subtropical disturbance, was pushing into southern California during the day. Abundant moisture associated with the system entered the area, with scattered areas of rain. As the center of the low made its closest approach to the SAWPA area from late afternoon into early evening, a period of heavier precipitation and colder air aloft moved into southwestern California. 700 mb temperatures by the latter part of the afternoon had fallen to -6°C

with 850 mb temperature around +3°C. Winds were generally from the southwest to west-southwest aloft, and southerly at the surface.

Figure 3.20 shows a NEXRAD radar image from 1600 PST, indicating an area of moderate precipitation covering a good portion of the Santa Ana Watershed. Since it appeared that this would have been a seedable storm event (indeed, seeding operations had occurred earlier further up the coast in Santa Barbara County), ground generators and a potential seeding flight would have been commissioned. Figure 3.21 shows a one-hour plume dispersion from HYSPLIT, valid at 1700 PST. Note that some of the plumes were not directly targeting their respective target areas, but as mentioned previously, the meteorologist would have had a good knowledge of the ongoing wind fields and may not have activated all generator sites. Figure 3.22 shows a one-hour plume dispersion from the suggested flight track, also valid at 1700 PST. Plume coverage over the northern target areas appears to be excellent. It is worth noting that, since the plane would be flying at approximately the level where the temperature was at or near -5°C, the dispersed nuclei would likely be activating immediately with the supercooled water in the clouds over the target areas and becoming ice crystals, so they would likely not continue to pass north/northeast of the target area as shown in the image. In other words, the silver iodide nuclei would be depleted through the nucleation process.

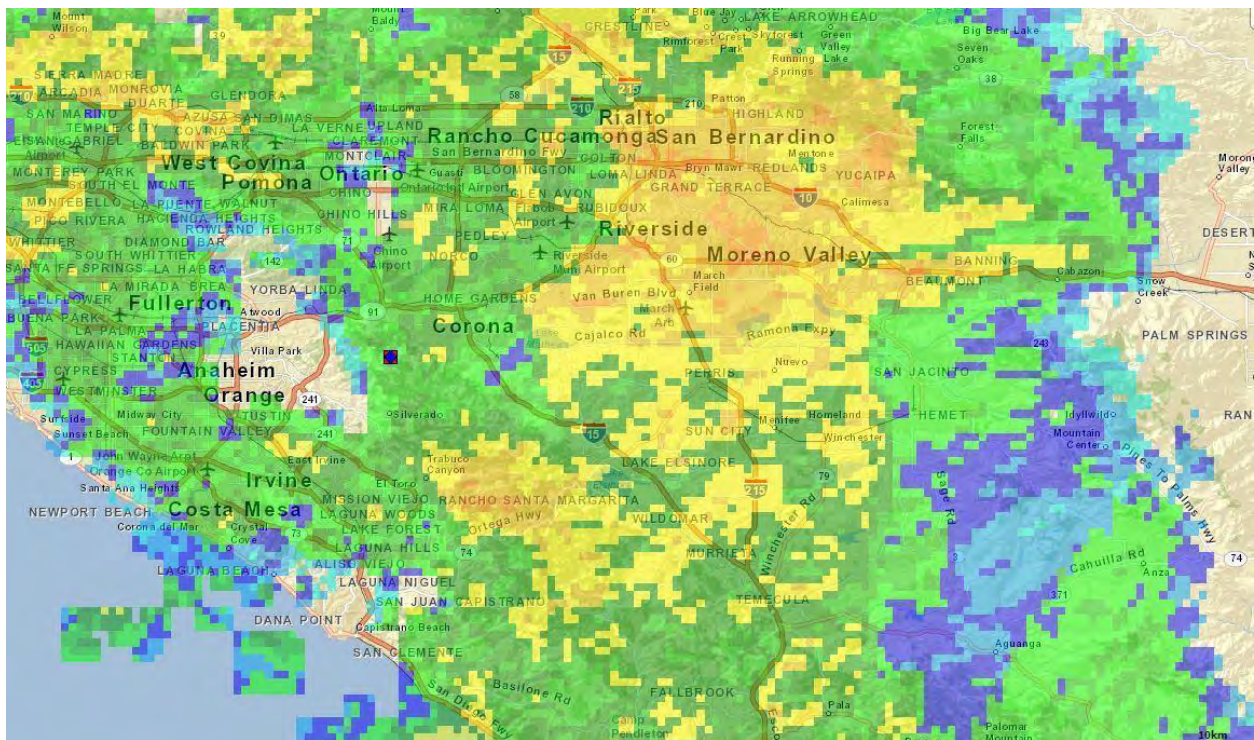
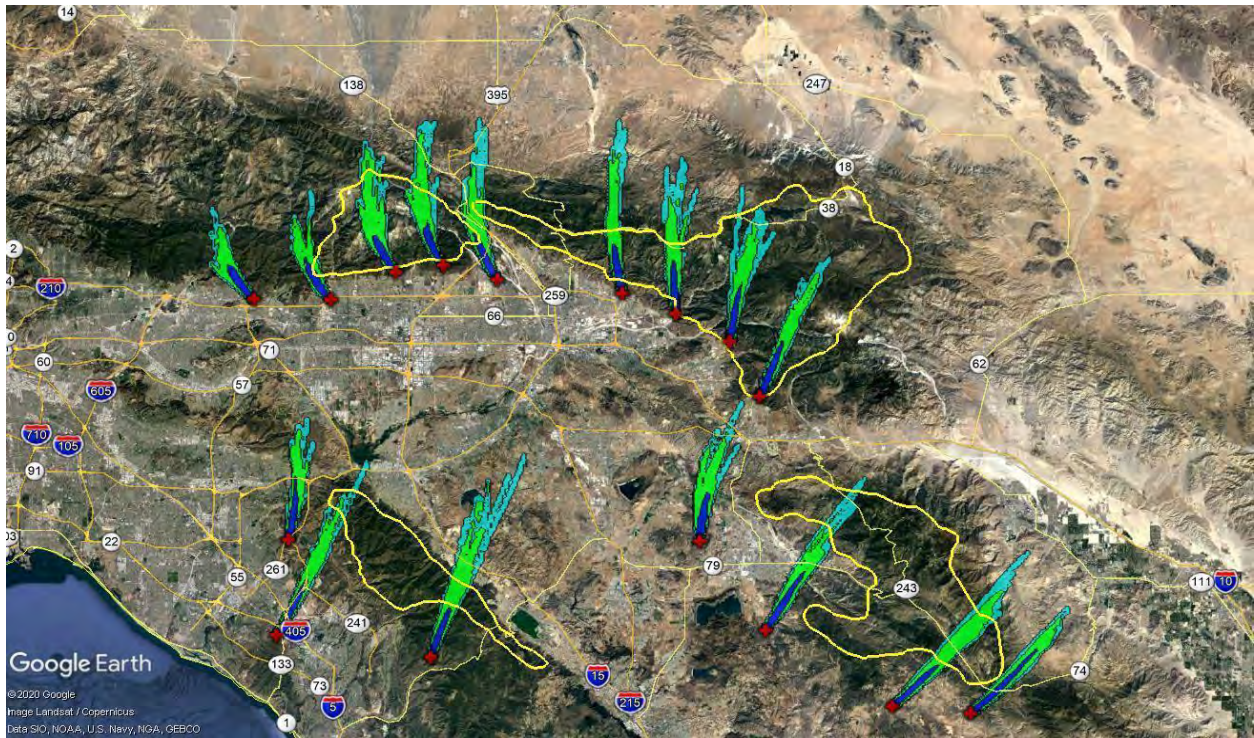
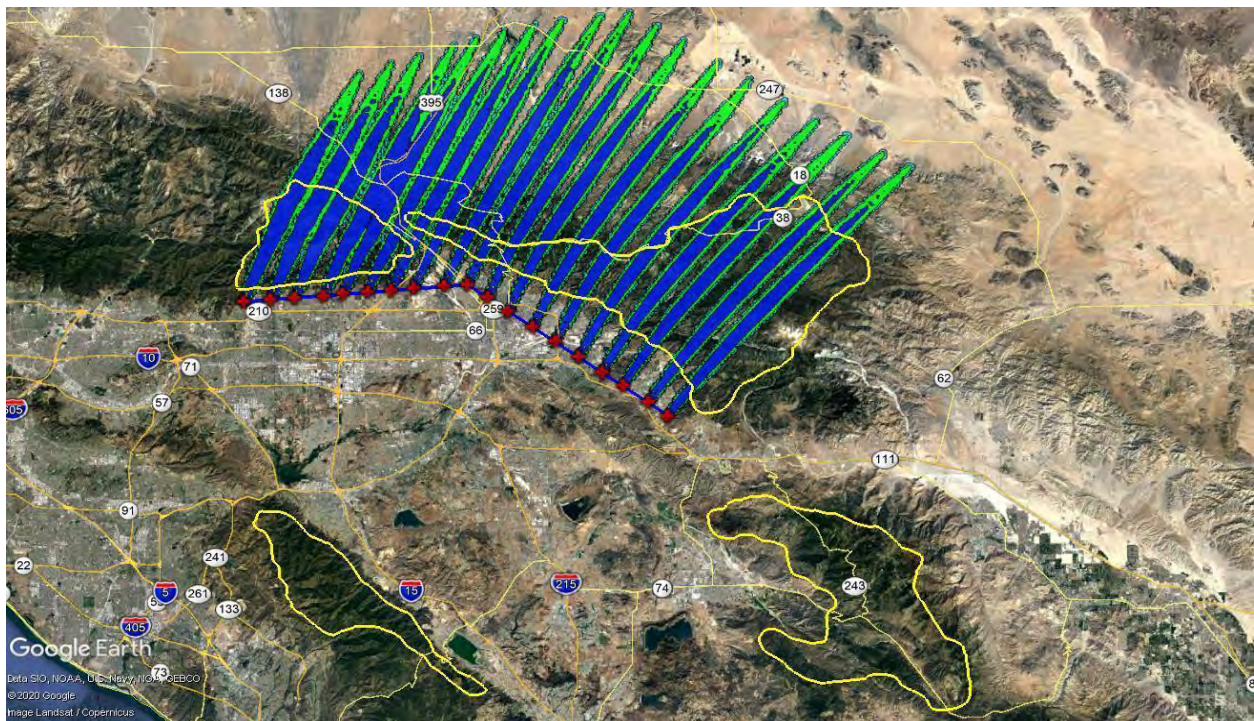


Figure 3.20 NEXRAD Radar image from 1600 PST on January 9, 2018.





**Figure 3.21 HYSPLIT one-hour plume dispersion, valid at 1700 PST on January 9, 2018.**



**Figure 3.22 HYSPLIT one-hour plume dispersion from theoretical flight level (approximately 10,000 feet above sea level), valid at 1700 PST on January 9, 2018.**

### 3.6.2 Summary

Storm events that affected southwestern California over five winter seasons were analyzed, and a climatology of various parameters was developed. From this, an array of ground seeding sites for the Santa Ana Watershed's four target areas was selected. Flight tracks were constructed which defined airborne seeding zones over the two northern target areas. HYSPLIT was utilized for a subset of the analyzed storm events to model the horizontal and vertical movement of seeding plumes from ground sites as well as the dispersion of plumes from a seeding aircraft flying along the flight tracks. Results indicate that the constructed ground network of CNGs and AHOGS were successfully placed with respect to their adjacent target areas such that proper targeting of the seeding plumes was noted for a variety of storm conditions. Additional HYSPLIT images for events not shown in this section can be found in Appendix D.

The flight track located south of the northern target areas appeared to be ideally placed, with airborne seeding plumes targeting those areas. A flight track on the north side of the northern target areas, not shown in this section, did not allow for proper targeting of seeding plumes even in northwest flow, as it appeared the plumes were directed in a more easterly fashion until the end of the storm event, when plumes eventually did move into the northeastern target area. Images are provided in Appendix D.

One caveat to the airborne flight track on the south side of the northern target areas, as discussed previously; there is an enormous amount of flight traffic in southwestern California among three major airports surrounding the Santa Ana Watershed – Ontario International Airport (ONT), John Wayne Airport (SNA) and Los Angeles International Airport (LAX). Should storm events impact the area during daylight hours, it is highly likely that the seeding aircraft may have great difficulty in navigating through the amount of air traffic, particularly if commercial flights are being re-routed around areas of rough weather. This would be especially prevalent for the western leg of the flight track, which is closest to the aforementioned airports. Nighttime seeding flights may not have as much difficulty considering there would be a reduced amount of air traffic, but even in this case it is possible there would still be challenges with filing flight plans using the western leg of the flight track.

Although used here for looking at past storm events, HYSPLIT is an effective tool that can be used in real-time to help the meteorologist identify the correct generators to activate during storm events as well as clarify what part of a set flight track would most effectively allow for proper targeting of clouds over the desired area of interest. Further updates to the model (most recently in September 2019) will allow for greater accuracy of model output.



## 4.0 CONCLUSIONS

The American Society of Civil Engineers (ASCE) report entitled “Guidelines for Cloud Seeding to Augment Precipitation, Third Edition” states that when conducting seeding feasibility studies, a proposed program must demonstrate feasibility both technically **and** economically for the program to be considered feasible. NAWC has followed ASCE Guidelines and Standards in the preparation of this Report (ASCE, 2016 and ASCE, 2017). Consequently, some preliminary comments may be made regarding the technical and economic feasibility of the proposed SAWPA program. Completion of subsequent tasks under this contract will allow for more definitive statements to be made. The preliminary conclusions on feasibility of the proposed program are as follows.

### 4.1 Preliminary Discussion of the Technical Feasibility of Cloud Seeding for the Four Potential Target Areas

Four potential target areas were selected within the SAWPA River Basin: Northwest (NW), Northeast (NE), Southeast (SE) and Southwest (SW). These selections were largely focused on higher elevation areas which contribute the bulk of the runoff into the Santa Ana River Basin.

Fifty-eight storms over a five-year period were carefully analyzed to determine seedability. Roughly 60% of the storms were deemed seedable by either ground-based seeding systems or aircraft and an additional 21% were deemed seedable exclusively by aircraft. Estimated increases for each target area are included in Table 4.1.

CNGs were selected as the primary ground-based seeding system for the NW, NE and SE target areas as they are more economically favorable and provide continuous plume coverage. We recommend supplementing CNGs with AHOGS seeding systems in the NW and SE target areas as these systems are able to release higher concentrations of seeding materials during the passage of structured convective bands, which are not uncommon in these areas. For the SW target area AHOGS systems were recommended exclusively. Due to the narrow land barrier that forms the SW target area, only convective bands would provide enough lift and mixing to produce desirable results within the storm system before it passes over the target area. The higher concentration release of burn-in-place flares are more favorable for the convective systems. HYSPLIT dispersion modeling indicates that the dispersion from the 19 proposed ground sites typically provided good coverage over the target areas under varying storm conditions.

As 21% of the storms were found to be seedable exclusively by aircraft the technical feasibility of an aircraft program was considered for each of the four target areas. An aerial component was deemed technically favorable for the NE Target area. This area meets geographical and climatological requirements to support an aerial component. This is also the furthest target area from major international airports improving the likelihood of FAA

approval and cooperation. It can be difficult to get FAA approval for a seeding flight during times of high traffic; unlike typical flights that quickly leave crowded airspace, seeding flights run the same track for an extended period of time. The ideal flight path for the SW target area would be in direct conflict with airspace used by both Los Angeles International (LAX) and John Wayne Airport (SNA) for holding patterns and is therefore not feasible. Similarly, the proximity of the NW target area to the Ontario and other International Airports would render an aerial program challenging. Due to the geography of the SE target area, we do not believe an aerial component would prove economically favorable.

#### 4.2 Preliminary Discussion of the Economic Feasibility of Cloud Seeding for the Four Potential Target Areas

The hydrological data analysis section (Section 3.3) estimated the average annual runoff amounts from the NW, NE, SW and SE target areas as 25,000 AF, 65,000 AF, 5,000 AF and 10,000 AF, respectively rendering an estimated total for the four areas of 105,000 AF. A detailed benefit/cost analysis is scheduled to be completed in Task 4 of this feasibility study. A general approximation of the economic feasibility of seeding the four potential target areas can be made at this point, with data referenced from Table 4.1.

**Table 4.1  
Estimated Precipitation and Streamflow Increases**

| Target Area       | Seasonal Precipitation Increase (inches) | Percent Increase | Avg. Annual Natural Streamflow (AF) | Annual Streamflow Increase (AF) | Percent Increase |
|-------------------|------------------------------------------|------------------|-------------------------------------|---------------------------------|------------------|
| NW                | 0.41                                     | 3.5%             | 25,000                              | 2,043                           | 8.2%             |
| NE (ground)       | 0.49                                     | 4.1%             | 65,000                              | 4,330                           | 6.7%             |
| NE (air & ground) | 0.89                                     | 7.3%             | 65,000                              | 7,772                           | 12.0%            |
| SW                | 0.59                                     | 3.7%             | 5,000                               | 447                             | 9.0%             |
| SE                | 0.49                                     | 4.5%             | 10,000                              | 1,373                           | 13.7%            |
|                   |                                          | <b>TOTAL</b>     | 105,000                             | 11,635                          | 11.1%            |

The combined total estimated streamflow increase (due to seeding) from the four areas is 8,393 AF with only ground seeding in the NE area and 11,835 AF with both ground and aircraft seeding in the NE area. From an analysis provided in Appendix C there are

indications of larger increases in streamflow in wet years versus those from average or dry years rendering these estimates conservative.

With a typical retail value around \$1,000/AF, the additional runoff from cloud seeding would be valued between \$8,000,000 and \$12,000,000 (if fully allocated). Based on these values we predict a benefit to cost ratio upwards of 15:1, far greater than ASCE 2016 Guidelines of at least a 5:1 benefit to cost ratio. More specific estimates will be made under Task 4 when detailed estimated costs for a program are prepared.

A ranking of the technical and economic feasibility of each of the four target areas based upon the estimated average increases in annual streamflow would be: NE, NW, SE, and SW. This ranking is based off the total annual runoff in a given season (to which estimated seeding increases may be applied) and the hydrology of these areas.

After a careful review of technical and economic program parameters, it is recommended that SAWPA should authorize completion of the three remaining tasks contained in the contract as defined in section 1.1.

## References

ASCE, 2016: Guidelines for Cloud Seeding to Augment Precipitation. ASCE Manual 81, 3<sup>rd</sup> Edition, Reston, VA.

ASCE, 2017: Standard Practice for the Design, Conduct and Evaluation of Operational Precipitation Enhancement Projects. ANSI/ASCE/EWRI 42-17, Reston, VA.

Beall, S. D. and D. A. Griffith, 2017: Assessing The Presence of Icing And Stability Using Radiometer Data Collected during the 2015-2016 Winter Cloud Seeding Program in the Upper Gunnison River Basin, Colorado. *J. Wea. Modif.*, 49, pp. 24-37

Beall, S. D. and D.A. Griffith, 2018: Analysis of Radiometer Data Collected during the 2017-2019 Winter Season to Assess the Cloud Seeding Potential of the La Sal Mountains of Southeastern Utah. North American Weather Consultants, Inc. Report No. WM 18-10. pp.154

Linacre, E. and B. Geerts, 1999: Cloud Liquid Water Content, Drop Sizes, and Number of Droplets. [http://www-das.uwyo.edu/~geerts/cwx/notes/chap08/moist\\_cloud.html](http://www-das.uwyo.edu/~geerts/cwx/notes/chap08/moist_cloud.html).

Weather Modification Association, April 2016: Statement on Weather Modification Capabilities.

## **APPENDIX A**

### **Examples of Meteorological Analyses and Streamflow Regressions**

Note: This is a subset of the types of data analyses conducted as part of this study, which will be available as separate files in support of the final study results

**Table A.1 Meteorological Analysis for the NE Target Area**

| Date                 | Time Range (UTC)  | Notes/Description                       | -5°C height | 700 mb    |           |          | 850 mb    |           |           | Stability                      |
|----------------------|-------------------|-----------------------------------------|-------------|-----------|-----------|----------|-----------|-----------|-----------|--------------------------------|
|                      |                   |                                         | (m)         | Temp (°C) | Wind (kt) | Wind dir | Temp (°C) | Wind (kt) | Wind dir  |                                |
| November 20, 2010    | 16-23             | Disorganized, showery                   | 3100        | -4        | 35        | WSW      | 5         | 20        | WSW       | Mostly stable below -5 C level |
| December 6, 2010     | 00-12             | Disorganized, convective                | 3900        | 0         | 30        | SW       | 11        | 20        | SSW - WSW | Multiple stable layers         |
| December 16, 2010    | 12-18             | Weak bands                              |             | -1        | 40        | W        | 5         | 15        | WNW       | Quite stable 900-700 mb        |
| December 19-20, 2010 | 21-10             | Disorganized bands                      | 3700        | -2        | 40        | WSW      | 8         | 25        | WSW       | Mostly well mixed              |
| December 20-21, 2010 | 20-20             | Stalled band for ~ 24 hours             |             | -3        | 45        | WSW      | 6         | 35        | SW        | One or two stable layers       |
| December 22-23, 2010 | 00 (22) - 03 (23) | Multiple bands, areas of mod-heavy rain | 3250        | -3        | 40        | SW       | 7         | 35        | SW        | Mostly well mixed              |
| December 26, 2010    | 04-08             | Strong, fast-moving band, some conv     |             | 1         | 40        | WSW      | 5         | 20        | WSW       | Very stable 850 mb to -5 level |
| December 29, 2010    | 12-21             | Broad precip band, mostly stratiform    |             | -5        | 45        | WSW      | 2         | 35        | WSW       | Some stability 900 - 700 mb    |
| January 2-3, 2011    |                   | Radar data missing?                     |             |           |           |          |           |           |           |                                |
| February 16, 2011    | 08-23             | Scattered convective activity           |             | -1        | 45        | WSW      | 7         | 35        | WSW       | Some stability 900 - 750 mb    |
| February 19, 2011    | 00-12             | Disorganized bands, mostly convective   |             | -5        | 50        | SW       | 4         | 40 to 25  | S - WSW   | Mostly well mixed              |
| February 20, 2011    | 00-12             | Scattered, showery activity             |             | -11       | 25        | SW       | -1        | 20        | SW - W    | Well mixed                     |
| February 26, 2011    | 03-16             | Broad, slow-moving band                 |             | -6        | 40        | WSW      | 2         | 35        | SW        | Slightly stable above 800 mb   |

|                      |              |                                          |  |          |          |     |        |    |     |                                     |
|----------------------|--------------|------------------------------------------|--|----------|----------|-----|--------|----|-----|-------------------------------------|
| February 26-27, 2011 | 18 - 04      | Post-frontal shower activity, orographic |  | -13      | 25       | SW  | -4     | 20 | WSW | Well mixed                          |
| March 20-21, 2011    | 16-09        | Broad band, strat + convective           |  | -9       | 35       | SW  | 2      | 25 | SW  | Well mixed                          |
| March 21, 2011       | 10-22        | Convective showers in trough core        |  | -10      | 30       | WSW | 0      | 20 | WSW | Well mixed                          |
| March 25, 2011       | 12-15        | Weak band of showers                     |  | -5       | 35       | W   | 2      | 20 | W   | Quite stable above 800 mb           |
|                      |              |                                          |  |          |          |     |        |    |     |                                     |
| December 2-3, 2014   | 22-10        | Broad band then showers, mostly strat    |  | 2        | 30       | WSW | 11     | 30 | WSW | Stable layers sfc-850, MALR above   |
| December 3-4, 2014   | 12-16; 23-15 | SHRA band, then MDT SHRA; conv           |  | 2        | 15       | W   | 9      | 10 | SW  | Well mixed                          |
| December 12, 2014    | 12-15; 16-00 | LEWP band, then wide band, then SHRA     |  | 0        | 30       | SW  | 8      | 30 | SW  | Stable 925mb, stable lyrs above 800 |
| December 13, 2014    | 00-08        | Showers, some moderate/hvy               |  | -4       | 35       | SW  | 6      | 35 | WSW | Well mixed                          |
| December 31, 2014    | 01-15        | Area of light rain                       |  | 0 to -11 | 50 to 10 | W   | 0      | 10 | WSW | Well mixed below 750; strg inv 750  |
| January 11, 2015     | 08-00        | Showers moving onshore all day           |  | -2       | 15       | S   | 7      | 10 | SW  | Well mixed                          |
| January 26-27, 2015  | 21-07        | Bands of SHRA mvg in from S to N         |  | 1        | 10       | SW  | 9      | 10 | S   | Mostly well mixed                   |
| February 22-23, 2015 | 22-13        | scattered convective showers             |  | -3       | 35       | WSW | 4      | 20 | WSW | Well mixed                          |
| March 1-2, 2015      | 01-01        | sct SHRA then waves of rain              |  | -8       | 30       | WSW | 3      | 10 | SW  | Well mixed                          |
| March 2, 2015        | 09-15; 18-22 | MDT SHRA band; cluster SHRA              |  | -8       | 20       | W   | 2      | 15 | SW  | Well mixed                          |
| December 14, 2015    | 03-10        | SHRA mvg NW to SE with mtn SHRA          |  | 2 to -9  | 40       | NW  | 7 to 1 | 20 | NW  | Well mixed, esp. later on           |
| December 20, 2015    | 01-06        | Disorganized SHRA band W to E            |  | -3       | 25       | W   | 4      | 5  | SW  | Mixed, but stable layer 800-850     |

|                         |              |                                         |  |           |    |     |    |    |     |                                      |
|-------------------------|--------------|-----------------------------------------|--|-----------|----|-----|----|----|-----|--------------------------------------|
| January 5-6, 2016       | 16-08        | Area of MOD/HVY rain, upslope late      |  | -4        | 30 | W   | 6  | 25 | SW  | Well mixed                           |
| January 6-7, 2016       | 18-16        | Waves of RA/SHRA, some HVY              |  | -6        | 40 | W   | 3  | 30 | W   | Well mixed                           |
| Jan 31 - Feb 1, 2016    | 16-06        | Orographic north mtns                   |  | -4        | 65 | WSW | 6  | 50 | W   | Well mixed                           |
| February 17-18, 2016    | 23-13        | Broad band RA/RA+ w/ trailing SHRA      |  | 3         | 45 | WSW | 10 | 25 | SW  | Some low level stability             |
| March 6, 2016           | 10-18        | Disorganized band of RA/SHRA            |  | 0         | 40 | W   | 8  | 20 | W   | Strong stability at 850, mixed below |
| March 7, 2016           | 14-17; 19-22 | Main SHRA+ band; 2nd SHRA band S        |  | -5 to -11 | 30 | WNW | 1  | 15 | WNW | Well mixed, some stability 800 early |
| March 11-12, 2016       | 22-02        | MDT SHRA band mvg W to E                |  | -2        | 35 | SW  | 6  | 25 | SW  | Mixed, but MALR 925-600              |
| April 7-8, 2016         | 17-07        | RA/SHRA mvg NW across area              |  | 1         | 20 | S   | 10 | 10 | S   | Becmg well mixed, deep moist layer   |
| April 9-10, 2016        | 19-03        | Sct SHRA mvg N                          |  | -1        | 20 | S   | 7  | 15 | SW  | Well mixed, stable layer near 700    |
| November 21, 2016       | 06-12        | Stratiform band, mixed strat/conv shwrs |  | -4        | 40 | SW  | 5  | 25 | SW  | Well mixed                           |
| November 27, 2016       | 18-23        | Scattered/orographic                    |  | -5        | 20 | WNW | 3  | 20 | WNW | Stable above -5 C level              |
| December 16, 2016       | 02-20        | Disorganized stratiform / weak conv     |  | 0         | 50 | WSW | 9  | 30 | WSW | Strong stability below 900 mb        |
| December 22, 2016       | 02-22        | Disorganized subtropical, mostly strat  |  | -1        | 25 | SSE | 9  | 25 | S   | A little stability near surface      |
| December 24, 2016       | 04-14        | Broad band, mix strat/conv              |  | -7        | 30 | SW  | 0  | 25 | WNW | Mostly well mixed                    |
| December 31 - January 1 | 23-06        | Trough core with some banding           |  | -3        | 35 | SW  | 4  | 15 | SW  | Stable near 750 mb                   |
| January 9, 2017         | 07-17        | Main band passage after 12Z             |  |           |    |     |    |    |     |                                      |
| January 12-13, 2017     | 12-12        | Disorganized/orographic/convective      |  | -5        | 30 | SW  | 3  | 25 | SW  | Well mixed                           |



|                      |            |                                       |  |    |     |          |    |     |     |                                   |
|----------------------|------------|---------------------------------------|--|----|-----|----------|----|-----|-----|-----------------------------------|
| January 19, 2017     | 11-17      | Disorganized/strat/conv               |  | -4 | 30  | WSW      | 3  | 30  | SW  | Stable layer 800-850 mb           |
| January 20, 2017     | 00-00 (21) | Disorganized/orographic/convective    |  | -4 | 65  | SW       | 4  | 45  | W   | Well mixed                        |
| January 22-23, 2017  | 09-02      | Disorganized mostly stratiform        |  | 0  | 60  | WSW      | 6  | 45  | SW  | Quite stable 780 to 900 mb        |
| February 6, 2017     | 14-18      | Disorganized, showery                 |  | 0  | 40  | WNW      | 6  | 20  | W   | Very stable above 850 mb          |
| February 11, 2017    | 01-09      | Rapidly weakening band, stratiform    |  | 0  | 45  | WSW      | 6  | 25  | WSW | Slightly stable                   |
| February 17-18, 2017 | 23-10      | Broad, N-S oriented band mostly strat |  | -5 | var | SSW to W | 3  | var | SW  | Well mixed                        |
| February 27-28, 2017 | 19-06      | Disorganized, showery                 |  | -4 | 30  | WSW      | 4  | 20  | SW  | Well mixed                        |
|                      |            |                                       |  |    |     |          |    |     |     |                                   |
| January 9, 2018      | 01-22      | Disorganized, strat/conv              |  | 3  | 45  | SSW      | 10 | 50  | S   | Isothermal layer 830 - 900 mb     |
| January 9-10, 2018   | 22-03      | Comapact band around low center       |  | -6 | 35  | SW       | 3  | 30  | SW  | well mixed                        |
| February 27, 2018    | 07-12      | Distinct band passage                 |  | -8 | 30  | SW       | -1 | 25  | WSW | Stable layer (frontal) 800-900 mb |
| March 11, 2018       | 01-09      | Disorganized, mostly stratiform       |  | 1  | 25  | WSW      | 8  | 25  | SW  | Somewhat stable below 700 mb      |
| March 15, 2018       | 06-13      | Mostly convective/orographic          |  | -5 | 30  | WSW      | 4  | 30  | WSW | well mixed                        |
| March 22-23, 2018    | 17-10      | Disorganized/convective               |  | 0  | 30  | WSW      | 6  | 25  | WSW | stable layers (?)                 |

**Table A.2 Big Bear Lake vs. Santa Ana River Streamflow Regression**

|      | <b>Big Bear Lake</b>  | <b>Santa Ana River near Mentone</b> |  |  |  |  |  |  |  |  |  |  |  |  |
|------|-----------------------|-------------------------------------|--|--|--|--|--|--|--|--|--|--|--|--|
|      | <b>Nov-Apr precip</b> | <b>Nov - Oct streamflow</b>         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1961 | 7.94                  | 16295.75146                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1962 | 24.52                 | 33557.84998                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1963 | 12.1                  | 17711.45388                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1964 | 16.95                 | 17649.07372                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1965 | 17.01                 | 20244.39594                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1966 | 27.23                 | 53696.03104                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1967 | 36.03                 | 89066.87269                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1968 | 15.9                  | 33211.83347                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1969 | 51.88                 | 212631.4135                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1970 | 11.9                  | 36261.66806                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1971 | 14.55                 | 30651.66827                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1972 | 14.52                 | 29378.32948                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1973 | 26.43                 | 55158.04752                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1974 | 16.29                 | 38323.93245                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1975 | 11.9                  | 32162.32937                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1976 | 13.13                 | 30893.85008                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1977 | 6.29                  | 22516.26362                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1978 | 34.2                  | 104169.3184                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1979 | 25.99                 | 106500.7398                         |  |  |  |  |  |  |  |  |  |  |  |  |
| 1980 | 36.29                 | 216066.6365                         |  |  |  |  |  |  |  |  |  |  |  |  |

|      |       |             |  |  |  |  |  |  |  |  |  |  |  |  |
|------|-------|-------------|--|--|--|--|--|--|--|--|--|--|--|--|
| 1981 | 7.55  | 37815.3209  |  |  |  |  |  |  |  |  |  |  |  |  |
| 1982 | 19.22 | 53933.65087 |  |  |  |  |  |  |  |  |  |  |  |  |
| 1983 | 28.66 | 160578.0436 |  |  |  |  |  |  |  |  |  |  |  |  |
| 1984 | 8.91  | 47074.31228 |  |  |  |  |  |  |  |  |  |  |  |  |
| 1985 | 8.9   | 30882.8914  |  |  |  |  |  |  |  |  |  |  |  |  |
| 1986 | 18.89 | 43874.081   |  |  |  |  |  |  |  |  |  |  |  |  |
| 1987 | 11.75 | 24849.37097 |  |  |  |  |  |  |  |  |  |  |  |  |
| 1988 | 10.39 | 21734.37935 |  |  |  |  |  |  |  |  |  |  |  |  |
| 1989 | 11.53 | 19225.48688 |  |  |  |  |  |  |  |  |  |  |  |  |
| 1990 | 11.08 | 13187.64248 |  |  |  |  |  |  |  |  |  |  |  |  |
| 1991 | 14.8  | 25201.13955 |  |  |  |  |  |  |  |  |  |  |  |  |
| 1992 | 16.55 | 37220.37877 |  |  |  |  |  |  |  |  |  |  |  |  |
| 1993 | 40.48 | 168558.44   |  |  |  |  |  |  |  |  |  |  |  |  |
| 1994 | 15.76 | 37431.32091 |  |  |  |  |  |  |  |  |  |  |  |  |
| 1995 | 29.38 | 123462.2929 |  |  |  |  |  |  |  |  |  |  |  |  |
| 1996 | 14.36 | 44101.48595 |  |  |  |  |  |  |  |  |  |  |  |  |
| 1997 | 10.62 | 39884.37867 |  |  |  |  |  |  |  |  |  |  |  |  |
| 1998 | 15.01 | 114009.566  |  |  |  |  |  |  |  |  |  |  |  |  |
| 1999 | 4.6   | 27872.52788 |  |  |  |  |  |  |  |  |  |  |  |  |
| 2000 | 12.22 | 21375.76779 |  |  |  |  |  |  |  |  |  |  |  |  |
| 2001 | 9.76  | 16077.56965 |  |  |  |  |  |  |  |  |  |  |  |  |
| 2002 | 4.46  | 9770.528559 |  |  |  |  |  |  |  |  |  |  |  |  |
| 2003 | 18.9  | 24267.07347 |  |  |  |  |  |  |  |  |  |  |  |  |
| 2004 | 10.44 | 16708.44235 |  |  |  |  |  |  |  |  |  |  |  |  |

|               |            |             |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
|---------------|------------|-------------|----------------------|-------|---------|-------------------------------------------|--|--|--|--|------|-------------------------------------------|--|--|
| 2005          | 32.62      | 119283.1195 |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| 2006          | 13.99      | 54157.73351 |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| 2007          | 3.45       | 18921.27202 |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| 2008          | 18.53      | 31757.20542 |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| 2009          | 13.54      | 22216.0157  |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| 2010          | 29.56      | 45614.18011 |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| 2011          | 27.87      | 87338.34714 |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| 2012          | 7.89       | 26824.31304 |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| 2013          | 7.27       | 17606.45884 |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| 2014          | 10.09      | 13089.68877 |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| 2015          | 12.16      | 13706.58792 |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| 2016          | 15.03      | 13293.63917 |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| 2017          | 23.19      | 34576.46151 |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| 2018          | 8.41       | 14925.67878 |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| 2019          | 32.32      | 56159.00616 |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
|               |            |             |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |
| Avg           | 17.4777966 | 49571.41117 |                      | 49571 |         |                                           |  |  |  |  |      |                                           |  |  |
| Precip + 4.1% | 18.1908907 |             | Resulting Streamflow | 52323 | 1.05552 | 4.08% precip incr = 5.55% streamflow incr |  |  |  |  | 2752 | AF additional due to ground-based seeding |  |  |
| Precip + 7.3% | 18.7571713 |             | Resulting Streamflow | 54509 | 1.09961 | 7.32% precip incr = 10.0% streamflow incr |  |  |  |  | 4938 | AF additional due to aircraft seeding     |  |  |
|               |            |             |                      |       |         |                                           |  |  |  |  |      |                                           |  |  |



## **APPENDIX B**

### **Location of Stream and Precipitation Gauge Sites in Regressions**

**Table B.1 Stream Gauge Sites**

| <b>Name/USGS number</b>    | <b>Latitude</b> | <b>Longitude</b> |
|----------------------------|-----------------|------------------|
| <b>Northwest Target</b>    |                 |                  |
| Lytle Creek 11062000       | 34.212          | -117.457         |
| Cajon Creek 11063510       | 34.263          | -117.466         |
|                            |                 |                  |
| <b>Northeast Target</b>    |                 |                  |
| Devil Canyon 11063680      | 34.208          | -117.331         |
| East Twin Creek 11058500   | 34.179          | -117.265         |
| City Creek 11055800        | 34.144          | -117.188         |
| Plunge Creek 11055500      | 34.118          | -117.141         |
| Santa Ana River 11051499   | 34.108          | -117.100         |
|                            |                 |                  |
| <b>Southeast Target</b>    |                 |                  |
| San Jacinto River 11069500 | 33.738          | -116.833         |
|                            |                 |                  |
| <b>Southwest Target</b>    |                 |                  |
| Santiago Creek 11075800    | 33.709          | -117.635         |

**Table B.2 Precipitation Gauge Sites**

| <b>Site Name</b>        | <b>Latitude</b> | <b>Longitude</b> |
|-------------------------|-----------------|------------------|
| <b>Northwest Target</b> |                 |                  |
| Mt. Baldy FC            | 34.23           | -117.67          |
| Lytle Creek PH          | 34.20           | -117.45          |
| Lytle Creek RS          | 34.23           | -117.48          |
|                         |                 |                  |
| <b>Northeast Target</b> |                 |                  |
| San Bernardino FS 226   | 34.13           | -117.27          |
| Lake Arrowhead          | 34.25           | -117.18          |
| Santa Ana River PH 1    | 34.13           | -117.07          |
| Big Bear Lake Dam       | 34.23           | -116.97          |
| Big Bear Lake           | 34.25           | -116.88          |
| Mill Creek 2            | 34.08           | -117.03          |
|                         |                 |                  |
| <b>Southeast Target</b> |                 |                  |
| Mt. San Jacinto WS      | 33.80           | -116.63          |
| Idyllwild Fire Dept     | 33.75           | -116.72          |
| Hemet                   | 33.75           | -116.95          |
|                         |                 |                  |
| <b>Southwest Target</b> |                 |                  |
| Elsinore                | 33.67           | -117.33          |
| Corona                  | 33.87           | -117.57          |
| Tustin Irvine Ranch     | 33.73           | -117.78          |
| Santa Ana Fire Station  | 33.75           | -117.87          |



## **APPENDIX C**

### **Seasonal Variability in Seeding Effects Suggested by Precipitation and Streamflow Regressions**

**General Note:** For all these comparisons, the cloud seeding increase (**percentagewise**) is assumed to be the same for wet and dry years. This is probably a fair assumption, as the overall mix of storm types and their seedability is likely to be similar over the long term for drier and wetter seasons. Any inequalities regarding the underlying seedability of storms between wet/dry seasons would be difficult to deduce without a very large data set. Of course, based on this assumption, the magnitude (absolute value) of the precipitation increase due to seeding is proportionally greater for wetter seasons. The relationship between precipitation and streamflow, however, can vary dramatically and somewhat unexpectedly in certain areas when comparing wet and dry seasons, and that is the driving factor for the analyses here.

### **Northwest Target Area**

Regression between the Lytle Creek Ranger Station (precipitation site ending in 2001) and the Lytle Creek stream gauge suggests that there is very little carryover from one year to the next, and the November – April precipitation is best correlated with the immediate calendar year runoff. Based on this result, this is likely an unregulated gauge site. The estimated seeding increase in streamflow obtained from this regression averaged for all years, and with the results of the smaller Cajon Creek included, were 2,043 AF for the NW target area.

An analysis of wet vs dry years (19 dry, 19 "average" and 19 wet) shows that, similar to many other areas in this region, the wet years have about an order of magnitude higher natural runoff than the dry and average years. The average ranges from under 3,000 AF in dry years to between 3,000 to 4,000 AF in average years and then spikes to around 40,000 AF for the wet years (which is highly influenced by a few very wet years).

Streamflow increases due to seeding, which are based on an estimated 3.5% Nov-Apr precipitation increase in all seasons, average between about 400-500 AF both the dry and average set of years for Lytle Creek, increasing dramatically to an average of over 4,000 AF for the wet years. It should also be noted that for the dry and average sets, correlation was somewhat poor with R values of 0.37 and 0.59, respectively. For the 19 wet years, however, the correlation was very high with an R value of 0.93. Regressions of precipitation with Lytle Creek RS and Cajon Creek (at least a portion of which originates in the NW Target area) had only 21 years of overlap, which was not a large enough data set to analyzed in this way. However, if the smaller amount of runoff from Cajon Creek is added to that from Lytle Creek, the total estimated increases due to seeding were between 500-600 AF for the dry and average sets of years, and over 5,000 AF for the wet years. The results for this area suggest that somewhat over 80% of additional runoff here would also be produced during the wettest one-third of the years.

## Northeast Target Area

Regressions for this area use November – April precipitation increases of 4.1% (ground seeding only) and 7.3% (with aircraft).

Regression with San Bernardino FS precipitation and Devil Canyon streamflow suggests no carryover of runoff. For 80 years in this regression, the driest and middle third all have about 700-800 AF of natural flow, with the correlation to precipitation appearing slightly negative (inverted) between these two sets. The wet third of years have 3700 AF average of natural flow. For the dry and average years, minimal (less than 100 AF for both ground and aircraft) increases are suggested, with 395 AF (ground only) and 710 AF (with aircraft) average seeding increase suggested for the wet years. Correlation is very poor for the dry and average years, and only fair ( $R = 0.70$ ) for the wet years.

Note that for all years combined, the equation suggested a mean annual increase of 156 AF (ground only) and 280 AF (with aircraft). The runoff in Devil Canyon was better correlated with the Lytle Creek precip gauge (although with a shorter record of 57 years) which suggested mean annual seeding increases of 170 AF (ground only) and 306 AF (with aircraft).

Regression with San Bernardino FS precipitation and East Twin Creek streamflow suggests fairly minimal (< 10%) carryover of runoff to the next year, with a suggested carryover volume of 432 AF from regression involving dry years. This is reasonable as even the very driest years have runoff of over 600 AF. The correlation is not substantially better with the previous year precipitation included, however.

For 80 years in this regression equation, the 27 dry years have a poor correlation ( $R = 0.34$ ) and a positive offset for runoff, which may possibly be due to a certain amount of carryover or base runoff from previous seasons. In any case, the natural flow averaged 1590 AF for these dry years with low increases suggested due to seeding (47 and 85 AF for ground and aircraft, respectively). The 26 average years have a moderate correlation ( $R = 0.60$ ) and an average natural flow of 2262 AF. The implied increases are significantly more, 353 and 633 AF for ground and aircraft, respectively. For the 27 wet years, a good correlation ( $R = 0.82$ ) is observed with an average runoff of just under 7,000 AF. The suggested increases due to seeding in the wet years are 598 AF (ground only) and 1072 AF (with aircraft).

For the combination of all years, the average estimated increases due to seeding for East Twin Creek are 267 AF (ground only) and 480 AF (with aircraft).

Regression with San Bernardino FS precipitation and City Creek streamflow suggests no carryover, with the equation showing a (slightly) negative coefficient to the previous year precipitation. For the 81 years in this regression equation, the 27 dry years have an average annual natural flow of 2471 AF, with a suggested seeding increase of 114 AF (ground only) and 204 AF (with aircraft). The correlation is fair with an  $R$  value of 0.53 for these dry years. The "average" years actually have a poorer correlation,  $R = 0.32$ . These years have an average natural flow of 3264 AF and implied increases of 262 AF (ground only) and 469 AF (with

aircraft). The 27 wet years in the regression have a good correlation ( $R = 0.75$ ) an average natural flow of 15,102 AF. The implied increases for these wet years are 1496 AF (ground only) and 2684 AF (with aircraft).

For the combination of all years, the average estimated increases in City Creek due to seeding are 639 AF (ground only) and 1147 AF (with aircraft).

Regression with San Bernardino FS and Plunge Creek suggests minimal carryover (< 10%), with the equation improving slightly ( $R = 0.906$  vs  $0.896$ ) when adding the previous year (Nov – Apr) precipitation. There was a total of 51 years in the regression, and an implied carryover of over 400 - 600 AF based on the equations using the 17 dry years and 17 average years. Over 500 AF of streamflow was observed even in the very driest years which is consistent with this. This is similar to the results for East Twin Creek in this regard.

For the 17 dry years the correlation was fair ( $R = 0.59$ ) but was very low for the 17 average years ( $R = 0.09$ ). Average annual streamflow was 2064 AF in the dry years and 3283 AF in the average years. For the dry years, the equations suggest increases of 68 AF (ground only) and 121 AF (with aircraft). For the average years, the numbers were slightly higher with 106 and 191 AF, respectively (although this equation has a very low R value). For the 17 wet years, the correlation was very high ( $R = 0.92$ ) and average annual runoff was over 12,700 AF. This equation resulted in increases of 1229 AF (ground only) and 2205 AF (with aircraft).

For the combination of all years, the average estimated increases in Plunge Creek due to seeding area 502 AF (ground only) and 901 AF (with aircraft).

Regression of San Bernardino FS and the Santa Ana River gauge near Mentone implies carryover around 19% (following year) and around 26% (following 2 years). This is a very long regression, going back to 1913 and ending in 2004, although with a few missing years. Similarly, the better correlated (but somewhat shorter, 1961-2019) regression between precipitation at Big Bear Lake and the Santa Ana River gauge implies carryover over 15% to the following year and around 25% to the following 2 years combined. For both precipitation sites, the regression to the Santa Ana River improves somewhat when adding precipitation from previous November – April seasons. This result is not surprising, given that Big Bear Lake has a larger storage capacity (73,000 AF), larger than the average annual runoff in the Santa Clara River.

For dry years (depending on which precipitation gauge is used and the resulting period of record), natural flow at this gauge site is roughly 23,000 to 30,000 AF. Indications are that during these years, seeding would generate about 1,100-1,600 additional AF (ground-based only) and roughly 2,000 to 3,000 AF with aircraft. The sets of average years in these two regressions had roughly 34,000 to 38,000 AF of natural flow, with similar amounts of additional streamflow suggested as in the dry years (about 1,150-1,200 AF for ground-based only and 2,000 to 2,200 AF with aircraft). It should be noted, however, that

both equations exhibited lower correlation for the set of average years than for dry years, so the results for years in the "average precipitation" category may be more uncertain.

For wet years, natural flow in the Santa Ana River averaged from 94,000 to 104,000 AF for the wettest third of seasons in regressions utilizing two gauge sites (San Bernardino FS and Big Bear Lake). Correlations were better in general for the wet years, although using Big Bear Lake precipitation resulted in a much better R value ( $R = 0.83$  compared to  $0.64$ ). Indications of increases due to seeding were much higher for these years as well, ranging from 7,300 to 8,600 AF for ground-based seeding to between 13,000 to over 15,000 AF with aircraft included.

In sum, for the NE Target area, natural runoff ranges from about 33,000 AF in dry years to an average of over 136,000 AF in wet years. For ground-based seeding producing a 4.1% seasonal precipitation increase, indications are that additional streamflow produced would range from about 1,460 AF in dry years to just over 11,700 AF in wet years. If aircraft seeding is included with a seasonal precipitation increase of 7.3%, yield estimates range from about 2,570 AF in dry years to over 21,000 AF in wet years. For this target area, the equations imply that about 77% of streamflow increases due to seeding would be produced in the wettest third of years.

### **Southeast Target Area**

The indicated average (for a 4.5% Nov-Apr precipitation increase) is 1,373 AF for a 71-year regression period. The distribution here is also highly skewed to higher precipitation years, with regression equation (based on two precipitation sites during Nov-Apr) suggesting around 200 AF or less of additional likely produced in the drier third of years from cloud seeding. Depending on the period record used, the drier one-third of years had less than 2,000 AF of base flow (and perhaps as low about 1,000 AF).

For a year in the middle third, base flow of about 2,000 to 4,000 AF with increases from seeding of anywhere from about 250 to over 700 AF likely, depending on the equation used.

For the wettest third of years, average natural annual flow amounts of 25,000 to 30,000 AF were observed, with cloud seeding likely to generate about an additional 3,000 AF of runoff on average in these years. The implications are that over 80% of the additional runoff due to seeding would be produced in the wettest third of years for this area.

Another factor noted in the SE target area (using the San Jacinto River gauge near San Jacinto) is that significant lag time (or carryover of water from one season to the next) is indicated. If regression equations are developed using precipitation from current and past seasons, there are indications that perhaps 30% or more of the runoff from precipitation in a given season is instead measured at this gauge in the subsequent two years. This is likely the result of Lake Hemet (14,000 AF capacity) located about 10 miles upstream from the gauge site. One of the implications of this finding is that the regular regression equations

(comparing a given Nov-Apr precipitation total at a measurement site to the streamflow during that year) are likely to underestimate the total that would be generated from a precipitation increase due to seeding. That is, a streamflow increase of 14% due to seeding in an individual season may be excluding a significant amount of increase which is contained in later runoff. If the precipitation is increased by 4.5% for three consecutive Nov-Apr seasons, an approximately 20% increase in runoff is implied by the equations. If this is true, it would mean that the true average annual increase in runoff may be closer to 2,000 AF from seeding in this area.

### **Southwest Target Area**

Although indicated long-term average increase (for a 3.7% Nov-Apr precip increase) is around 450 or 500 AF of additional streamflow, the distribution is highly skewed toward high precipitation years. For the drier third of years (what one would typically call a "dry" year), only very sporadic runoff (based on streamflow in Santiago Creek) appears to occur. Equations suggest only a 20-50 AF increase in these years, with total natural runoff in these years averaging around 700 AF. Also, the precipitation vs. runoff relationship during these years has a low correlation ( $R < 0.50$ ), suggesting only sporadic runoff during a few heavier precipitation events.

For an "average" year (middle third of the data set), increases of around 120-140 AF are suggested with a typical natural or base annual runoff of around 2,000 AF. Runoff during these years also appears quite sporadic and probably limited to heavier events, with a low to moderate correlation ( $R$  values about 0.35 to 0.75).

For a "wet" year (wetter third of the data set), much greater increases of around 1,000 to 1,300 AF are indicated with average natural runoff amounts of around 12,000 to 15,000 AF in these years. These wet years appear to generate sustained runoff, with a much higher correlation ( $R > 0.75$ ) between the Nov-Apr seasonal precipitation total and the total annual runoff. These are the main years in the data set that are driving the overall "good" correlation between precipitation and streamflow for this area.

Obviously, the implication for this area is that wetter years seem to be a necessity in order to obtain a very effective cloud seeding increase to streamflow, with likely over 85% of the total increases to runoff generated during the wettest one-third of years. If the water can be stored effectively (and the storage is not used up in a typical season), then the resulting increases obtained during wetter seasons could be utilized during dry years. Of course, the possibility of a string of dry seasons and difficulty with seasonal forecasts may make such planning somewhat difficult.

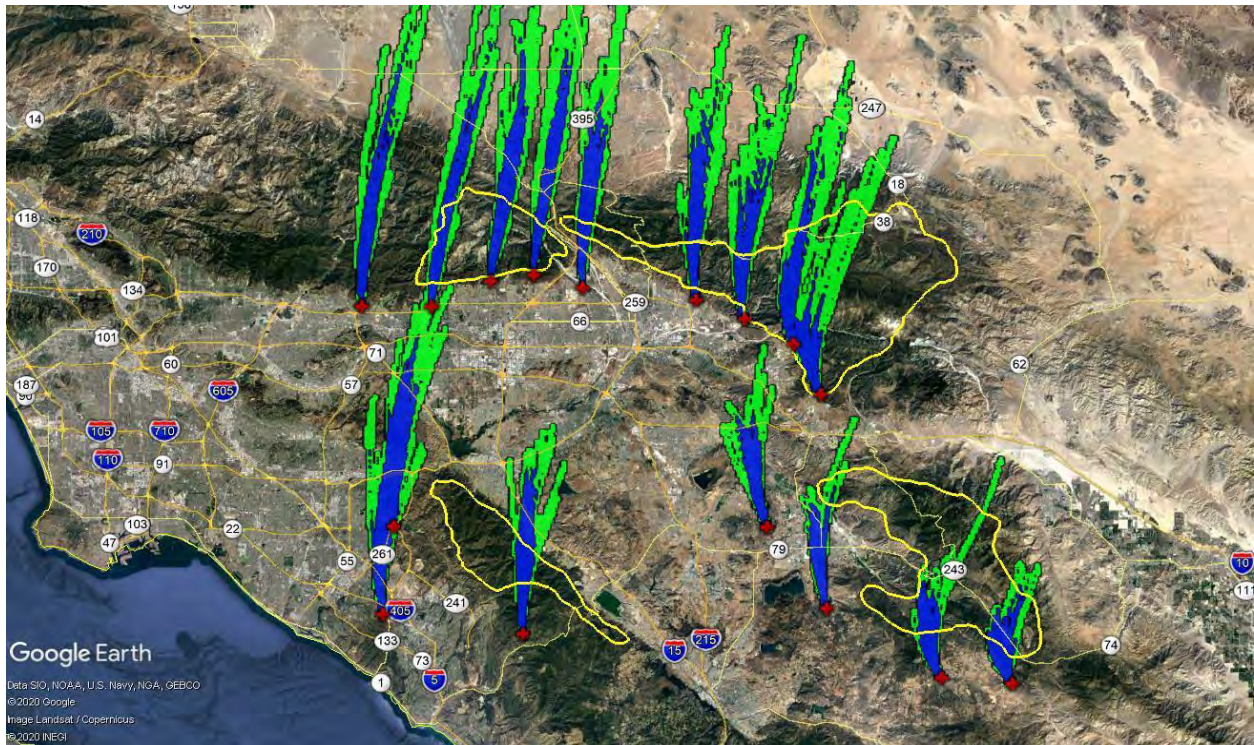
## Summary/Observational Comments

It should be noted that in general, for all of the target areas examined, the wet years provide a much better precipitation/streamflow correlation than either the set of either dry or average years. Thus, the estimates of streamflow increases (due to seeding) in the wet years have much higher confidence than estimates for the other years in the regressions. In most cases, the dry and "average" years share a lot of similarity in terms of the regression equations, base flow numbers, and estimated increases, while the wet years are very different in regard to all of these results. The wet years seem to account for the vast majority of not only natural runoff but also increases due to seeding, with approximately 75-85% of these estimated increases attributed to the wet years. This percentage was highest for the SW target area (over 85%), and lowest for the NE target area (around 77%). In a few areas (likely the SE target area and the Santa Ana River downstream of Big Bear Lake in the NE target area), significant carryover from one year to the next, likely due to reservoir storage, impacts the results of the equations. For this reason, precipitation increases applied to multiple subsequent seasons are likely to generate the most accurate seeding increase estimates for these areas. For most of the target areas in general, the various regressions (particularly those utilizing the wetter years) suggest that the estimated seasonal precipitation increases (ranging from 3.5% to 4.5%) result in increases to annual total streamflow in the neighborhood of roughly 7-10%. However, the SE target area may be an exception to this, with total streamflow increases approaching 20% suggested when a seasonal precipitation increase of 4.5% is applied to consecutive seasons in that area (correcting for the apparent carryover issue). A streamflow increase approaching 14% was implied there even when applying the precipitation increase to only a single season.

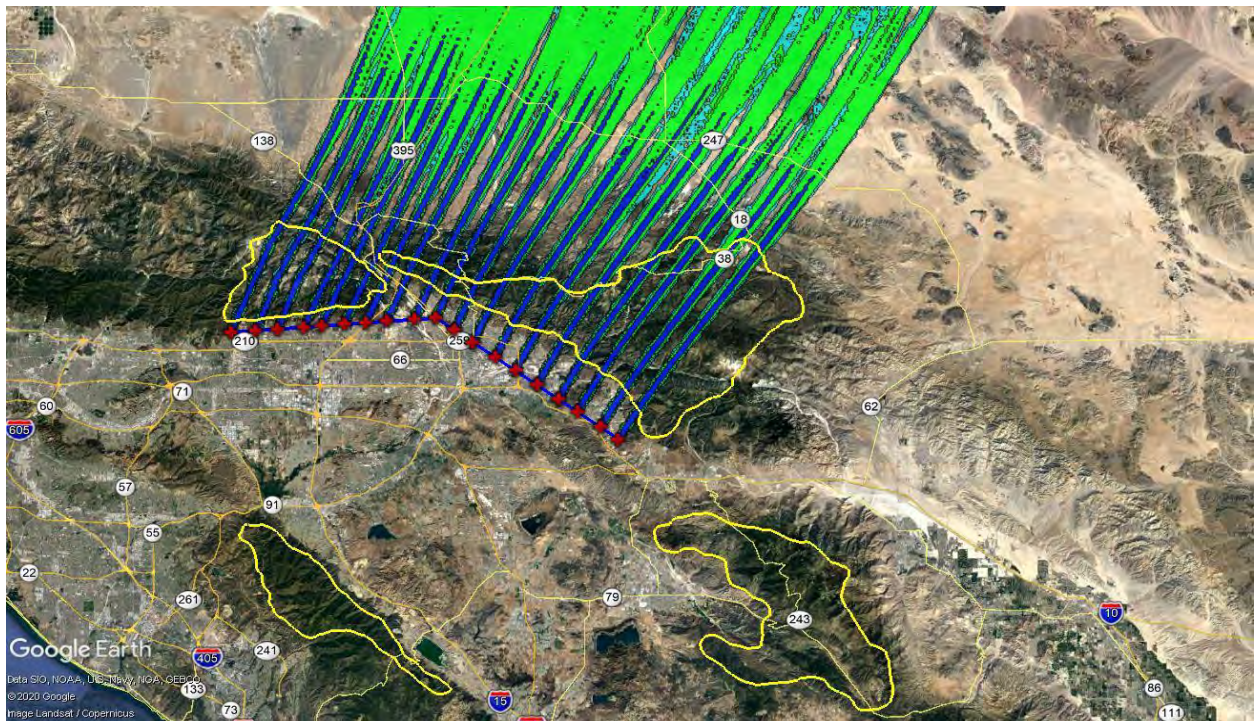
## **APPENDIX D**

### **HYSPLIT Model Output for Additional Storm Events**



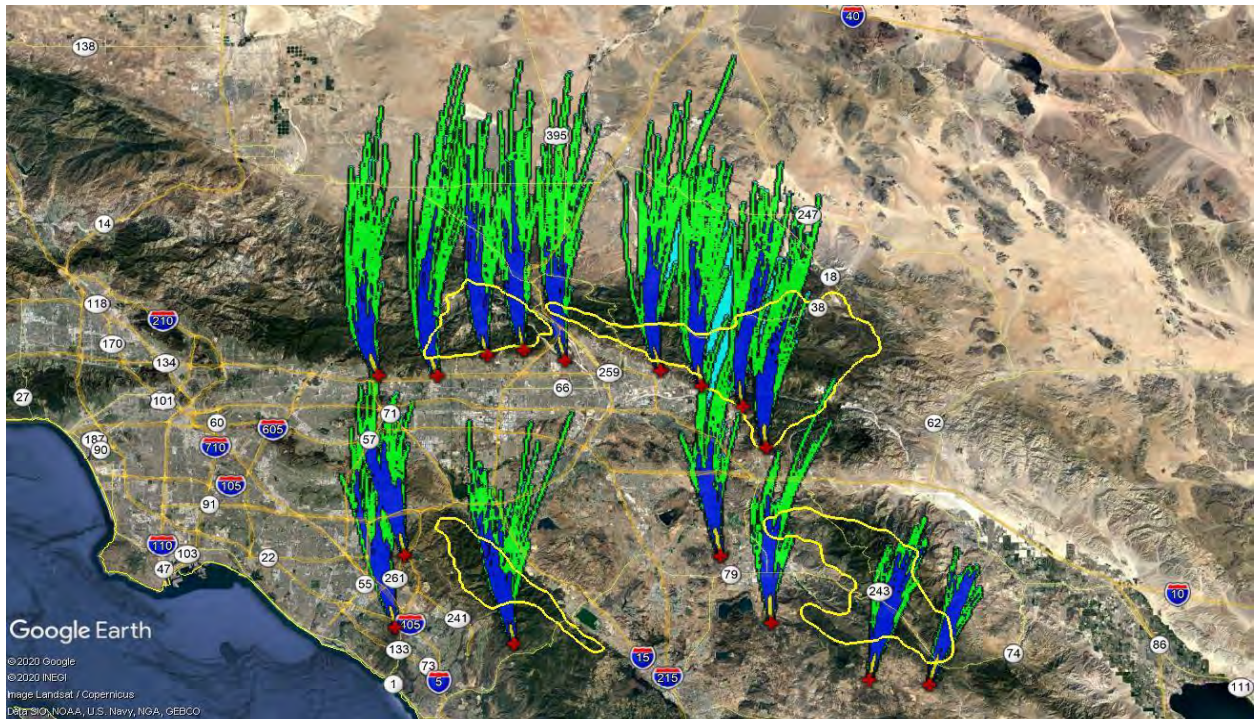


**Figure D.1** One-hour plume dispersion from all ground sites valid at 2100 PST on February 18, 2011.

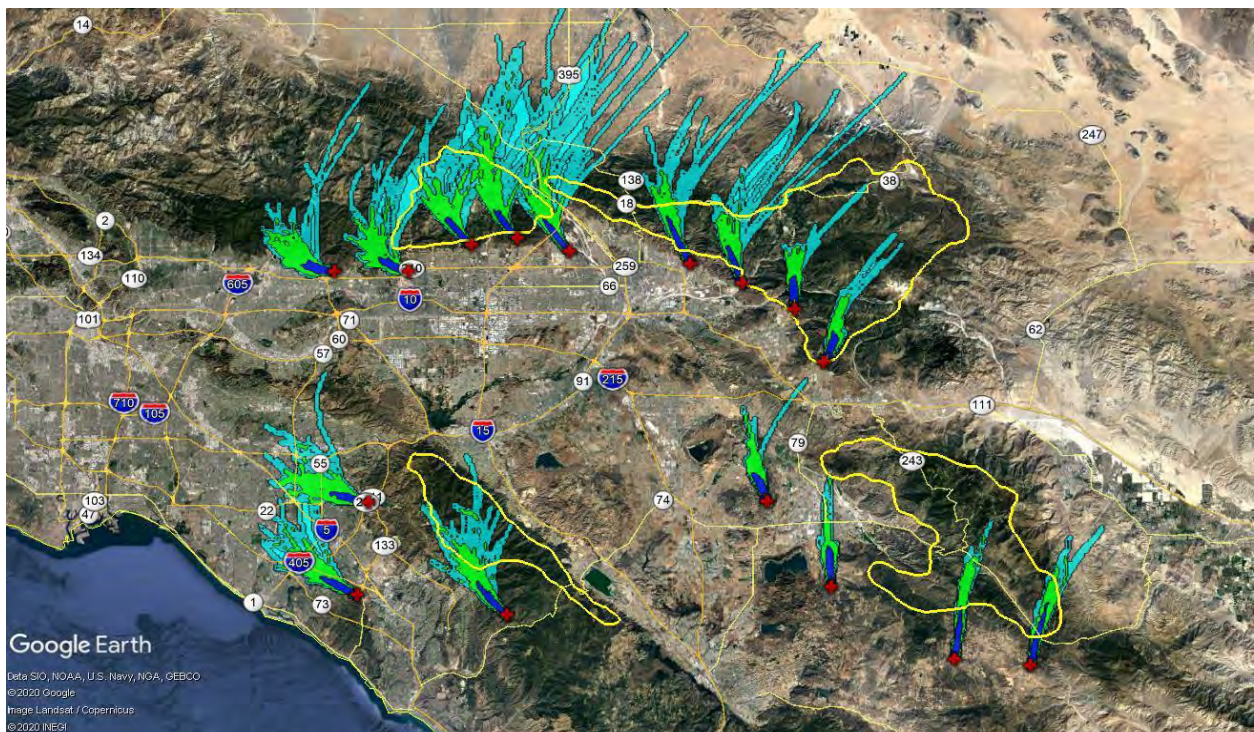


**Figure D.2** One-hour plume dispersion from flight track at approximately 10,500 feet above sea level, valid at 2100 PST on February 18, 2011.





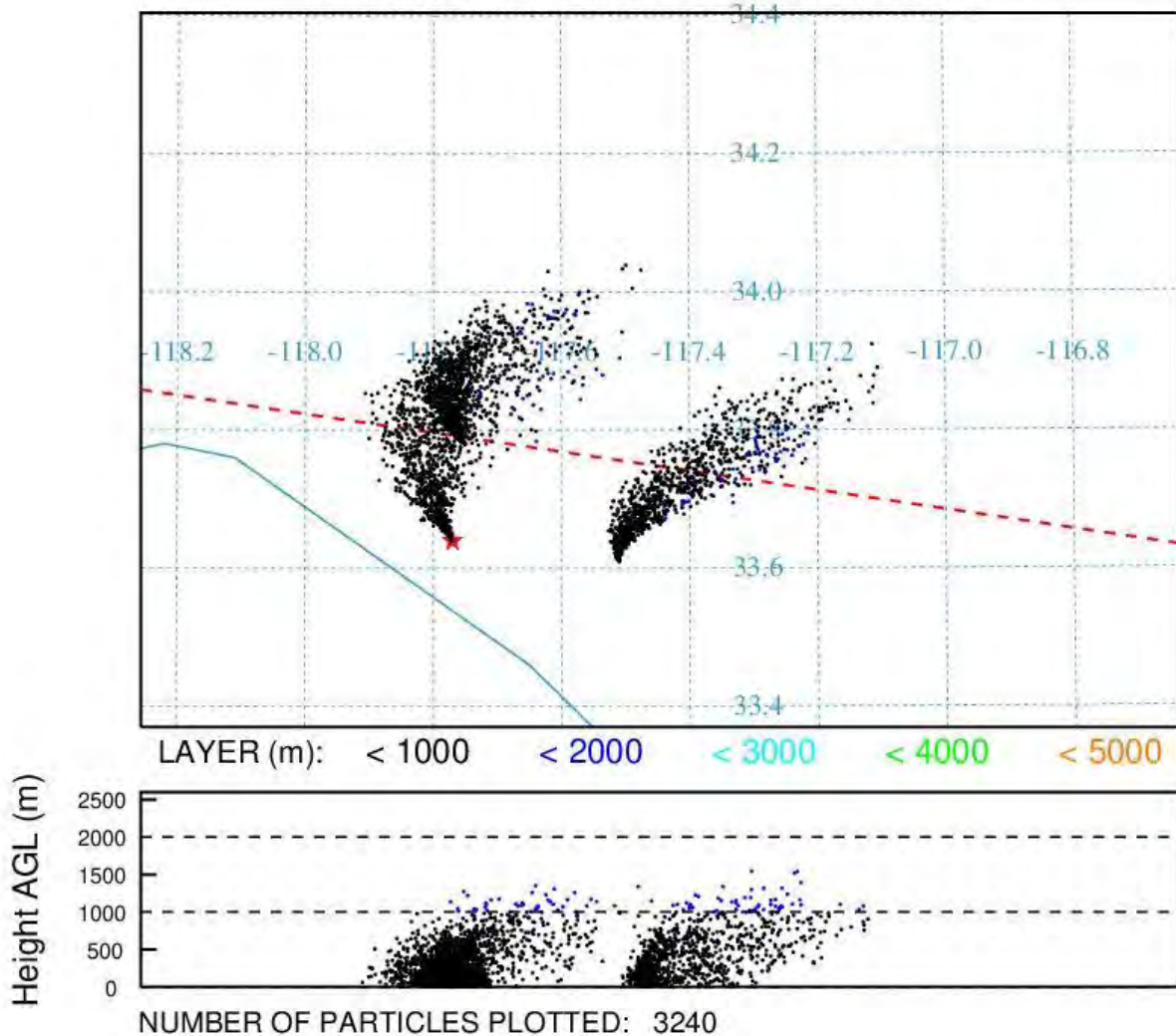
**Figure D.3** One-hour plume dispersion from all ground sites valid at 2200 PDT on March 20, 2011.



**Figure D.4** One-hour plume dispersion from all ground sites valid at 1500 PST on December 2, 2014.

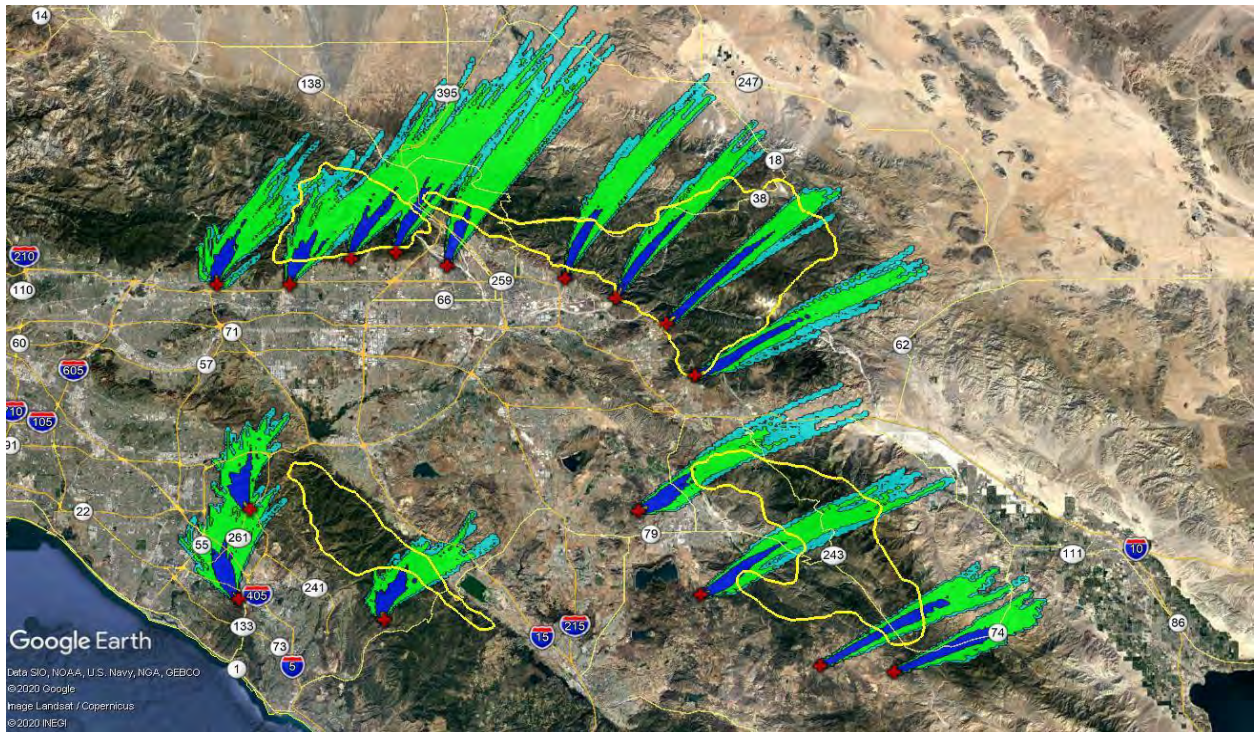


NOAA HYSPLIT MODEL  
 PARTICLE CROSS-SECTIONS  
 PARTICLE POSITIONS AT 13 00 02 Mar 15

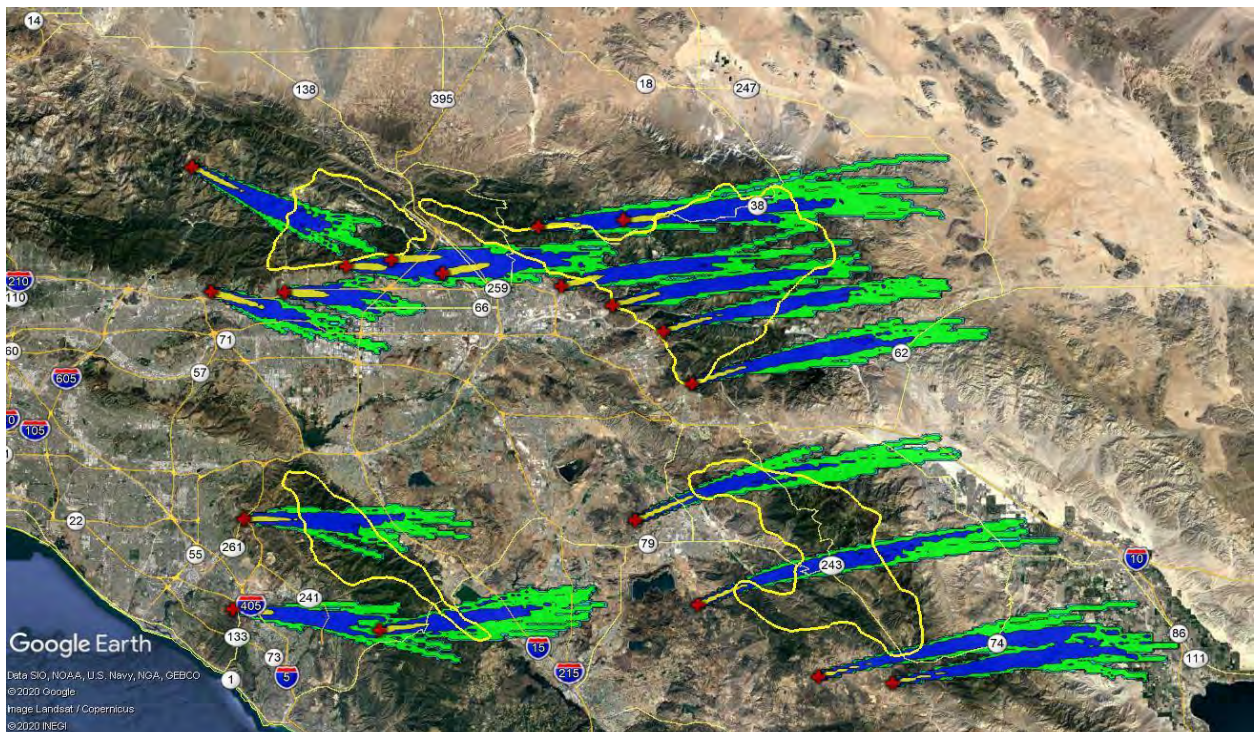


**Figure D.5** Three-hour plume dispersion from southwestern sites with cross-section valid at 0500 PST on March 2, 2015. Note that top of plumes extended to about 1500 m (approx. 4900 ft) above ground level.



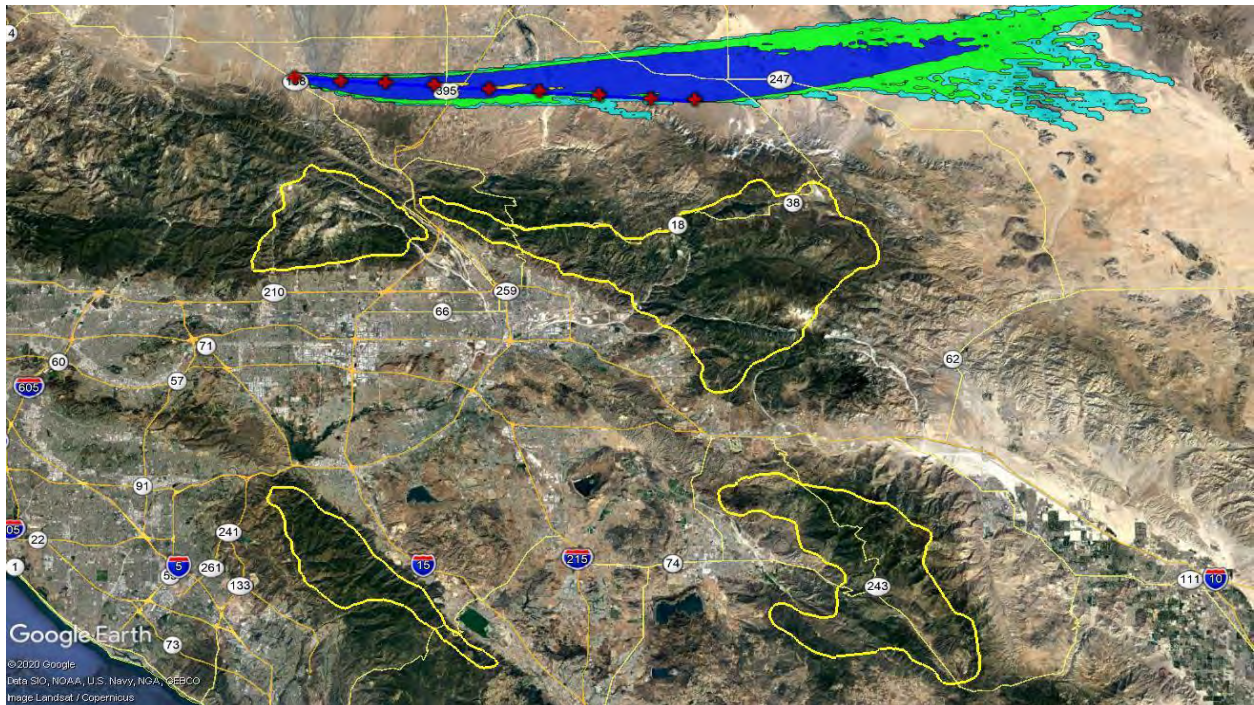


**Figure D.6** Two-hour plume dispersion from all ground sites valid at 0500 PST on March 2, 2015.

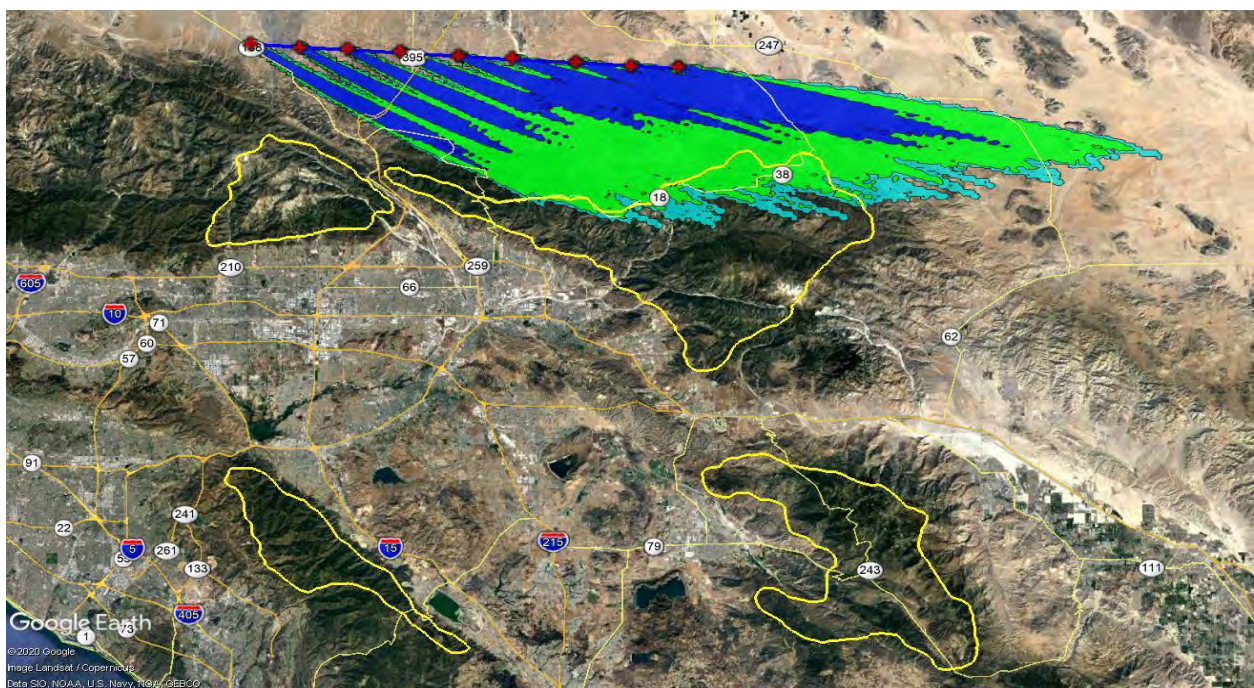


**Figure D.7** One-hour plume dispersion from all ground sites valid at 0000 PST on December 14, 2015.



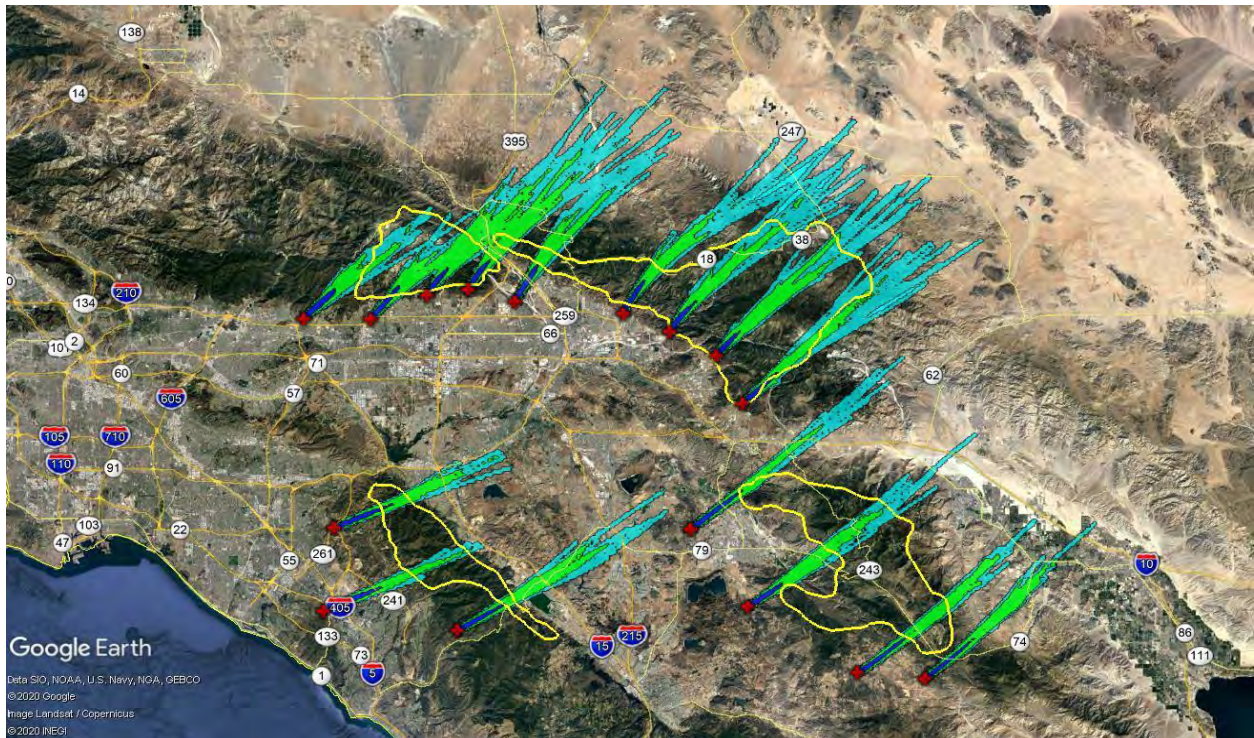


**Figure D.8** One-hour plume dispersion from flight track at approximately 9800 feet above sea level, north of target areas valid at 0000 PST on December 14, 2015. Note that plumes are remaining north of the area.

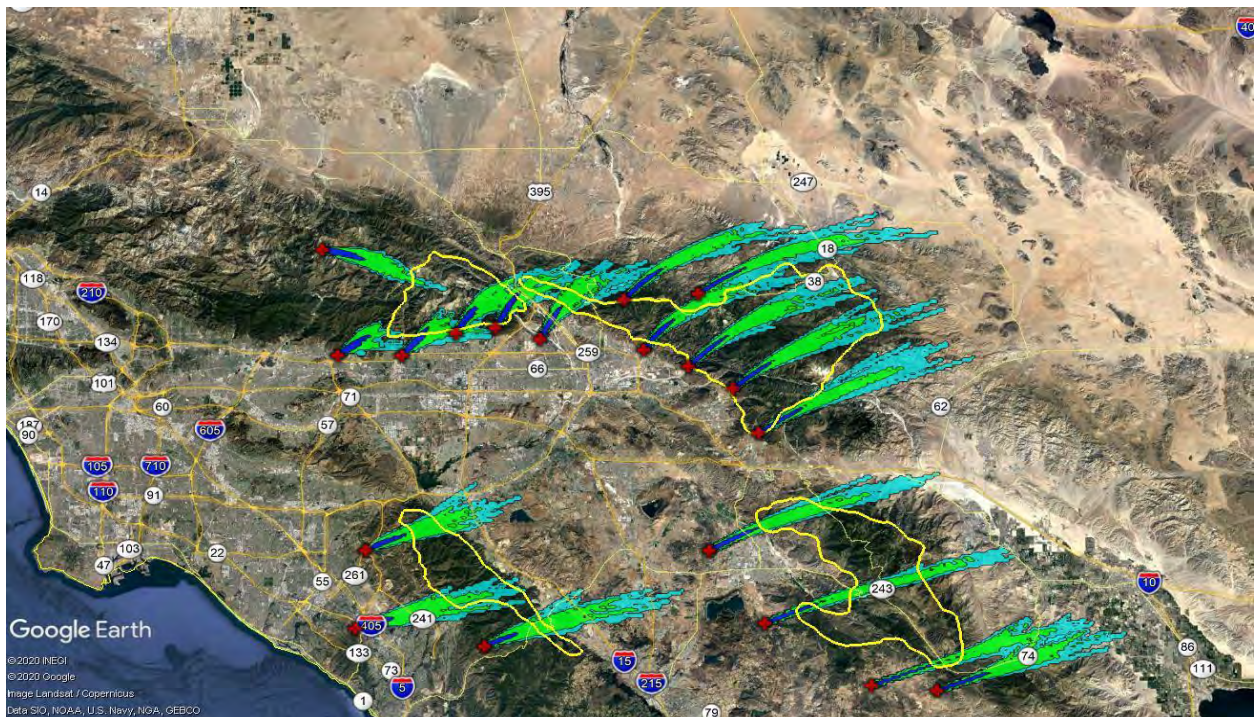


**Figure D.9** One-hour plume dispersion from flight track at approximately 9800 feet above sea level, north of target areas valid at 0300 PST on December 14, 2015. At this point, precipitation has ended across the area.



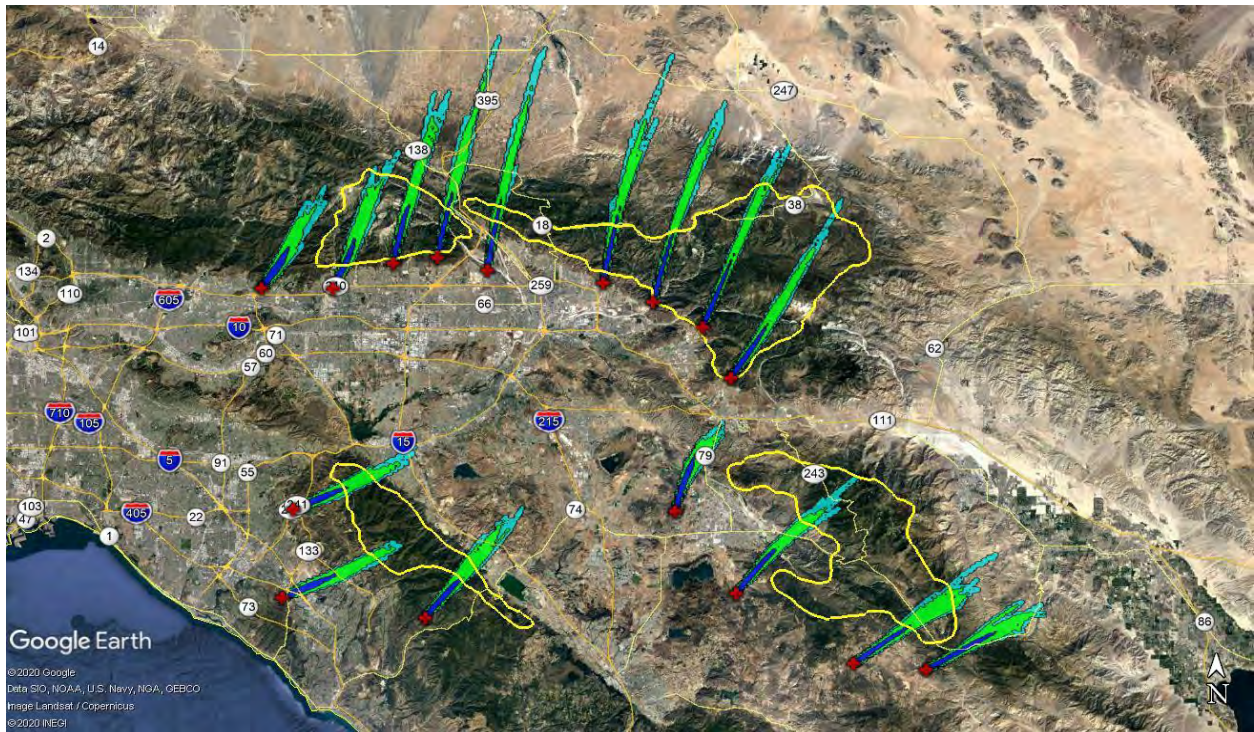


**Figure D.10** One-hour plume dispersion from all ground sites valid at 1700 PST on January 6, 2016.

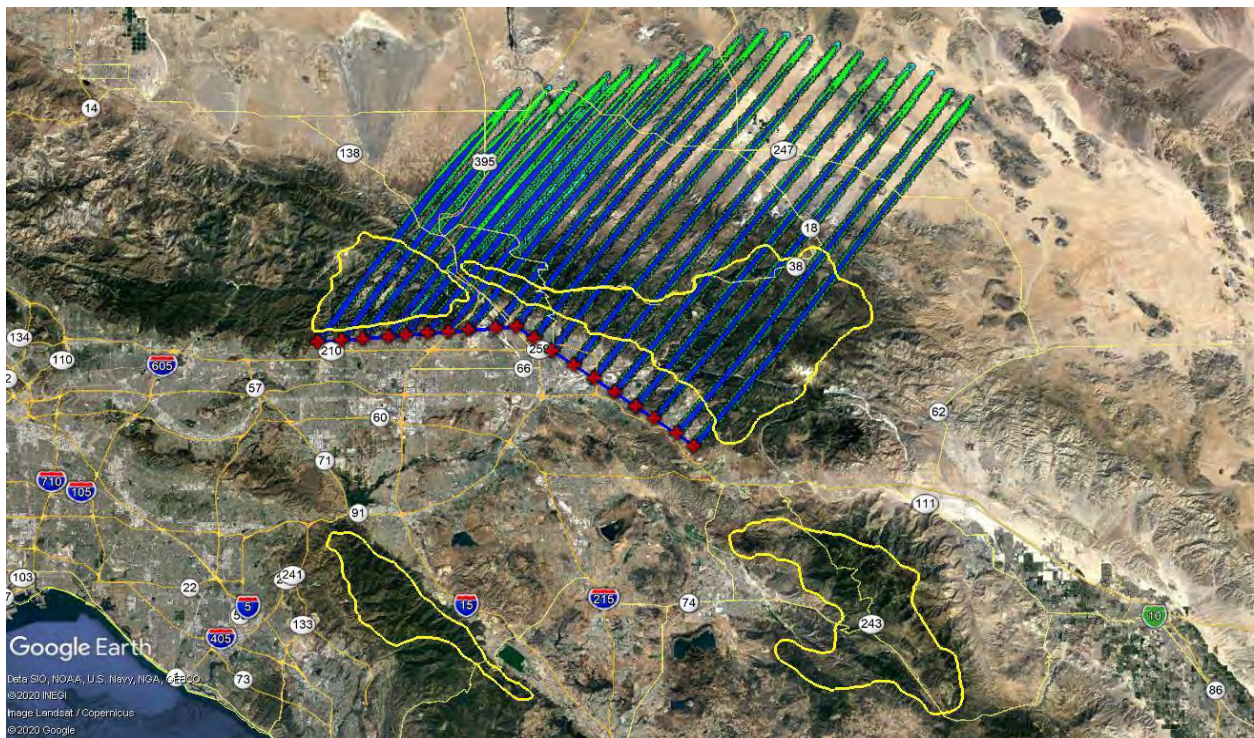


**Figure D.11** One-hour plume dispersion from all ground sites valid at 0700 PST on December 24, 2016.



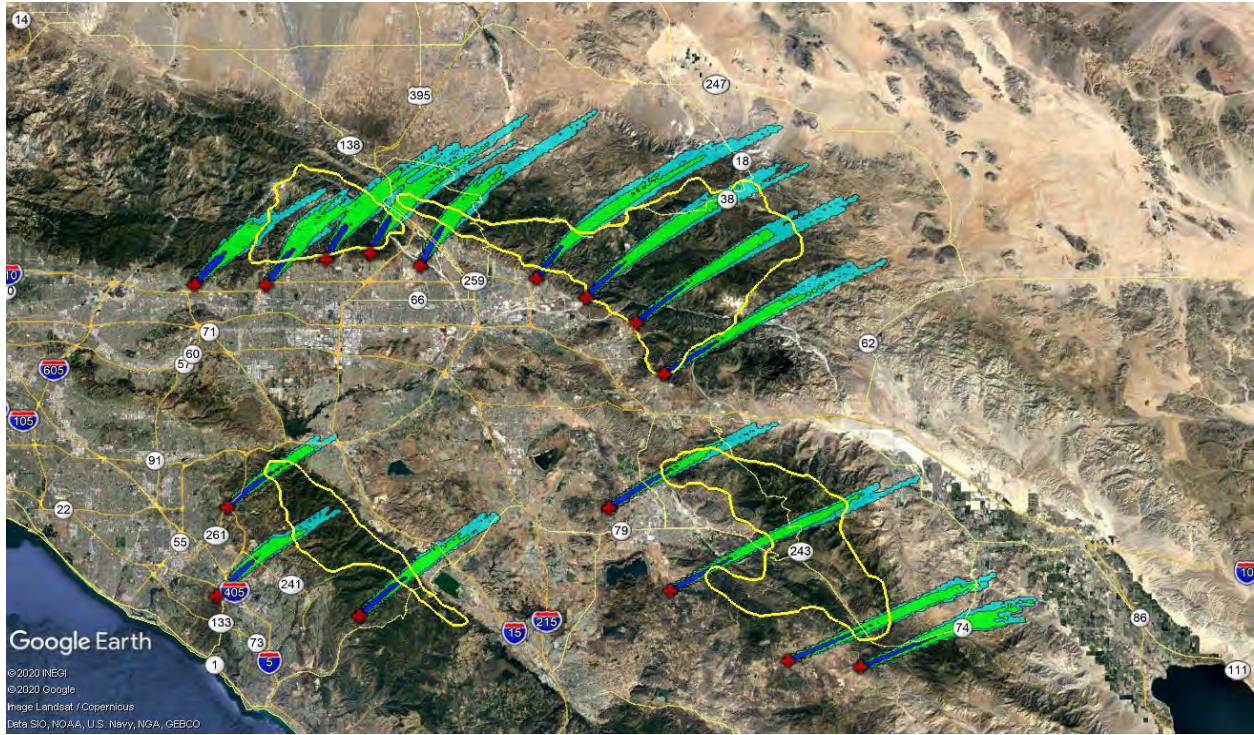


**Figure D.12** One-hour plume dispersion from all ground sites valid at 0000 PST on February 27, 2018.



**Figure D.13** One-hour plume dispersion from flight track at approximately 9800 feet above sea level, valid at 0100 PST on February 27, 2018.





**Figure D.14** One-hour plume dispersion from all ground sites valid at 0400 PDT on March 15, 2018.

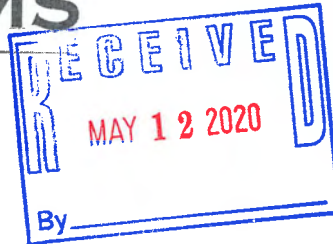




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May 6, 2020

*Sent via Certified Mail and Electronic Mail to rhaller@sawpa.org*

Mr. Richard Haller, General Manager  
Santa Ana Watershed Project Authority  
11615 Sterling Avenue  
Riverside, CA 92503

Re: Larry McKenney  
*Government Tort Claim for Money/Damages*

Dear Mr. Haller:

Claimant, Larry McKenney (located at 88 Meridian Drive in Aliso Viejo, CA 92656) hereby submits his claim pursuant to California Government Code Section 919. Mr. McKenney requests that all notices to be sent to his representatives at JS Abrams Law, located at 20501 Ventura Blvd., Suite 327, Woodland Hills, CA 91364.

This claim is in connection with damages which occurred beginning in May 2018 at Mr. McKenney's place of employment at the Santa Ana Watershed Project Authority and culminating in Claimant's termination from employment on December 11, 2019 and continuing to the present.

The details upon which the damage occurred, the particular acts/omissions on the part of SAWPA which caused the damage, and the damages sustained are as follows:

In May 2018, Mr. McKenney advised the commissioners in an open session commission meeting that Mr. Sullivan's letter to other members of the commission constituted a Brown Act violation. Thereafter, Mr. Sullivan began a pattern of harassment and retaliation against Mr. McKenney, including public comments of resentment, restrictive directives, unprovoked micromanagement, and an attempt to revise and take away certain responsibilities from Mr. McKenney, among others. Mr. Sullivan recruited the help of Richard Haller in his efforts. On many occasions, Mr. McKenney raised his concerns and complaints regarding this unwarranted harassment and retaliation with SAWPA, however, they did not cease. Unfortunately, on December 11, 2019, as a final adverse employment

Richard Haller  
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May 6, 2020  
Page 2 of 2

action in further retaliation, Mr. McKenney was unlawfully terminated. As a result of these actions and SAWPA's inaction in addressing those complaints, Mr. McKenney has sustained injuries and damages in the form of a loss of earnings, emotional distress and other general/tort damages, and attorneys' fees to date (among other damages, including statutory penalties) at the hand of Mr. Sullivan and Mr. Haller and the inaction of SAWPA commissioners in excess of \$10,000.00. Mr. McKenney's claims for damages and injuries exceed \$25,000.00 to date, and thus, constitute an unlimited civil case.

This claim is presented and delivered in compliance with California Government Code Section 915(a) which provides, in relevant part: "A claim, any amendment thereto, [...] to a local public entity by either of the following means: (1) Delivering it to the clerk, secretary or auditor thereof. (2) Mailing it to the clerk, secretary, auditor, or to the governing body at its principal office."

Very truly yours,  
JS Abrams Law, PC



Navid Kanani, Esq.

cc: kberry@sawpa.org  
jlp@paynefears.com



# Santa Ana Watershed Project Authority

OVER 50 YEARS OF INNOVATION, VISION, AND WATERSHED LEADERSHIP

May 19, 2020

**VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Navid Kanani, Esq.  
JS Abrams Law, PC  
20501 Ventura Blvd., Suite 327  
Woodland Hills, CA 91364

**Re: In the Matter of the Claim of Larry McKenney against  
Santa Ana Watershed Project Authority  
Date of Original Claim: May 6, 2020**

Dear Mr. Kanani:

**PLEASE TAKE NOTICE** that the above-referenced amended claim, which you presented to the Santa Ana Watershed Project Authority on behalf of your client, Larry McKenney, on May 12, 2020, was rejected by action of the Authority’s Board of Directors at its meeting held on May 19, 2020.

**WARNING**

Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a state court action on this claim. See California Government Code Section 945.6.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

In providing this notice, or by any other action it has taken on this claim, Santa Ana Watershed Project Authority does not intend to relinquish or waive any of your legal claims requirements or any rights or defenses potentially available to Santa Ana Watershed Project Authority or its officers, employees or agents. Should you file a lawsuit in this matter which is determined to be in bad faith and without reasonable cause, please be advised that Santa Ana Watershed Project Authority will attempt to recover all of its defense costs from you as allowed by California Code of Civil Procedure §128.5 and §1038.

Very truly yours,

Kelly Berry  
Clerk of the Board

David J. Slawson  
Chair  
Eastern Municipal  
Water District

Kati Parker  
Vice Chair  
Inland Empire  
Utilities Agency

Kelly E. Rowe  
Secretary-Treasurer  
Orange County  
Water District

Brenda Dennstedt  
Commissioner  
Western Municipal  
Water District

T. Milford Harrison  
Commissioner  
San Bernardino Valley  
Municipal Water District

Richard E. Haller, P.E.  
General Manager

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Santa Ana Watershed Project Authority  
Cash Transaction Report  
Month of March 2020

Below is a summary of cash transactions completed during the month in the Authority's checking account with US Bank. Attached are summaries by major revenue and expense classifications.

|                                            |                               |
|--------------------------------------------|-------------------------------|
| Cash Receipts and Deposits to Account      | \$ 1,098,983.73               |
| Net Investment Transfers                   | 1,515,500.00                  |
| Cash Disbursements                         | <u>(2,155,048.49)</u>         |
| Net Change for Month                       | \$ 459,435.24                 |
| Balance at Beginning of Month              | <u>1,412,872.35</u>           |
| Balance at End of Month per General Ledger | <u><u>\$ 1,872,307.59</u></u> |
| Collected Balance per Bank Statement       | \$ 1,897,156.73               |

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**ACCOUNTS PAYABLE RECONCILIATION**

|                                                                       |                                |
|-----------------------------------------------------------------------|--------------------------------|
| Accounts Payable Balance @ 02/29/2020                                 | \$ 22,777,335.55               |
| Invoices Received for March 2020                                      | 1,281,241.90                   |
| Invoices Paid by check/wire during March 2020 (see attached register) | <u>(1,922,778.78)</u>          |
| Accounts Payable Balance @ 03/31/2020                                 | <u><u>\$ 22,135,798.67</u></u> |

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**CASH RECEIPTS**

|                               |                 |
|-------------------------------|-----------------|
| Brine Line Operating Revenues | \$ 954,451.59   |
| Participant Fees              | 127,934.00      |
| LESJWA Admin Reimbursement    | 14,552.64       |
| Other                         | <u>2,045.50</u> |
| Total Receipts and Deposits   | \$ 1,098,983.73 |

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**INVESTMENT TRANSFERS**

|                              |                  |
|------------------------------|------------------|
| Transfer of Funds:           |                  |
| From (to) LAIF               | \$ 1,500,000.00  |
| From (to) Legal Defense Fund | -                |
| From (to) LESJWA             | -                |
| From (to) Investments        | <u>15,500.00</u> |
| Total Investment Transfers   | \$ 1,515,500.00  |

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**CASH DISBURSEMENTS**

|                          |                               |
|--------------------------|-------------------------------|
| By Check:                |                               |
| Payroll                  | \$ 3,951.32                   |
| Operations               | <u>1,922,778.78</u>           |
| Total Checks Drawn       | \$ 1,926,730.10               |
| By Cash Transfer:        |                               |
| Payroll                  | \$ 147,592.78                 |
| Payroll Taxes            | 77,277.61                     |
| Take Care (AFLAC)        | <u>3,448.00</u>               |
| Total Cash Transfers     | \$ 228,318.39                 |
| Total Cash Disbursements | <u><u>\$ 2,155,048.49</u></u> |

**Santa Ana Watershed Project Authority**  
**Check Detail**  
**Mar-20**

| Category                              | Check #      | Check Date | Type | Vendor                              | Check Amount         |
|---------------------------------------|--------------|------------|------|-------------------------------------|----------------------|
| Accrued Volumetric Costs              | EFT03258     | 3/26/2020  | CHK  | Orange County Sanitation District   | \$ 639,217.40        |
| <b>Accrued Volumetric Costs Total</b> |              |            |      |                                     | <b>\$ 639,217.40</b> |
| Asset Clearing                        | 4221         | 3/26/2020  | CHK  | YC Power Systems                    | \$ 63,243.56         |
| Asset Clearing                        | EFT03247     | 3/19/2020  | CHK  | Custom Coatings and Construction    | \$ 4,520.00          |
| Asset Clearing                        | EFT03278     | 3/26/2020  | CHK  | Tricord Floor Covering              | \$ 8,391.31          |
| <b>Asset Clearing Total</b>           |              |            |      |                                     | <b>\$ 76,154.87</b>  |
| Auto Expenses                         | 4186         | 3/5/2020   | CHK  | County of Riverside/Transportation  | \$ 451.47            |
| Auto Expenses                         | 4212         | 3/26/2020  | CHK  | County of Riverside                 | \$ 591.53            |
| Auto Expenses                         | 4217         | 3/26/2020  | CHK  | County of Riverside/Transportation  | \$ 311.01            |
| <b>Auto Expenses Total</b>            |              |            |      |                                     | <b>\$ 1,354.01</b>   |
| Benefits                              | 4184         | 3/5/2020   | CHK  | Mutual Of Omaha                     | \$ 2,854.88          |
| Benefits                              | 4190         | 3/13/2020  | CHK  | AFLAC                               | \$ 606.42            |
| Benefits                              | 4193         | 3/13/2020  | CHK  | Cal PERS Long Term Care Program     | \$ 152.04            |
| Benefits                              | 4196         | 3/13/2020  | CHK  | Alliant Insurance Services,         | \$ 153,902.00        |
| Benefits                              | 4201         | 3/19/2020  | CHK  | ACWA/JPIA                           | \$ 48,722.14         |
| Benefits                              | 4204         | 3/19/2020  | CHK  | WageWorks                           | \$ 140.00            |
| Benefits                              | 4210         | 3/26/2020  | CHK  | Cal PERS Long Term Care Program     | \$ 152.04            |
| Benefits                              | 4216         | 3/26/2020  | CHK  | Mutual Of Omaha                     | \$ 2,905.41          |
| Benefits                              | EFT03233     | 3/13/2020  | CHK  | Vantagepoint Transfer Agents        | \$ 3,770.68          |
| Benefits                              | EFT03237     | 3/13/2020  | CHK  | Vantagepoint Transfer Agents        | \$ 392.83            |
| Benefits                              | EFT03260     | 3/26/2020  | CHK  | Vantagepoint Transfer Agents        | \$ 3,457.79          |
| Benefits                              | EFT03266     | 3/26/2020  | CHK  | Vantagepoint Transfer Agents        | \$ 392.83            |
| Benefits                              | P038509      | 3/13/2020  | WDL  | Public Employees' Retirement        | \$ 20,543.93         |
| Benefits                              | P038510      | 3/13/2020  | WDL  | CalPERS Supplemental Income         | \$ 6,819.92          |
| Benefits                              | P038597      | 3/26/2020  | WDL  | Public Employees' Retirement        | \$ 20,083.55         |
| Benefits                              | P038598      | 3/26/2020  | WDL  | CalPERS Supplemental Income         | \$ 6,830.91          |
| Benefits                              | WDL000005075 | 3/3/2020   | WDL  | Takecare                            | \$ 429.50            |
| Benefits                              | WDL000005085 | 3/17/2020  | WDL  | Takecare                            | \$ 192.30            |
| Benefits                              | WDL000005087 | 3/19/2020  | WDL  | Takecare                            | \$ 753.32            |
| Benefits                              | WDL000005091 | 3/5/2020   | WDL  | Takecare                            | \$ 130.00            |
| Benefits                              | WDL000005092 | 3/20/2020  | WDL  | Takecare                            | \$ 57.58             |
| Benefits                              | WDL000005098 | 3/26/2020  | WDL  | Takecare                            | \$ 154.60            |
| Benefits                              | WDL000005099 | 3/27/2020  | WDL  | Takecare                            | \$ 1,538.40          |
| Benefits                              | WDL000005101 | 3/31/2020  | WDL  | Takecare                            | \$ 192.30            |
| <b>Benefits Total</b>                 |              |            |      |                                     | <b>\$ 275,175.37</b> |
| Building Lease                        | 4218         | 3/26/2020  | CHK  | Wilson Property Services, Inc       | \$ 1,530.00          |
| Building Lease                        | 4219         | 3/26/2020  | CHK  | Wilson Property Services, Inc       | \$ 1,745.92          |
| <b>Building Lease Total</b>           |              |            |      |                                     | <b>\$ 3,275.92</b>   |
| Consulting                            | 4197         | 3/13/2020  | CHK  | Calvada Surveying Inc               | \$ 1,500.00          |
| Consulting                            | EFT03238     | 3/13/2020  | CHK  | Trussell Technologies, Inc.         | \$ 1,334.05          |
| Consulting                            | EFT03239     | 3/13/2020  | CHK  | Dudek                               | \$ 1,430.00          |
| Consulting                            | EFT03240     | 3/13/2020  | CHK  | Woodard & Curran Inc.               | \$ 5,378.25          |
| Consulting                            | EFT03243     | 3/13/2020  | CHK  | GEI Consultants                     | \$ 35,742.71         |
| Consulting                            | EFT03250     | 3/19/2020  | CHK  | CDM Smith, Inc.                     | \$ 9,512.47          |
| Consulting                            | EFT03251     | 3/19/2020  | CHK  | Accent Computer Solutions Inc       | \$ 3,640.18          |
| Consulting                            | EFT03252     | 3/19/2020  | CHK  | Woodard & Curran Inc.               | \$ 5,633.54          |
| Consulting                            | EFT03254     | 3/19/2020  | CHK  | Water Systems Consulting            | \$ 26,031.05         |
| Consulting                            | EFT03255     | 3/19/2020  | CHK  | Somach Simmons & Dunn               | \$ 5,201.26          |
| Consulting                            | EFT03261     | 3/26/2020  | CHK  | Risk Sciences                       | \$ 9,087.40          |
| Consulting                            | EFT03263     | 3/26/2020  | CHK  | West Coast Advisors                 | \$ 9,750.00          |
| Consulting                            | EFT03265     | 3/26/2020  | CHK  | CDM Smith, Inc.                     | \$ 2,493.22          |
| Consulting                            | EFT03267     | 3/26/2020  | CHK  | Dudek                               | \$ 3,200.00          |
| Consulting                            | EFT03268     | 3/26/2020  | CHK  | Woodard & Curran Inc.               | \$ 1,131.00          |
| Consulting                            | EFT03271     | 3/26/2020  | CHK  | DeGrave Communications              | \$ 3,698.95          |
| Consulting                            | EFT03276     | 3/26/2020  | CHK  | GEI Consultants                     | \$ 12,416.16         |
| Consulting                            | EFT03279     | 3/26/2020  | CHK  | Somach Simmons & Dunn               | \$ 4,829.50          |
| <b>Consulting Total</b>               |              |            |      |                                     | <b>\$ 142,009.74</b> |
| Credit Cards                          | P038599      | 3/10/2020  | WDL  | US Bank                             | \$ 13,793.95         |
| <b>Credit Cards Total</b>             |              |            |      |                                     | <b>\$ 13,793.95</b>  |
| Debt Service                          | 4176         | 3/5/2020   | CHK  | State Water Resources Control Board | \$ 665,202.51        |
| <b>Debt Service Total</b>             |              |            |      |                                     | <b>\$ 665,202.51</b> |
| Director Costs                        | EFT03259     | 3/26/2020  | CHK  | Eastern Municipal Water District    | \$ 500.95            |

**Santa Ana Watershed Project Authority**  
**Check Detail**  
**Mar-20**

| Category                                       | Check #   | Check Date | Type | Vendor                                           | Check Amount        |
|------------------------------------------------|-----------|------------|------|--------------------------------------------------|---------------------|
| Director Costs                                 | EFT03262  | 3/26/2020  | CHK  | Western Municipal Water District                 | \$ 761.20           |
| Director Costs                                 | EFT03273  | 3/26/2020  | CHK  | Kati Parker                                      | \$ 62.10            |
| Director Costs                                 | EFT03274  | 3/26/2020  | CHK  | June Hayes                                       | \$ 25.88            |
| Director Costs                                 | EFT03275  | 3/26/2020  | CHK  | T. Milford Harrison                              | \$ 92.58            |
| Director Costs                                 | EFT03281  | 3/26/2020  | CHK  | Kelly Rowe                                       | \$ 44.28            |
| Director Costs                                 | *EFT03281 | 3/26/2020  | VOID | Kelly Rowe                                       | \$ (44.28)          |
| <b>Director Costs Total</b>                    |           |            |      |                                                  | <b>\$ 1,442.71</b>  |
| Dues                                           | 4203      | 3/19/2020  | CHK  | Government Finance Officers                      | \$ 460.00           |
| <b>Dues Total</b>                              |           |            |      |                                                  | <b>\$ 460.00</b>    |
| Employee Reimbursement                         | EFT03227  | 3/5/2020   | CHK  | Zyanya Ramirez                                   | \$ 526.00           |
| Employee Reimbursement                         | EFT03228  | 3/5/2020   | CHK  | Michael Plasencia                                | \$ 461.30           |
| Employee Reimbursement                         | EFT03229  | 3/5/2020   | CHK  | Katie Lucht                                      | \$ 13.23            |
| Employee Reimbursement                         | EFT03232  | 3/13/2020  | CHK  | Richard Whetsel                                  | \$ 31.22            |
| Employee Reimbursement                         | EFT03241  | 3/13/2020  | CHK  | Ian Achimore                                     | \$ 16.56            |
| Employee Reimbursement                         | EFT03246  | 3/19/2020  | CHK  | Richard Whetsel                                  | \$ 27.42            |
| <b>Employee Reimbursement Total</b>            |           |            |      |                                                  | <b>\$ 1,075.73</b>  |
| Engineering Costs                              | 4180      | 3/5/2020   | CHK  | Stantec                                          | \$ 14,301.00        |
| Engineering Costs                              | 4213      | 3/26/2020  | CHK  | Stantec                                          | \$ 16,842.50        |
| <b>Engineering Costs Total</b>                 |           |            |      |                                                  | <b>\$ 31,143.50</b> |
| Equipment Rented                               | 4172      | 3/5/2020   | CHK  | Konica Minolta Business Solutions                | \$ 764.77           |
| Equipment Rented                               | 4198      | 3/13/2020  | CHK  | United Rentals                                   | \$ 940.33           |
| Equipment Rented                               | 4202      | 3/19/2020  | CHK  | Pitney Bowes Global Financial Services           | \$ 351.63           |
| <b>Equipment Rented Total</b>                  |           |            |      |                                                  | <b>\$ 2,056.73</b>  |
| Facility Repair & Maintenance                  | 4182      | 3/5/2020   | CHK  | TNT Elevator Inc                                 | \$ 250.00           |
| Facility Repair & Maintenance                  | 4185      | 3/5/2020   | CHK  | K&H Metals and Supplies                          | \$ 135.36           |
| Facility Repair & Maintenance                  | 4205      | 3/19/2020  | CHK  | Ayala Engineering                                | \$ 4,070.00         |
| Facility Repair & Maintenance                  | 4206      | 3/19/2020  | CHK  | KH Metals and Supply                             | \$ 63.24            |
| Facility Repair & Maintenance                  | 4207      | 3/19/2020  | CHK  | CR&R Incorporated                                | \$ 799.07           |
| Facility Repair & Maintenance                  | 4214      | 3/26/2020  | CHK  | State of California Dept of Industrial Relations | \$ 225.00           |
| Facility Repair & Maintenance                  | 4215      | 3/26/2020  | CHK  | Tripac Marketing Inc.                            | \$ 26.94            |
| Facility Repair & Maintenance                  | EFT03225  | 3/5/2020   | CHK  | Haz Mat Trans, Inc.                              | \$ 8,360.00         |
| Facility Repair & Maintenance                  | EFT03234  | 3/13/2020  | CHK  | Western Exterminator Co.                         | \$ 123.00           |
| Facility Repair & Maintenance                  | EFT03236  | 3/13/2020  | CHK  | Green Meadows Landscape                          | \$ 625.00           |
| Facility Repair & Maintenance                  | EFT03242  | 3/13/2020  | CHK  | Riverside Cleaning                               | \$ 1,500.00         |
| Facility Repair & Maintenance                  | EFT03270  | 3/26/2020  | CHK  | Houston Harris PCS, Inc.                         | \$ 2,403.32         |
| <b>Facility Repair &amp; Maintenance Total</b> |           |            |      |                                                  | <b>\$ 18,580.93</b> |
| Lab Costs                                      | EFT03226  | 3/5/2020   | CHK  | E. S. Babcock & Sons, Inc.                       | \$ 959.00           |
| Lab Costs                                      | EFT03235  | 3/13/2020  | CHK  | E. S. Babcock & Sons, Inc.                       | \$ 4,433.00         |
| Lab Costs                                      | EFT03248  | 3/19/2020  | CHK  | E. S. Babcock & Sons, Inc.                       | \$ 1,036.00         |
| Lab Costs                                      | EFT03264  | 3/26/2020  | CHK  | E. S. Babcock & Sons, Inc.                       | \$ 2,168.00         |
| <b>Lab Costs Total</b>                         |           |            |      |                                                  | <b>\$ 8,596.00</b>  |
| Legal                                          | 4188      | 3/5/2020   | CHK  | Payne & Fears                                    | \$ 698.00           |
| Legal                                          | EFT03230  | 3/5/2020   | CHK  | Lagerlof, LLP                                    | \$ 1,206.00         |
| Legal                                          | EFT03245  | 3/13/2020  | CHK  | Lagerlof, LLP                                    | \$ 6,398.50         |
| Legal                                          | EFT03256  | 3/19/2020  | CHK  | Lagerlof, LLP                                    | \$ 4,120.50         |
| <b>Legal Total</b>                             |           |            |      |                                                  | <b>\$ 12,423.00</b> |
| Office Expense                                 | 4172      | 3/5/2020   | CHK  | Konica Minolta Business Solutions                | \$ 1,146.72         |
| Office Expense                                 | 4177      | 3/5/2020   | CHK  | Staples Business Advantage                       | \$ 528.46           |
| Office Expense                                 | 4179      | 3/5/2020   | CHK  | Cintas Corporation                               | \$ 245.18           |
| Office Expense                                 | 4181      | 3/5/2020   | CHK  | Printing Connection, Inc.                        | \$ 43.50            |
| Office Expense                                 | 4189      | 3/13/2020  | CHK  | Aramark Corporation Refreshments                 | \$ 374.43           |
| Office Expense                                 | 4211      | 3/26/2020  | CHK  | Awards & Specialties                             | \$ 8.70             |
| Office Expense                                 | EFT03249  | 3/19/2020  | CHK  | Iron Mountain                                    | \$ 216.25           |
| <b>Office Expense Total</b>                    |           |            |      |                                                  | <b>\$ 2,563.24</b>  |
| Other Contract Services                        | EFT03231  | 3/5/2020   | CHK  | World Language Communications                    | \$ 192.60           |
| Other Contract Services                        | EFT03253  | 3/19/2020  | CHK  | Local Government Commission                      | \$ 4,636.36         |
| Other Contract Services                        | EFT03257  | 3/19/2020  | CHK  | World Language Communications                    | \$ 883.60           |
| Other Contract Services                        | EFT03262  | 3/26/2020  | CHK  | Western Municipal Water District                 | \$ 7,481.96         |
| Other Contract Services                        | EFT03272  | 3/26/2020  | CHK  | Local Government Commission                      | \$ 4,636.36         |
| Other Contract Services                        | EFT03280  | 3/26/2020  | CHK  | Larry Walker Associates                          | \$ 1,254.75         |
| <b>Other Contract Services Total</b>           |           |            |      |                                                  | <b>\$ 19,085.63</b> |



**Santa Ana Watershed Project Authority**  
**Check Detail**  
**Mar-20**

| Category                        | Check #      | Check Date | Type | Vendor                                      | Check Amount           |
|---------------------------------|--------------|------------|------|---------------------------------------------|------------------------|
| Other Expense                   | 4206         | 3/19/2020  | CHK  | KH Metals and Supply                        | \$ 247.68              |
| <b>Other Expense Total</b>      |              |            |      |                                             | <b>\$ 247.68</b>       |
| Payroll                         | 4170         | 3/5/2020   | CHK  | Payroll Check                               | \$ 3,233.25            |
| Payroll                         | 4200         | 3/18/2020  | CHK  | Payroll Check                               | \$ 718.07              |
| Payroll                         | WDL000005079 | 3/13/2020  | WDL  | Direct Deposit 3/13/2020                    | \$ 71,953.47           |
| Payroll                         | WDL000005082 | 3/13/2020  | WDL  | PR Tax - Federal                            | \$ 30,618.89           |
| Payroll                         | WDL000005083 | 3/13/2020  | WDL  | PR Tax - State                              | \$ 6,388.46            |
| Payroll                         | WDL000005088 | 3/19/2020  | WDL  | PR Tax - Federal                            | \$ 140.71              |
| Payroll                         | WDL000005089 | 3/19/2020  | WDL  | PR Tax - State                              | \$ 13.19               |
| Payroll                         | WDL000005093 | 3/5/2020   | WDL  | PR Tax - Federal                            | \$ 1,679.39            |
| Payroll                         | WDL000005094 | 3/27/2020  | WDL  | Direct Deposit 3/27/2020                    | \$ 75,840.28           |
| Payroll                         | WDL000005095 | 3/5/2020   | WDL  | PR Tax - State                              | \$ 410.75              |
| Payroll                         | WDL000005096 | 3/27/2020  | WDL  | PR Tax - Federal                            | \$ 31,454.80           |
| Payroll                         | WDL000005097 | 3/27/2020  | WDL  | PR Tax - State                              | \$ 6,571.42            |
| Payroll                         | WDL000005103 | 3/27/2020  | WDL  | Direct Deposit 3/27/2020                    | \$ (200.97)            |
| <b>Payroll Total</b>            |              |            |      |                                             | <b>\$ 228,821.71</b>   |
| Prepaid                         | 4199         | 3/13/2020  | CHK  | So Cal Alliance of Publicly Owned Treatment | \$ 538.00              |
| <b>Prepaid Total</b>            |              |            |      |                                             | <b>\$ 538.00</b>       |
| Safety                          | EFT03224     | 3/5/2020   | CHK  | Underground Service Alert                   | \$ 322.08              |
| Safety                          | EFT03269     | 3/26/2020  | CHK  | Airgas USA LLC                              | \$ 28.31               |
| <b>Safety Total</b>             |              |            |      |                                             | <b>\$ 350.39</b>       |
| Security                        | 4183         | 3/5/2020   | CHK  | SafeT                                       | \$ 113.85              |
| <b>Security Total</b>           |              |            |      |                                             | <b>\$ 113.85</b>       |
| Shipping/Postage                | 4192         | 3/13/2020  | CHK  | General Logistics Systems US                | \$ 35.22               |
| <b>Shipping/Postage Total</b>   |              |            |      |                                             | <b>\$ 35.22</b>        |
| Software                        | EFT03251     | 3/19/2020  | CHK  | Accent Computer Solutions Inc               | \$ 922.70              |
| <b>Software Total</b>           |              |            |      |                                             | <b>\$ 922.70</b>       |
| Temporary Services              | EFT03244     | 3/13/2020  | CHK  | Mantek Solutions, Inc.                      | \$ 2,650.50            |
| Temporary Services              | EFT03277     | 3/26/2020  | CHK  | Mantek Solutions, Inc.                      | \$ 2,344.60            |
| <b>Temporary Services Total</b> |              |            |      |                                             | <b>\$ 4,995.10</b>     |
| Training                        | 4195         | 3/13/2020  | CHK  | Best Best & Krieger LLP                     | \$ 51.00               |
| <b>Training Total</b>           |              |            |      |                                             | <b>\$ 51.00</b>        |
| Use Tax                         | 4208         | 3/19/2020  | CHK  | California Department of Tax & Fee          | \$ 804.00              |
| <b>Use Tax Total</b>            |              |            |      |                                             | <b>\$ 804.00</b>       |
| Utilities                       | 4171         | 3/5/2020   | CHK  | Riverside, City of                          | \$ 94.43               |
| Utilities                       | 4173         | 3/5/2020   | CHK  | AT&T                                        | \$ 801.11              |
| Utilities                       | 4174         | 3/5/2020   | CHK  | AT&T                                        | \$ 195.78              |
| Utilities                       | 4175         | 3/5/2020   | CHK  | Southern California Edison                  | \$ 21.20               |
| Utilities                       | 4178         | 3/5/2020   | CHK  | Burrtec Waste Industries Inc                | \$ 83.92               |
| Utilities                       | 4187         | 3/5/2020   | CHK  | Verizon Wireless                            | \$ 334.52              |
| Utilities                       | 4191         | 3/13/2020  | CHK  | Riverside, City of                          | \$ 1,868.99            |
| Utilities                       | 4194         | 3/13/2020  | CHK  | Southern California Edison                  | \$ 109.32              |
| Utilities                       | 4209         | 3/26/2020  | CHK  | AT&T                                        | \$ 978.34              |
| Utilities                       | 4220         | 3/26/2020  | CHK  | DIRECTV                                     | \$ 69.99               |
| <b>Utilities Total</b>          |              |            |      |                                             | <b>\$ 4,557.60</b>     |
| <b>Grand Total</b>              |              |            |      |                                             | <b>\$ 2,155,048.49</b> |

|                |                        |
|----------------|------------------------|
|                | Accounts Payable       |
| Checks         | \$ 1,854,706.52        |
| Wire Transfers | \$ 68,072.26           |
|                | <u>\$ 1,922,778.78</u> |

|           |                        |
|-----------|------------------------|
| Take Care | \$ 3,448.00            |
| Other     |                        |
| Payroll   | \$ 228,821.71          |
|           | <u>\$ 2,155,048.49</u> |

Total Disbursements for March 2020

Santa Ana Watershed Project Authority  
 Consulting  
 Mar-20

| Check #  | Check Date | Task #        | Task Description                       | Vendor Name               | Total Contract | Check Amount | Remaining Contract Amount | Notes/Comments |
|----------|------------|---------------|----------------------------------------|---------------------------|----------------|--------------|---------------------------|----------------|
| EFT03251 | 3/19/2020  | ACS100-11     | IT Support                             | Accent Computer Solutions | \$ 186,800.00  | \$ 3,640.18  | \$ 73,287.64              |                |
| 4197     | 3/13/2020  | CALV240-03    | BL On Call Land Surveying              | Calvada Surveying         | \$ 28,970.00   | \$ 1,500.00  | \$ 27,470.00              |                |
| EFT03250 | 3/19/2020  | CDM386-14     | SAR Bacteria Monitoring Program        | CDM Smith                 | \$ 373,715.00  | \$ 9,512.47  | \$ 99,049.87              |                |
| EFT03265 | 03/26/2020 | CDM386-14     | SAR Bacteria Monitoring Program        | CDM Smith                 | \$ 373,715.00  | \$ 2,493.22  | \$ 99,049.87              |                |
| EFT03271 | 3/26/2020  | DEGR392-05    | Social Media Support - EC TF           | DeGrave Communications    | \$ 30,000.00   | \$ 3,698.95  | \$ 1,748.93               |                |
| EFT03239 | 3/13/2020  | DUDK320-03-01 | Reach 4D MAS Rehabilitation Project    | Dudek                     | \$ 38,530.00   | \$ 1,430.00  | \$ 23,529.35              |                |
| EFT03267 | 3/26/2020  | DUDK373-06    | Prop1 Round 1 Grant App                | Dudek                     | \$ 94,510.00   | \$ 3,200.00  | \$ 10.65                  |                |
| EFT03243 | 3/13/2020  | GEI384-01     | MSAR TMDL Synoptic Study               | GEI Consultants           | \$ 200,000.00  | \$ 35,742.71 | \$ 9,751.05               |                |
| EFT03276 | 3/26/2020  | GEI384-01     | MSAR TMDL Synoptic Study               | GEI Consultants           | \$ 200,000.00  | \$ 12,416.16 | \$ 9,751.05               |                |
| EFT03261 | 3/26/2020  | RISK374-08    | Basin Monitoring TF Regulatory Support | Risk Sciences             | \$ 74,400.00   | \$ 4,018.70  | \$ 25,042.61              |                |
| EFT03261 | 3/26/2020  | RISK392-05    | Emerging Constituents Sampling         | Risk Sciences             | \$ 28,250.00   | \$ 5,068.70  | \$ 3,386.40               |                |
| EFT03255 | 3/19/2020  | SOMA384-01    | MSAR TMDL Task Force                   | Somach Simmons & Dunn     | \$ 119,790.00  | \$ 3,415.50  | \$ 108,156.50             |                |
| EFT03255 | 3/19/2020  | SOMA374-01    | Basin Monitoring TF Regulatory Support | Somach Simmons & Dunn     | \$ 112,380.00  | \$ 1,785.76  | \$ 93,293.60              |                |
| EFT03279 | 3/26/2020  | SOMA374-01    | Basin Monitoring TF Regulatory Support | Somach Simmons & Dunn     | \$ 112,380.00  | \$ 2,072.25  | \$ 93,293.60              |                |
| EFT03279 | 3/26/2020  | SOMA384-01    | MSAR TMDL Task Force                   | Somach Simmons & Dunn     | \$ 119,790.00  | \$ 2,757.25  | \$ 108,156.50             |                |

Santa Ana Watershed Project Authority  
 Consulting  
**Mar-20**

| Check #  | Check Date | Task #        | Task Description                              | Vendor Name              | Total Contract | Check Amount                | Remaining Contract Amount | Notes/Comments |
|----------|------------|---------------|-----------------------------------------------|--------------------------|----------------|-----------------------------|---------------------------|----------------|
| EFT03238 | 3/13/2020  | TRU240-24     | <i>BL Sampling Support</i>                    | Trussell Technologies    | \$ 23,590.00   | \$ 1,334.05                 | \$ 13,826.53              |                |
| EFT03254 | 3/19/2020  | WSC374-01     | <i>Recomputation of Ambient Water Quality</i> | Water Systems Consulting | \$ 373,973.00  | \$ 26,031.05                | \$ 63,017.43              |                |
| EFT03263 | 3/26/2020  | WCA100-03-03  | <i>State Legislative Consulting</i>           | West Coast Advisors      | \$ 235,000.00  | \$ 9,750.00                 | \$ 79,000.00              |                |
| EFT03240 | 3/13/2020  | RMC504-401-05 | <i>Technical Writing and Outreach Support</i> | Woodard & Curran         | \$ 37,411.00   | \$ 5,378.25                 | \$ 2,608.55               |                |
| EFT03252 | 3/19/2020  | RMC504-401-06 | <i>SARCCUP Program Management Services</i>    | Woodard & Curran         | \$ 229,046.00  | \$ 5,633.54                 | \$ 152,648.07             |                |
| EFT03268 | 3/26/2020  | RMC504-401-05 | <i>Technical Writing and Outreach Support</i> | Woodard & Curran         | \$ 37,411.00   | \$ 1,131.00                 | \$ 2,608.55               |                |
|          |            |               |                                               |                          |                | <b><u>\$ 142,009.74</u></b> |                           |                |

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**COMMISSION MEMORANDUM NO. 2020.32**

**DATE:** May 19, 2020  
**TO:** SAWPA Commission  
**SUBJECT:** Inter-Fund Borrowing – March 2020  
**PREPARED BY:** Karen Williams, DGM/CFO

**RECOMMENDATION**

It is recommended that the Commission receive and file the informational report on short-term, cash-flow inter-fund borrowing.

**DISCUSSION**

On December 13, 2005, the Commission approved Resolution No. 452, Inter-Fund and Inter-Project Loan Policy. Staff was directed to bring back an accounting of the loans each month for review when the total exceeded \$250,000 in aggregate.

The following projects, with negative cash flow, are listed below with the amounts borrowed from SAWPA General Fund Reserves in March 2020. The total amount borrowed is over the aggregate \$250,000 amount recommended in Resolution No. 452, Inter-Fund and Inter-Project Loan Policy. The Commission has requested that this item be brought back each month as an informational item when the loan amount is over the \$250,000 aggregate amount.

| Fund | Fund Name                        | 02/29/2020<br>Balance | Loan<br>Receipts     | New<br>Charges     | 03/31/2020<br>Balance |
|------|----------------------------------|-----------------------|----------------------|--------------------|-----------------------|
| 130  | Proposition 84 Admin R1          | \$45,134.26           | (\$0.00)             | \$0.00             | \$45,134.26           |
| 135  | Proposition 84 Admin R2          | 108,270.03            | (0.00)               | 1,671.30           | 109,941.33            |
| 140  | Proposition 84 Admin R3          | 59,550.91             | (0.00)               | 12,841.02          | 72,391.93             |
| 145  | Proposition 84 Admin R4          | 206,869.88            | (0.00)               | 6,706.69           | 213,576.57            |
| 398  | Proposition 1 – DACI Grant       | 318,313.47            | (0.00)               | 33,081.36          | 351,394.83            |
| 477  | LESJWA Administration            | 13,221.55             | (14,552.64)          | 21,520.14          | 20,189.05             |
| 504  | Prop 84 - Drought Projects       | 133,634.47            | (0.00)               | 0.00               | 133,634.47            |
|      | <b>Total Funds Borrowed</b>      | <b>\$884,994.57</b>   | <b>(\$14,552.64)</b> | <b>\$75,820.51</b> | <b>\$946,262.44</b>   |
|      | General Fund Reserves Balance    |                       | \$1,560,243.95       |                    |                       |
|      | Less Amount Borrowed             |                       | <u>946,262.44</u>    |                    |                       |
|      | Balance of General Fund Reserves |                       | \$ 613,981.51        |                    |                       |

The following table lists each fund that has a negative cash flow, the source of funding for the fund, how often the fund is billed, and the projected rate of payment for the fund.

**NEGATIVE CASH-FLOW FUNDS**

| <b>Fund No.</b>                         | <b>Source of Funding</b>  | <b>Billing Frequency</b> | <b>Projected Payment Time</b> |
|-----------------------------------------|---------------------------|--------------------------|-------------------------------|
| 130,135,140, 145 – Proposition 84 Admin | DWR – Prop 84 Grant       | Monthly/Quarterly        | Up to 4 months                |
| 398 – Proposition 1 – DACI Grant        | DWR – Prop 1 Grant        | Monthly                  | Up to 4 months                |
| 477 – LESJWA Admin                      | Reimbursement from LESJWA | Monthly                  | 2 to 4 weeks                  |
| 504 - Proposition 84 Drought Projects   | DWR – Prop 84 Grant       | Monthly                  | Up to 4 months                |
| 504 – Proposition 84 SARCCUP Projects   | DWR – Prop 84 Grant       | Monthly/Quarterly        | Up to 4 months                |

**Fund 130**

The outstanding balance of the funds due from DWR is the mandatory 10% retention from each invoice billed. Retention funds will not be released until the Proposition 84 Round I contract is completed. Retention should be released within the next few months.

**Fund 135**

This fund is for the administration of Proposition 84 Round II grant funds. These funds will be billed quarterly and 10% will be withheld for retention.

**Fund 140**

This fund is for the administration of Proposition 84 Drought Round grant funds. These funds will be billed monthly and 10% will be withheld for retention.

**Fund 145**

This fund is for the administration of Proposition 84 Round 2015 grant funds. These funds will be billed quarterly and 10% will be withheld for retention.

**Fund 398**

This fund is for the Proposition 1 DACI grant project. These funds will be billed monthly and 10% will be withheld for retention.

**Fund 477**

Each month LESJWA is billed the cost for administering the JPA. Once the bill is received, LESJWA submits payment within two weeks.

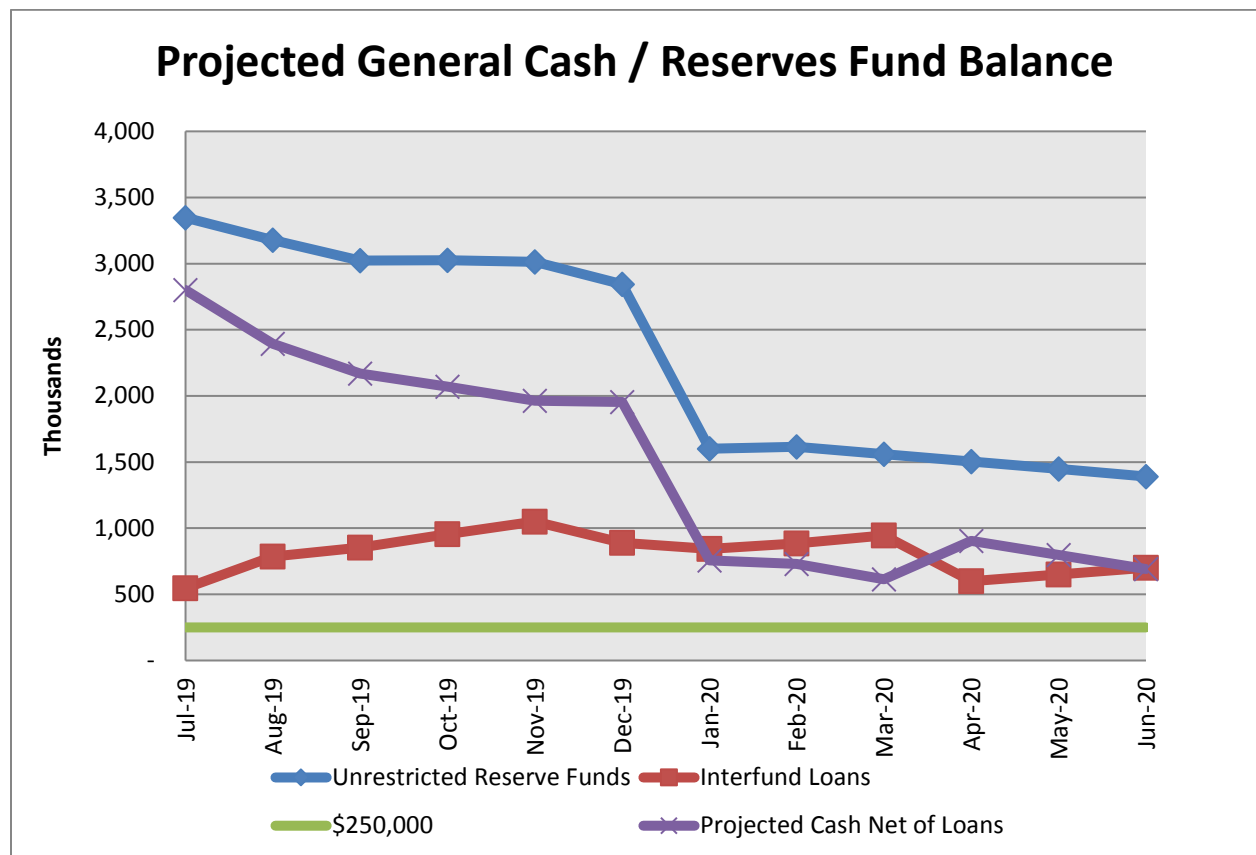
**Fund 504**

This fund is for the implementation of drought related projects and SARCCUP projects which are administered through PA22 and PA23.

The following graph shows the total budget, total project costs to date, and the amount remaining on each grant.

| Fund   | Fund Name                      | Total Budget | Costs Through 03/31/2020 | Remaining Grant Budget |
|--------|--------------------------------|--------------|--------------------------|------------------------|
| 130    | Proposition 84 Admin R1        | \$660,004    | (\$571,491)              | \$88,513               |
| 135    | Proposition 84 Admin R2        | 627,405      | (543,717)                | 83,687                 |
| 140    | Proposition 84 Admin R3        | 887,860      | (831,072)                | 56,788                 |
| 145    | Proposition 84 Admin R4        | 3,213,384    | (756,313)                | 2,457,071              |
| 398    | Proposition 1 – DACI Grant     | 6,300,000    | (3,500,308)              | 2,799,692              |
| 504    | Prop 84 - Drought Projects     | 5,547,816    | (3,482,114)              | 2,065,702              |
| 504    | Prop 84 – 2015 Round (SARCCUP) | 1,543,810    | (992,090)                | 551,720                |
| Totals |                                | \$18,780,279 | (\$10,677,105)           | \$8,103,174            |

The following graph shows projected inter-fund loan balances, total unrestricted General Fund Reserves available for loans, and projected cash net of loans through June 2020. The projected loan balance is expected to remain over the \$250,000 aggregate limit through June 2020 because of Proposition 1 and 84 grants but can be covered by General Fund Reserves without a major impact on cash flow.



**RESOURCE IMPACTS**

The funds borrowed from the General Fund Reserves will be paid back with interest when the funding is received. Interfund loans for grants are not charged interest unless the grant contracts specifically states

that interest is eligible for reimbursement. There is sufficient cash available to cover proposed borrowings and to pay budgeted expenditures for the General Fund.

Attachments:

1. Resolution No. 452 | Amending the Inter-Fund, Inter-Project and Inter-Agency Loan Policy



## RESOLUTION NO. 452

### **A RESOLUTION OF THE COMMISSION OF THE SANTA ANA WATERSHED PROJECT AUTHORITY AMENDING THE INTER-FUND, INTER-PROJECT AND INTER-AGENCY LOAN POLICY**

**WHEREAS**, the Commission of the Santa Ana Watershed Project Authority (hereafter "SAWPA") previously adopted, by minute action taken on August 3, 1996, an "Inter-Fund/Inter-Project Loan Policy" to regulate loans from one SAWPA Fund or Project to another SAWPA Fund or Project; and

**WHEREAS**, the Commission desires to amend the "Inter-Fund Fund/Project Loan Policy" by formally adopting such Policy, by way of this Resolution, regulating how and in what manner such inter-fund or inter-project loans are to take place and mandating that all such loans require Commission approval in advance as contemplated by the policy adopted on August 3, 1996.


**NOW, THEREFORE, BE IT RESOLVED** that the Commission of the Santa Ana Watershed Project Authority hereby amends the following Loan Policy for any loan from one SAWPA Fund or Project to another SAWPA Fund or Project:

1. Loans from any SAWPA Fund or Project to another SAWPA Fund, Project or another public agency shall be approved in advance by the SAWPA Commission. The approval shall be in written format and include documentation of the specifics of the transaction. The approval shall include a finding that the loan will not expose the lending SAWPA Fund or Project to significant financial or operational risk.
2. Unless otherwise provided for by the Commission, the borrowing Fund, Project or public agency shall be required to repay the loan within a specific period of time and at a rate of interest as determined by the Commission. For the purposes of this policy, SAWPA's calculated quarterly rate of return may be used as the basis for interest payable on the outstanding principal for any loan. The period for repayment of the loan shall be determined by the Commission, but shall be no longer than the life of the lending Fund or Project.
3. The borrowing Fund's, Project's or public agency's repayment source shall be identified and included in the approval action by the Commission and the "loan documentation". The "loan documentation" shall include a written agreement, resolution or other document approved by the Commission setting forth all of the foregoing terms and conditions.

4. Loans to reimbursable SAWPA grant contract projects and related efforts for short-term (i.e., current fiscal year) operating cash flow purposes may be borrowed from the SAWPA General Fund Reserve without prior Commission approval. But all such loans shall be reported to the Commission within 30 days of each such loan. Such loans shall be paid off on a continuous basis. The total funds loaned for all such grant contract projects and related efforts shall not exceed \$250,000.00 in the aggregate for each fiscal year, without prior written approval by the Commission. Payment of interest will be based on the actual interest that would have been earned by the SAWPA General Fund Reserve had those funds not been borrowed. Cash flow and receivables will be reported at least quarterly to forecast needs and demonstrate compliance.
5. Prior to June 30<sup>th</sup> of each year, staff shall provide to the Commission an annual written report of all such Inter-fund, Inter-project or Inter-agency loans, amounts repaid and any outstanding loan balances.

**ADOPTED** this 13th day of December 2005.

SANTA ANA WATERSHED PROJECT AUTHORITY

By:   
Mark Bulot, Chair



## COMMISSION MEMORANDUM NO. 2020.33

**DATE:** May 19, 2020

**TO:** SAWPA Commission

**SUBJECT:** Performance Indicators and Financial Reporting – March 2020

**PREPARED BY:** Karen Williams, DGM/CFO

### RECOMMENDATION

It is recommended that the Commission receive and file staff's report.

### DISCUSSION

The attached reports have been developed to keep the Commission informed as to SAWPA's business and budget performance. These reports are categorized into the following groups: financial reporting, cash and investments, and performance indicators. They are explained in detail below. As new reports are developed, they will be added for the Commission's review.

#### Financial Reporting

|                                |                                                                                                           |
|--------------------------------|-----------------------------------------------------------------------------------------------------------|
| Balance Sheet by Fund Type     | Lists total assets, liabilities, and equity by fund type for a given period.                              |
| Revenue & Expense by Fund Type | Lists total revenue and expenses by fund type for a given period.                                         |
| Receivables Management         | Shows total outstanding accounts receivable by age.                                                       |
| Open Task Order Schedule       | Shows SAWPA's total outstanding obligation for open task orders.                                          |
| List of SAWPA Funds            | Shows each SAWPA Fund with the fund description and fund group.                                           |
| Debt Service Funding Analysis  | Shows total annual income by source used to make debt service payments through debt maturity at FYE 2048. |
| Debt Service Payment Schedule  | Shows total debt service interest and principal payments through debt maturity at FYE 2048.               |

#### Cash and Investments

|                                        |                                                                                                       |
|----------------------------------------|-------------------------------------------------------------------------------------------------------|
| Total Cash and Investments (chart)     | Shows the changes in cash and investments balance for the last twelve months.                         |
| Cash Balance & Source of Funds         | Shows total cash and investments for all SAWPA funds and the types of investments held for each fund. |
| Cash & Investments (pie chart)         | Shows total cash and investments for all SAWPA funds and the percentage of each investment type.      |
| Reserve Account Analysis               | Shows changes to each reserve account for the year and projected ending balance for each.             |
| Twelve Month Security Schedule (chart) | Shows the maturity dates for securities held and percentage of securities in each category.           |

|                    |                                                                                         |
|--------------------|-----------------------------------------------------------------------------------------|
| Treasurer's Report | Shows book and market value for both Treasury strips and securities held by the Agency. |
|--------------------|-----------------------------------------------------------------------------------------|

**Performance Indicators**

|                               |                                                                                                                                                                                                                                     |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Average Daily Flow by Month   | Shows total flow in the Brine Line System by month compared to total treatment capacity owned. This is an indicator of the available capacity in the line. As we add yearly flows, it will show trends in flow throughout the year. |
| Summary of Labor Multipliers  | Summarizes the information generated from the following two reports and compares the actual benefit and Indirect Cost Allocation rates to the total budgeted rates.                                                                 |
| General Fund Costs            | Lists total Fund No. 100 costs to date and the amount of those costs recovered through the Indirect Cost Allocation and member contributions.                                                                                       |
| Benefit Summary               | Lists total employee benefit costs actual to budget and projects them through the end of the year. This report compares how the actual benefit rate compares to the budgeted rate.                                                  |
| Labor Hours Budget vs. Actual | Shows total budgeted hours for each project and compares them to the actual hours charged to each.                                                                                                                                  |

**RESOURCE IMPACTS**

Staff expects minimal impacts to SAWPA or its member agencies related to this effort.

Attachments:

- |                                       |                                                 |
|---------------------------------------|-------------------------------------------------|
| 1. Balance Sheet by Fund Type         | 10. Reserve Account Analysis                    |
| 2. Revenue & Expense by Fund Type     | 11. Twelve-Month Maturity Schedule - Securities |
| 3. Accounts Receivable Aging Report   | 12. Treasurer's Report                          |
| 4. Open Task Order Schedule           | 13. Average Daily Flow by Month                 |
| 5. List of SAWPA Funds                | 14. Summary of Labor Multipliers                |
| 6. Debt Service Funding Analysis      | 15. General Fund Costs                          |
| 7. Debt Service Payment Schedule      | 16. Benefits                                    |
| 8. Total Cash and Investments (chart) | 17. Labor Hours Budgeted vs. Actual             |
| 9. Cash Balance & Source of Funds     |                                                 |

Santa Ana Watershed Project Authority  
Balance Sheet by Fund Type  
For the Eight Months Ending Saturday, February 29, 2020

|                                            | General<br>Fund              | Brine Line<br>Enterprise       | Capital<br>Projects        | OWOW<br>Projects              | Roundtable<br>Projects       | Fund<br>Totals                 |
|--------------------------------------------|------------------------------|--------------------------------|----------------------------|-------------------------------|------------------------------|--------------------------------|
| <b>Assets</b>                              |                              |                                |                            |                               |                              |                                |
| <b>Current Assets</b>                      |                              |                                |                            |                               |                              |                                |
| Cash and Investments                       | \$2,324,250.60               | \$52,887,131.56                | (\$200,024.25)             | \$423,793.16                  | \$2,421,739.74               | \$57,856,890.81                |
| Accounts Receivable                        | 0.00                         | 1,830,089.99                   | 0.00                       | 22,543,608.46                 | 145,563.64                   | 24,519,262.09                  |
| Prepays and Deposits                       | 156,023.02                   | 142,550.90                     | 0.00                       | 0.00                          | 0.00                         | 298,573.92                     |
| <b>Total Current Assets</b>                | <u>2,480,273.62</u>          | <u>54,859,772.45</u>           | <u>(200,024.25)</u>        | <u>22,967,401.62</u>          | <u>2,567,303.38</u>          | <u>82,674,726.82</u>           |
| <b>Fixed Assets</b>                        |                              |                                |                            |                               |                              |                                |
| Property, Plant & Equipment                |                              |                                |                            |                               |                              |                                |
| less accum depreciation                    | 1,225,821.77                 | 82,599,997.84                  | 0.00                       | 0.00                          | 0.00                         | 83,825,819.61                  |
| Work In Process                            | 0.00                         | 0.00                           | 389,251.35                 | 0.00                          | 0.00                         | 389,251.35                     |
| <b>Total fixed assets</b>                  | <u>1,225,821.77</u>          | <u>82,599,997.84</u>           | <u>389,251.35</u>          | <u>0.00</u>                   | <u>0.00</u>                  | <u>84,215,070.96</u>           |
| <b>Other Assets</b>                        |                              |                                |                            |                               |                              |                                |
| Wastewater treatment/disposal              |                              |                                |                            |                               |                              |                                |
| rights, net of amortization                | 215,125.99                   | 25,432,539.64                  | 0.00                       | 0.00                          | 0.00                         | 25,647,665.63                  |
| Inventory - Mitigation Credits             | 0.00                         | 0.00                           | 0.00                       | 0.00                          | 1,910,560.00                 | 1,910,560.00                   |
| <b>Total Other Assets</b>                  | <u>215,125.99</u>            | <u>25,432,539.64</u>           | <u>0.00</u>                | <u>0.00</u>                   | <u>1,910,560.00</u>          | <u>27,558,225.63</u>           |
| <b>Total Assets</b>                        | <u><u>\$3,921,221.38</u></u> | <u><u>\$162,892,309.93</u></u> | <u><u>\$189,227.10</u></u> | <u><u>\$22,967,401.62</u></u> | <u><u>\$4,477,863.38</u></u> | <u><u>\$194,448,023.41</u></u> |
| <b>Liabilities and Fund Equity</b>         |                              |                                |                            |                               |                              |                                |
| <b>Current Liabilities</b>                 |                              |                                |                            |                               |                              |                                |
| Accounts Payable/Accrued Expenses          | \$829,266.74                 | \$1,831,659.42                 | \$37,309.15                | \$21,882,684.89               | \$145,310.46                 | \$24,726,230.66                |
| Accrued Interest Payable                   | 0.00                         | 287,504.12                     | 0.00                       | 0.00                          | 0.00                         | 287,504.12                     |
| Customer Deposits                          | 0.00                         | 8,825.59                       | 0.00                       | 0.00                          | 458,596.40                   | 467,421.99                     |
| <b>Noncurrent Liabilities</b>              |                              |                                |                            |                               |                              |                                |
| Long-term Debt                             | 4,195,263.00                 | 27,686,940.64                  | 0.00                       | 0.00                          | 0.00                         | 31,882,203.64                  |
| Deferred Revenue                           | 0.00                         | 67,698,979.50                  | 0.00                       | 0.00                          | 0.00                         | 67,698,979.50                  |
| <b>Total Liabilities</b>                   | <u>5,024,529.74</u>          | <u>97,513,909.27</u>           | <u>37,309.15</u>           | <u>21,882,684.89</u>          | <u>603,906.86</u>            | <u>125,062,339.91</u>          |
| <b>Fund Equity</b>                         |                              |                                |                            |                               |                              |                                |
| Contributed Capital                        | 0.00                         | 20,920,507.03                  | 0.00                       | 0.00                          | 0.00                         | 20,920,507.03                  |
| Retained Earnings                          | 1,262,226.64                 | 44,876,099.57                  | 296,366.31                 | 1,088,747.36                  | 3,613,861.29                 | 51,137,301.17                  |
| Revenue Over/Under Expenditures            | (2,365,550.00)               | (418,190.94)                   | (144,448.36)               | (4,030.63)                    | 260,095.23                   | (2,672,124.70)                 |
| <b>Total Fund Equity</b>                   | <u>(1,103,323.36)</u>        | <u>65,378,415.66</u>           | <u>151,917.95</u>          | <u>1,084,716.73</u>           | <u>3,873,956.52</u>          | <u>69,385,683.50</u>           |
| <b>Total Liabilities &amp; Fund Equity</b> | <u><u>\$3,921,206.38</u></u> | <u><u>\$162,892,324.93</u></u> | <u><u>\$189,227.10</u></u> | <u><u>\$22,967,401.62</u></u> | <u><u>\$4,477,863.38</u></u> | <u><u>\$194,448,023.41</u></u> |

**Santa Ana Watershed Project Authority**  
**Revenue & Expenses by Fund Type**  
**For the Eight Months Ending Saturday, February 29, 2020**

|                                      | General<br>Fund         | Brine Line<br>Enterprise | Capital<br>Projects   | OWOW<br>Projects    | Roundtable<br>Projects | Fund<br>Totals      |
|--------------------------------------|-------------------------|--------------------------|-----------------------|---------------------|------------------------|---------------------|
| <b>Operating Revenue</b>             |                         |                          |                       |                     |                        |                     |
| Discharge Fees                       | \$0.00                  | \$7,698,377.75           | \$0.00                | \$0.00              | \$0.00                 | \$7,698,377.75      |
| Grant Proceeds                       | 0.00                    | 0.00                     | 0.00                  | 917,005.45          | 0.00                   | 917,005.45          |
| Financing Proceeds                   | 0.00                    | 0.00                     | 0.00                  | 0.00                | 109,351.85             | 109,351.85          |
| Total Operating Revenue              | 0.00                    | 7,698,377.75             | 0.00                  | 917,005.45          | 109,351.85             | 8,724,735.05        |
| <b>Operating Expenses</b>            |                         |                          |                       |                     |                        |                     |
| Labor                                | 1,237,177.03            | 654,428.55               | 16,085.66             | 339,244.51          | 74,305.35              | 2,321,241.10        |
| Benefits                             | 427,193.24              | 298,419.41               | 7,335.06              | 154,695.51          | 33,883.25              | 921,526.47          |
| Indirect Costs                       | 0.00                    | 984,914.96               | 24,208.90             | 510,563.01          | 111,829.55             | 1,631,516.42        |
| Education & Training                 | 20,775.64               | 1,891.62                 | 0.00                  | 34.89               | 0.00                   | 22,702.15           |
| Consulting & Professional Services   | 247,787.54              | 65,399.07                | 68,693.16             | 1,235,212.42        | 785,190.09             | 2,402,282.28        |
| Operating Costs                      | 1,272.10                | 1,798,153.63             | 0.00                  | 0.00                | 0.00                   | 1,799,425.73        |
| Repair & Maintenance                 | 54,859.56               | 83,557.68                | 0.00                  | 0.00                | 0.00                   | 138,417.24          |
| Phone & Utilities                    | 43,730.99               | 4,976.90                 | 0.00                  | 0.00                | 0.00                   | 48,707.89           |
| Equipment & Computers                | 184,937.27              | 35,717.67                | 0.00                  | 326.09              | 0.00                   | 220,981.03          |
| Meeting & Travel                     | 24,180.50               | 1,947.04                 | 0.00                  | 5,345.96            | 702.78                 | 32,176.28           |
| Other Administrative Costs           | 110,537.05              | 42,575.07                | 225.27                | 17,633.41           | 10,340.80              | 181,311.60          |
| Benefits Applied                     | 2,681,944.08            | 0.00                     | 0.00                  | 0.00                | 0.00                   | 2,681,944.08        |
| Indirect Costs Applied               | (1,632,477.56)          | 0.00                     | 0.00                  | 0.00                | 0.00                   | (1,632,477.56)      |
| Other Expenses                       | 28,416.66               | 89,135.37                | 27,900.31             | 0.00                | 0.00                   | 145,452.34          |
| Construction                         | 0.00                    | 0.00                     | 0.00                  | (461,501.05)        | 0.00                   | (461,501.05)        |
| Total Operating Expenses             | 3,430,334.10            | 4,061,116.97             | 144,448.36            | 1,801,554.75        | 1,016,251.82           | 10,453,706.00       |
| Operating Income (Loss)              | (3,430,334.10)          | 3,637,260.78             | (144,448.36)          | (884,549.30)        | (906,899.97)           | (1,728,970.95)      |
| <b>Nonoperating Income (Expense)</b> |                         |                          |                       |                     |                        |                     |
| Member Contributions                 | 676,965.00              | 0.00                     | 0.00                  | 905,000.00          | 20,000.00              | 1,601,965.00        |
| Other Agency Contributions           | 0.00                    | 0.00                     | 0.00                  | (15,905.53)         | 1,123,569.00           | 1,107,663.47        |
| Interest Income                      | 37,092.98               | 580,288.70               | 0.00                  | 12,024.79           | 23,426.20              | 652,832.67          |
| Interest Expense - Debt Service      | 0.00                    | (675,214.04)             | 0.00                  | 0.00                | 0.00                   | (675,214.04)        |
| Other Income                         | 1,840.11                | 300.43                   | 0.00                  | 0.00                | 0.00                   | 2,140.54            |
| Use of Reserves                      | (67,650.41)             | 0.00                     | 0.00                  | 0.00                | 0.00                   | (67,650.41)         |
| Operating Transfers                  | 1,599,763.59            | (1,579,163.00)           | 0.00                  | (20,600.59)         | 0.00                   | 0.00                |
| Total Nonoperating Income (Expense)  | 2,248,011.27            | (1,673,787.91)           | 0.00                  | 880,518.67          | 1,166,995.20           | 2,621,737.23        |
| Excess Rev over (under) Exp          | <u>(\$1,182,322.83)</u> | <u>\$1,963,472.87</u>    | <u>(\$144,448.36)</u> | <u>(\$4,030.63)</u> | <u>\$260,095.23</u>    | <u>\$892,766.28</u> |

Aging Report  
Santa Ana Watershed Project Authority  
Receivables as of March 31, 2020

| Customer Name                                  | Project               | Total        | 0-30 Days    | 31-60 Days   | 61 and Over  |
|------------------------------------------------|-----------------------|--------------|--------------|--------------|--------------|
| Chino Basin Desalter Authority                 | Brine Line            | 403,347.68   | 221,659.38   | 181,688.30   |              |
| Department of Water Resources                  | Prop 84, Prop 1       | 7,412,803.12 | 55,321.37    | 212,854.26   | 7,144,627.49 |
| Eastern Municipal Water District               | Brine Line, SARCCUP   | 415,736.16   | 266,451.70   | 149,284.46   |              |
| Inland Empire Utilities Agency                 | Brine Line, SARCCUP   | 278,695.85   | 187,186.32   | 91,509.53    |              |
| Irvine Ranch Water District                    | Emerging Constituents | 3,077.00     |              | 3,077.00     |              |
| San Bernardino Valley Municipal Water District | Brine Line, SARCCUP   | 315,509.72   | 212,477.56   | 103,032.16   |              |
| Western Municipal Water District               | Brine Line, SARCCUP   | 843,403.34   | 466,308.83   | 377,094.51   |              |
| Total Accounts Receivable                      |                       | 9,672,572.87 | 1,409,405.16 | 1,118,540.22 | 7,144,627.49 |

Santa Ana Watershed Project Authority  
Open Task Orders Schedule  
Mar-20  
(Reflects Invoices Received as of 04/15/20)

| Task Order No.<br>Project Contracts | Fund No. | Vendor Name                     | Task Description                           | Begin Date | End Date   | Original Contract | Change Orders | Total Contract | Billed To Date | Contract Balance | SAWPA Manager   | Comments |
|-------------------------------------|----------|---------------------------------|--------------------------------------------|------------|------------|-------------------|---------------|----------------|----------------|------------------|-----------------|----------|
| ACS100-11                           | 100-00   | Accent Computer Solutions       | IT Support                                 | 08/08/2018 | 06/30/2020 | \$ 186,800.00     | \$ -          | \$ 186,800.00  | \$ 113,512.36  | \$ 73,287.64     | Dean Unger      |          |
| ACS100-13                           | 100-00   | Accent Computer Solutions       | Enhanced Network Security                  | 12/11/2019 | 06/30/2020 | \$ 4,378.50       | \$ -          | \$ 4,378.50    | \$ 2,028.00    | \$ 2,350.50      | Dean Unger      |          |
| ACS100-14                           | 100-00   | Accent Computer Solutions       | COVID-19 Remote Setup                      | 03/15/2020 | 04/01/2020 | \$ 1,500.00       | \$ -          | \$ 1,500.00    | \$ 750.00      | \$ 750.00        | Dean Unger      |          |
| INSOL100-14                         | 100-00   | Integrated Systems Solutions    | Great Plains & Journyx Tech Support        | 07/01/2019 | 06/30/2020 | \$ 4,200.00       | \$ 550.00     | \$ 4,750.00    | \$ 4,378.50    | \$ 371.50        | Dean Unger      |          |
| LSGK100-01                          | 100-00   | Lagerlof, LLP                   | Update Procurement Policies                | 10/14/2019 | 06/30/2020 | \$ 9,313.00       | \$ -          | \$ 9,313.00    | \$ 7,956.25    | \$ 1,356.75      | Rich Haller     |          |
| LSGK100-04                          | 100-00   | Lagerlof, LLP                   | General Legal Services                     | 12/12/2019 | 06/30/2020 | \$ 6,030.00       | \$ -          | \$ 6,030.00    | \$ 2,606.75    | \$ 3,423.25      | Rich Haller     |          |
| LSGK100-05                          | 100-00   | Lagerlof, LLP                   | Meeting Attendance/Agenda Packet Review    | 12/12/2019 | 06/30/2020 | \$ 29,480.00      | \$ -          | \$ 29,480.00   | \$ 8,006.50    | \$ 21,473.50     | Rich Haller     |          |
| LSGK100-06                          | 100-00   | Lagerlof, LLP                   | JPA Agreement Restatement                  | 02/18/2020 | 06/30/2020 | \$ 4,690.00       | \$ -          | \$ 4,690.00    | \$ 2,177.50    | \$ 2,512.50      | Rich Haller     |          |
| MANT100-01                          | 100-00   | Mantek Solutions                | Temporary Services - OnBase Scanning       | 05/30/2019 | 06/30/2020 | \$ 7,000.00       | \$ 29,000.00  | \$ 36,000.00   | \$ 28,870.50   | \$ 7,129.50      | Dean Unger      |          |
| NICO100-06                          | 100-00   | Nicolay Consulting              | GASB 75 Report                             | 01/23/2020 | 07/31/2020 | \$ 4,900.00       | \$ -          | \$ 4,900.00    | \$ -           | \$ 4,900.00      | Karen Williams  |          |
| TEAM100-07                          | 100-00   | Teaman, Ramirez, & Smith        | Auditing Services                          | 06/05/2018 | 06/30/2021 | \$ 79,500.00      | \$ -          | \$ 79,500.00   | \$ 49,388.00   | \$ 30,112.00     | Karen Williams  |          |
| TTD100-05                           | 100-00   | The Technology Depot            | Phone Support                              | 07/01/2019 | 06/30/2020 | \$ 5,000.00       | \$ -          | \$ 5,000.00    | \$ 975.00      | \$ 4,025.00      | Dean Unger      |          |
| JRE100-01                           | 100-03   | J. Richard Eichman              | FPPC Reporting                             | 01/01/2020 | 01/31/2021 | \$ 1,200.00       | \$ -          | \$ 1,200.00    | \$ 280.70      | \$ 919.30        | Karen Williams  |          |
| WCA100-03-03                        | 100-03   | West Coast Advisors             | State Legislative Consulting FY19-20       | 01/01/2019 | 12/31/2020 | \$ 235,000.00     | \$ -          | \$ 235,000.00  | \$ 156,000.00  | \$ 79,000.00     | Rich Haller     |          |
| CALV240-03                          | 240      | Calvada Surveying               | BL On-Call Land Surveying Services         | 06/05/2018 | 06/30/2020 | \$ 28,970.00      | \$ -          | \$ 28,970.00   | \$ 1,500.00    | \$ 27,470.00     | Carlos Quintero | On-Call  |
| WO2020-37                           | 240      | Camet Research                  | Water Quality Analysis                     | 09/16/2019 | 06/30/2020 | \$ 5,430.00       | \$ -          | \$ 5,430.00    | \$ 2,715.00    | \$ 2,715.00      | Carlos Quintero |          |
| WO2020-02                           | 240      | E S Babcock                     | Brine Line Sample Collection & Analysis    | 07/01/2019 | 06/30/2020 | \$ 91,949.00      | \$ -          | \$ 91,949.00   | \$ 41,380.00   | \$ 50,569.00     | Carols Quintero |          |
| HAZ240-09                           | 240      | Haz Mat Trans Inc               | On-Call Draining & Emergency Clean Up      | 07/01/2018 | 06/30/2020 | \$ 96,665.00      | \$ -          | \$ 96,665.00   | \$ 2,714.01    | \$ 93,950.99     | Carlos Quintero | On-Call  |
| HAZ240-10                           | 240      | Haz Mat Trans Inc               | BL Debris Hauling & Disposal Services      | 07/01/2018 | 06/30/2020 | \$ 34,800.00      | \$ -          | \$ 34,800.00   | \$ 15,480.00   | \$ 19,320.00     | Carlos Quintero | On-Call  |
| HOU240-04                           | 240      | Houston Harris PCS Inc          | Brine Line On-Call Inspection Services     | 07/01/2018 | 06/30/2020 | \$ 96,448.00      | \$ -          | \$ 96,448.00   | \$ 4,534.82    | \$ 91,913.18     | Carlos Quintero | On-Call  |
| WO2020-31                           | 240      | Inland Empire Utilities Agency  | Reach 4A Upper - BL Maintenance            | 07/01/2019 | 06/30/2020 | \$ 10,000.00      | \$ -          | \$ 10,000.00   | \$ -           | \$ 10,000.00     | Carlos Quintero |          |
| INN240-03                           | 240      | Innerline Engineering Inc       | Brine Line On-Call Line Cleaning           | 07/01/2018 | 06/30/2020 | \$ 151,020.00     | \$ -          | \$ 151,020.00  | \$ 71,880.75   | \$ 79,139.25     | Carlos Quintero | On-Call  |
| LGSK240-01                          | 240      | Lagerlof Senecal Gosney & Kruse | Review & Update Brine Line Ordinance No. 9 | 11/22/2019 | 12/31/2020 | \$ 8,710.00       | \$ -          | \$ 8,710.00    | \$ 4,271.25    | \$ 4,438.75      | Rich Haller     |          |
| LWA240-01                           | 240      | Larry Walker Associates         | Pretreatment Program Support Services      | 08/19/2019 | 06/30/2020 | \$ 25,506.00      | \$ -          | \$ 25,506.00   | \$ 7,583.75    | \$ 17,922.25     | David Ruhl      |          |
| PRO240-01                           | 240      | Project Partners                | Pretreatment Program Support Services      | 07/30/2019 | 06/30/2020 | \$ 5,000.00       | \$ -          | \$ 5,000.00    | \$ 2,583.82    | \$ 2,416.18      | David Ruhl      | 364      |
| TRU240-24                           | 240      | Trussell Technologies           | BL Sampling Support                        | 09/12/2019 | 06/30/2021 | \$ 23,590.00      | \$ -          | \$ 23,590.00   | \$ 9,763.47    | \$ 13,826.53     | Carlos Quintero |          |



Santa Ana Watershed Project Authority  
Open Task Orders Schedule  
Mar-20  
(Reflects Invoices Received as of 04/15/20)

| Task Order No.<br>Project Contracts | Fund No. | Vendor Name                        | Task Description                                       | Begin Date | End Date   | Original Contract | Change Orders | Total Contract | Billed To Date | Contract Balance | SAWPA Manager   | Comments                                  |
|-------------------------------------|----------|------------------------------------|--------------------------------------------------------|------------|------------|-------------------|---------------|----------------|----------------|------------------|-----------------|-------------------------------------------|
| VACE240-01                          | 240      | V&A Consulting Engineers           | MAS 4A-0180 Condition Assessment                       | 11/21/2019 | 06/30/2020 | \$ 13,252.00      | \$ -          | \$ 13,252.00   | \$ 12,732.50   | \$ 519.50        | Carlos Quintero |                                           |
| WO2020-01                           | 240      | WMWD                               | Sample Collection & Analysis                           | 07/01/2019 | 06/30/2020 | \$ 75,000.00      | \$ -          | \$ 75,000.00   | \$ 51,660.10   | \$ 23,339.90     | David Ruhl      |                                           |
| WO2020-03                           | 240      | WMWD                               | Brine Line Operations & Maintenance                    | 07/01/2019 | 06/30/2020 | \$ 25,000.00      | \$ -          | \$ 25,000.00   | \$ 9,927.10    | \$ 15,072.90     | Carlos Quintero |                                           |
| DUDK320-03-01                       | 320      | Dudek                              | Reach 4D Maintenance Acc Rehabilitation                | 05/30/2019 | 06/30/2020 | \$ 38,530.00      | \$ -          | \$ 38,530.00   | \$ 15,000.65   | \$ 23,529.35     | David Ruhl      |                                           |
| DUDK320-03-03                       | 320      | Dudek                              | Reach MAS 4A-180 Removal Project                       | 03/02/2020 | 12/31/2020 | \$ 29,960.00      | \$ -          | \$ 29,960.00   | \$ -           | \$ 29,960.00     | David Ruhl      |                                           |
| STAN320-03                          | 320      | Stantec                            | Alcoa Dike - Brine Line Protection/Relocation - Design | 11/04/2019 | 06/30/2020 | \$ 49,378.00      | \$ -          | \$ 49,378.00   | \$ 40,171.50   | \$ 9,206.50      | David Ruhl      |                                           |
| BLAIS370-02                         | 370-01   | Blais & Associates                 | Grant Needs Assessment & Grant Monitoring              | 10/01/2018 | 12/31/2020 | \$ 24,700.00      | \$ -          | \$ 24,700.00   | \$ 8,918.47    | \$ 15,781.53     | Ian Achimore    |                                           |
| NAWC370-01                          | 370-01   | North American Weather Consultants | Weather Modification Feasibility Study                 | 01/01/2020 | 12/31/2020 | \$ 75,000.00      | \$ -          | \$ 75,000.00   | \$ -           | \$ 75,000.00     | Mark Norton     |                                           |
| JMC373-01                           | 373      | JM Consultants                     | Roundtable of Regions Network Coordinator              | 10/15/2019 | 06/30/2020 | \$ 54,454.00      | \$ -          | \$ 54,454.00   | \$ 17,441.92   | \$ 37,012.08     | Ian Achimore    |                                           |
| GEI374-01                           | 374      | GEI Consultants                    | CEQA Compliance Documentation                          | 12/01/2019 | 12/31/2020 | \$ 31,900.00      | \$ -          | \$ 31,900.00   | \$ -           | \$ 31,900.00     | Mark Norton     |                                           |
| RISK374-08                          | 374      | Risk Sciences                      | Basin Monitoring TF Regulatory Support                 | 03/21/2019 | 06/30/2020 | \$ 74,400.00      | \$ -          | \$ 74,400.00   | \$ 49,357.39   | \$ 25,042.61     | Mark Norton     |                                           |
| SOMA374-01                          | 374      | Somach, Simmons, & Dunn            | Basin Monitoring TF Regulatory Support                 | 08/06/2019 | 07/01/2021 | \$ 112,380.00     | \$ -          | \$ 112,380.00  | \$ 16,648.01   | \$ 95,731.99     | Mark Norton     |                                           |
| WSC374-01                           | 374      | Water Systems Consulting           | Recomputation of Ambient Water Quality                 | 04/02/2019 | 06/30/2020 | \$ 373,973.00     | \$ -          | \$ 373,973.00  | \$ 310,955.57  | \$ 63,017.43     | Mark Norton     |                                           |
| SAWA381-01                          | 381      | Santa Ana Watershed Association    | Van Buren Bridge Sucker Restoration                    | 09/26/2018 | 12/31/2019 | \$ 15,130.20      | \$ -          | \$ 15,130.20   | \$ 7,653.44    | \$ 7,476.76      | Ian Achimore    | Waiting for Signed Change Order from SAWA |
| SCH381-01                           | 381      | Scheevel Engineering               | S.A. Sucker - Beneficial Use Project                   | 04/18/2017 | 06/30/2020 | \$ 96,725.00      | \$ 7,275.00   | \$ 104,000.00  | \$ 99,529.00   | \$ 4,471.00      | Ian Achimore    |                                           |
| GEI384-01                           | 384-01   | GEI Consultants                    | MSAR TMDL Synoptic Study                               | 05/21/2019 | 06/30/2020 | \$ 200,000.00     | \$ -          | \$ 200,000.00  | \$ 190,248.95  | \$ 9,751.05      | Rick Whetsel    |                                           |
| RISK384-09                          | 384-01   | Risk Sciences                      | MSAR TMDL Task Force                                   | 07/01/2018 | 06/30/2020 | \$ 49,340.00      | \$ -          | \$ 49,340.00   | \$ 38,605.45   | \$ 10,734.55     | Rick Whetsel    |                                           |
| SOMA384-01                          | 384-01   | Somach, Simmons & Dunn             | MSAR TMDL Regulatory Support                           | 08/06/2019 | 07/01/2021 | \$ 119,790.00     | \$ -          | \$ 119,790.00  | \$ 10,036.75   | \$ 109,753.25    | Rick Whetsel    |                                           |
| CDM386-14                           | 386      | CDM Smith                          | SAR Bacteria Monitoring Program                        | 02/27/2019 | 06/30/2020 | \$ 362,865.00     | \$ 10,850.00  | \$ 373,715.00  | \$ 274,665.13  | \$ 99,049.87     | Rick Whetsel    |                                           |
| RISK386-10                          | 386      | Risk Sciences                      | Compliance Expert - RWQM TF                            | 07/01/2018 | 06/30/2020 | \$ 46,820.00      | \$ -          | \$ 46,820.00   | \$ 14,038.73   | \$ 32,781.27     | Rick Whetsel    |                                           |
| SAWA387-06                          | 387      | Santa Ana Watershed Association    | Arundo Surveying                                       | 07/17/2018 | 08/31/2021 | \$ 23,000.00      | \$ -          | \$ 23,000.00   | \$ 1,498.57    | \$ 21,501.43     | Ian Achimore    |                                           |
| DEGR392-05                          | 392      | DeGrave Communications             | Social Media Support - EC TF                           | 07/01/2019 | 06/30/2020 | \$ 30,000.00      | \$ -          | \$ 30,000.00   | \$ 28,251.07   | \$ 1,748.93      | Mark Norton     |                                           |
| RISK392-05                          | 392      | Risk Sciences                      | Emerging Constituents Sampling Program 2019            | 02/20/2019 | 06/30/2020 | \$ 28,250.00      | \$ -          | \$ 28,250.00   | \$ 24,863.60   | \$ 3,386.40      | Mark Norton     |                                           |
| PO3466                              | 398      | California Rural Water Association | Disadvantaged Communities Grant                        | 07/19/2017 | 04/30/2020 | \$ 240,000.00     | \$ -          | \$ 240,000.00  | \$ 211,930.73  | \$ 28,069.27     | Rick Whetsel    |                                           |

Santa Ana Watershed Project Authority  
Open Task Orders Schedule  
Mar-20  
(Reflects Invoices Received as of 04/15/20)

| Task Order No.<br>Project Contracts | Fund No.     | Vendor Name                        | Task Description                             | Begin Date | End Date   | Original Contract | Change Orders | Total Contract  | Billed To Date | Contract Balance | SAWPA Manager | Comments |
|-------------------------------------|--------------|------------------------------------|----------------------------------------------|------------|------------|-------------------|---------------|-----------------|----------------|------------------|---------------|----------|
| FOX398-01                           | 398          | Fox Translation Services           | On-Call Translation Services                 | 12/17/2019 | 12/31/2020 | \$ 10,000.00      | \$ 10,000.00  | \$ 20,000.00    | \$ 19,088.99   | \$ 911.01        | Rick Whetsel  |          |
| GEI398-01                           | 398          | GEI Consultants                    | Assess Homelessness Impacts on Water Quality | 02/05/2019 | 06/30/2020 | \$ 74,441.00      | \$ -          | \$ 74,441.00    | \$ 33,810.86   | \$ 40,630.14     | Rick Whetsel  |          |
| IEW398-03                           | 398          | Inland Empire Waterkeeper          | Disadvantaged Communities Grant              | 09/03/2018 | 04/30/2021 | \$ 7,200.00       | \$ -          | \$ 7,200.00     | \$ 6,584.75    | \$ 615.25        | Rick Whetsel  |          |
| IUG398-01                           | 398          | IU Group                           | On-Call Translation Services                 | 04/18/2019 | 04/30/2020 | \$ 10,000.00      | \$ -          | \$ 10,000.00    | \$ 1,968.09    | \$ 8,031.91      | Rick Whetsel  |          |
| LTI398-01                           | 398          | Lazar Translating & Interpreting   | On-Call Translation Services                 | 04/16/2019 | 06/30/2020 | \$ 10,000.00      | \$ 40,000.00  | \$ 50,000.00    | \$ 49,845.40   | \$ 154.60        | Rick Whetsel  |          |
| PO3463                              | 398          | Local Government Commission        | Disadvantaged Communities Grant              | 07/19/2017 | 04/30/2020 | \$ 442,000.00     | \$ -          | \$ 442,000.00   | \$ 419,029.83  | \$ 22,970.17     | Rick Whetsel  |          |
| PO3551                              | 398          | UC Irvine                          | Disadvantaged Communities Grant              | 11/06/2017 | 04/30/2020 | \$ 105,000.00     | \$ 277,000.00 | \$ 382,000.00   | \$ 381,890.01  | \$ 109.99        | Rick Whetsel  |          |
| PO3465                              | 398          | University Enterprises Corporation | Disadvantaged Communities Grant              | 07/19/2017 | 04/30/2020 | \$ 1,290,500.00   | \$ -          | \$ 1,290,500.00 | \$ 789,289.59  | \$ 501,210.41    | Rick Whetsel  |          |
| PO3464                              | 398          | Water Education Foundation         | Disadvantaged Communities Grant              | 07/19/2017 | 04/30/2020 | \$ 150,000.00     | \$ -          | \$ 150,000.00   | \$ 112,283.91  | \$ 37,716.09     | Rick Whetsel  |          |
| WLC398-01                           | 398          | World Language Communications      | On-Call Translation Services                 | 12/16/2019 | 12/31/2020 | \$ 10,000.00      | \$ 20,000.00  | \$ 30,000.00    | \$ 8,660.14    | \$ 21,339.86     | Rick Whetsel  |          |
| RMC504-401-06                       | 504-04       | Woodard & Curran                   | SARCCUP Program Mgmt. Services               | 07/01/2019 | 06/30/2020 | \$ 229,046.00     | \$ -          | \$ 229,046.00   | \$ 76,397.93   | \$ 152,648.07    | Ian Achimore  |          |
| RMC504-401-05                       | 370-01 & 373 | Woodard & Curran                   | Technical Writing & Outreach Support         | 10/24/2018 | 06/30/2020 | \$ 37,411.00      | \$ -          | \$ 37,411.00    | \$ 34,802.45   | \$ 2,608.55      | Mark Norton   |          |

\$ 2,208,076.19

## LIST OF SAWPA FUNDS

| <b>Fund No.</b> | <b>Fund Description</b>                             | <b>Fund Group</b> |
|-----------------|-----------------------------------------------------|-------------------|
| 100-00          | General Fund                                        | General           |
| 100-03          | State Lobbying                                      | General           |
| 100-04          | Federal Lobbying                                    | General           |
| 100-05          | Grant Applications                                  | General           |
| 130             | Proposition 84 – Program Management - Round 1       | OWOW              |
| 135             | Proposition 84 – Program Management – Round 2       | OWOW              |
| 140             | Proposition 84 – Program Management – Drought Round | OWOW              |
| 145             | Proposition 84 – Program Management – 2015 Round    | OWOW              |
| 240             | Brine Line Enterprise                               | Brine Line        |
| 320-01          | Brine Line Protection – Downstream Prado            | Capital Projects  |
| 320-03          | Brine Line Protection Above Prado                   | Capital Projects  |
| 320-04          | Brine Line Protection D/S Prado in Riverside County | Capital Projects  |
| 326             | Reach V Capital Repairs                             | Capital Projects  |
| 327             | Reach IV-D Corrosion Repair                         | Capital Projects  |
| 370-01          | Basin Planning General                              | OWOW              |
| 370-02          | USBR Partnership Studies                            | OWOW              |
| 372             | Imported Water Recharge Work Group                  | Roundtable        |
| 373             | Watershed Management (OWOW)                         | OWOW              |
| 374             | Basin Monitoring Program Task Force                 | Roundtable        |
| 381             | Santa Ana River Fish Conservation                   | Roundtable        |
| 384-01          | MSAR TMDL Task Force                                | Roundtable        |
| 386             | Regional Water Quality Monitoring Task Force        | Roundtable        |
| 387             | Arundo Management & Habitat Restoration             | Roundtable        |
| 392             | Emerging Constituents Task Force                    | Roundtable        |
| 396             | Forest First                                        | Roundtable        |
| 397             | Energy – Water DAC Grant Project                    | OWOW              |
| 398             | Proposition 1 - DACI                                | OWOW              |
| 477             | LESJWA Administration                               | Roundtable        |
| 504-01          | Proposition 84 – Capital Projects Round 1 & 2       | OWOW              |
| 504-00          | Proposition 84 – Drought Capital Projects           | OWOW              |
| 504-04          | Proposition 84 – Final Round SARCCUP                | OWOW              |

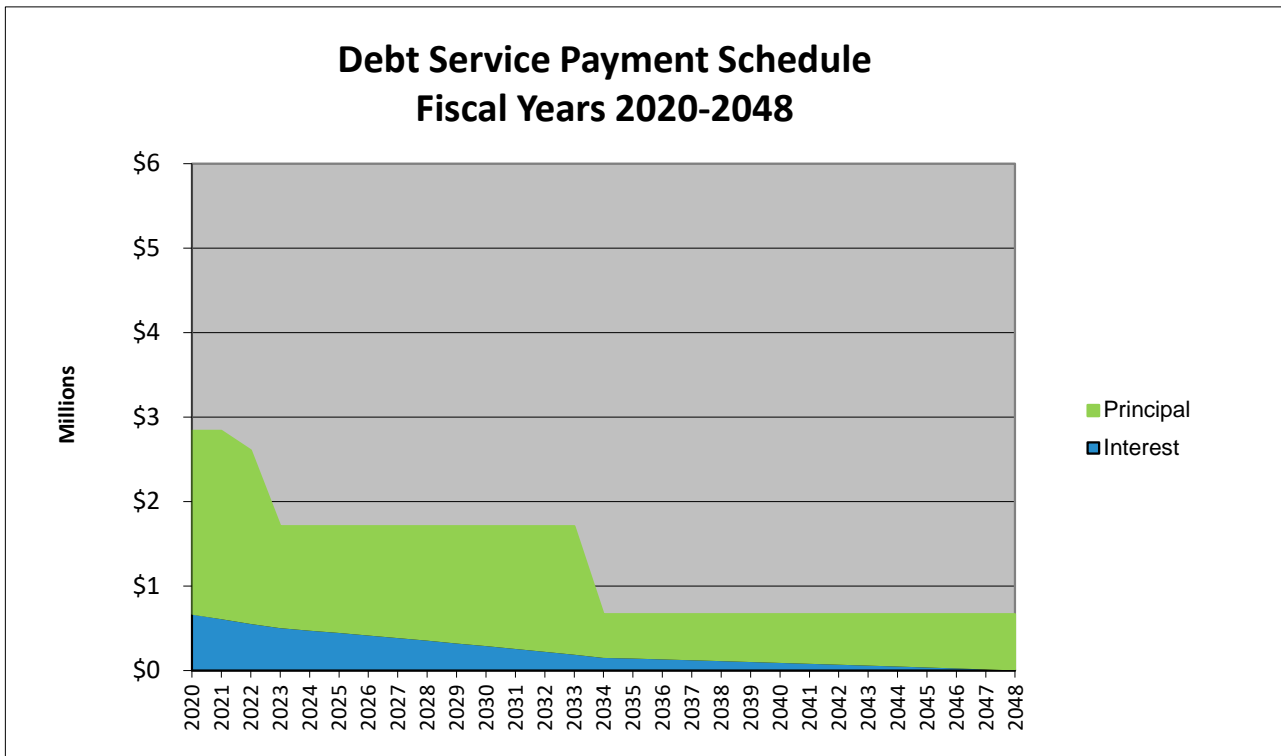
Santa Ana Watershed Project Authority  
 Brine Line Debt Service Funding Analysis  
 March 31, 2020

| FYE  | T-Strip<br>Maturity | Capacity<br>Loan Receipts | Rates      | Loan Pymts   | Interest Earned * | Excess Cash | Ending Cash<br>Balance |
|------|---------------------|---------------------------|------------|--------------|-------------------|-------------|------------------------|
|      | Beginning Balance   |                           |            |              |                   |             | 4,808,151              |
| 2020 | 395,000             | -                         | 1,709,476  | (2,835,753)  | 96,163            | (635,115)   | 4,173,037              |
| 2021 | -                   | -                         | 1,709,476  | (2,835,753)  | 83,461            | (1,042,817) | 3,130,220              |
| 2022 | -                   | -                         | 1,709,476  | (2,608,439)  | 62,604            | (836,359)   | 2,293,861              |
| 2023 | -                   | -                         | 1,709,476  | (1,709,476)  | 45,877            | 45,877      | 2,339,738              |
| 2024 | -                   | -                         | 1,709,476  | (1,709,476)  | 46,795            | 46,795      | 2,386,533              |
| 2025 | -                   | -                         | 1,709,476  | (1,709,476)  | 47,731            | 47,731      | 2,434,264              |
| 2026 | -                   | -                         | 1,709,476  | (1,709,476)  | 48,685            | 48,685      | 2,482,949              |
| 2027 | -                   | -                         | 1,709,476  | (1,709,476)  | 49,659            | 49,659      | 2,532,608              |
| 2028 | -                   | -                         | 1,709,476  | (1,709,476)  | 50,652            | 50,652      | 2,583,260              |
| 2029 | -                   | -                         | 1,709,476  | (1,709,476)  | 51,665            | 51,665      | 2,634,925              |
| 2030 | -                   | -                         | 1,709,476  | (1,709,476)  | 52,699            | 52,699      | 2,687,624              |
| 2031 | -                   | -                         | 1,709,476  | (1,709,476)  | 53,752            | 53,752      | 2,741,376              |
| 2032 | -                   | -                         | 1,709,476  | (1,709,476)  | 54,828            | 54,828      | 2,796,204              |
| 2033 | -                   | -                         | 1,709,476  | (1,709,476)  | 55,924            | 55,924      | 2,852,128              |
| 2034 | -                   | -                         | 665,203    | (665,203)    | 57,043            | 57,043      | 2,909,171              |
| 2035 | -                   | -                         | 665,203    | (665,203)    | 58,183            | 58,183      | 2,967,355              |
| 2036 | -                   | -                         | 665,203    | (665,203)    | 59,347            | 59,347      | 3,026,701              |
| 2037 | -                   | -                         | 665,203    | (665,203)    | 60,534            | 60,534      | 3,087,236              |
| 2038 | -                   | -                         | 665,203    | (665,203)    | 61,745            | 61,745      | 3,148,980              |
| 2039 | -                   | -                         | 665,203    | (665,203)    | 62,980            | 62,980      | 3,211,959              |
| 2040 | -                   | -                         | 665,203    | (665,203)    | 64,239            | 64,239      | 3,276,199              |
| 2041 | -                   | -                         | 665,203    | (665,203)    | 65,524            | 65,524      | 3,341,723              |
| 2042 | -                   | -                         | 665,203    | (665,203)    | 66,834            | 66,834      | 3,408,557              |
| 2043 | -                   | -                         | 665,203    | (665,203)    | 68,171            | 68,171      | 3,476,728              |
| 2044 | -                   | -                         | 665,203    | (665,203)    | 69,535            | 69,535      | 3,546,263              |
| 2045 | -                   | -                         | 665,203    | (665,203)    | 70,925            | 70,925      | 3,617,188              |
| 2046 | -                   | -                         | 665,203    | (665,203)    | 72,344            | 72,344      | 3,689,532              |
| 2047 | -                   | -                         | 665,203    | (665,203)    | 73,791            | 73,791      | 3,763,322              |
| 2048 | -                   | -                         | 665,203    | (665,203)    | 75,266            | 75,266      | 3,838,589              |
|      | 395,000             | -                         | 33,910,698 | (37,062,216) | 1,786,956         | (969,562)   | -                      |

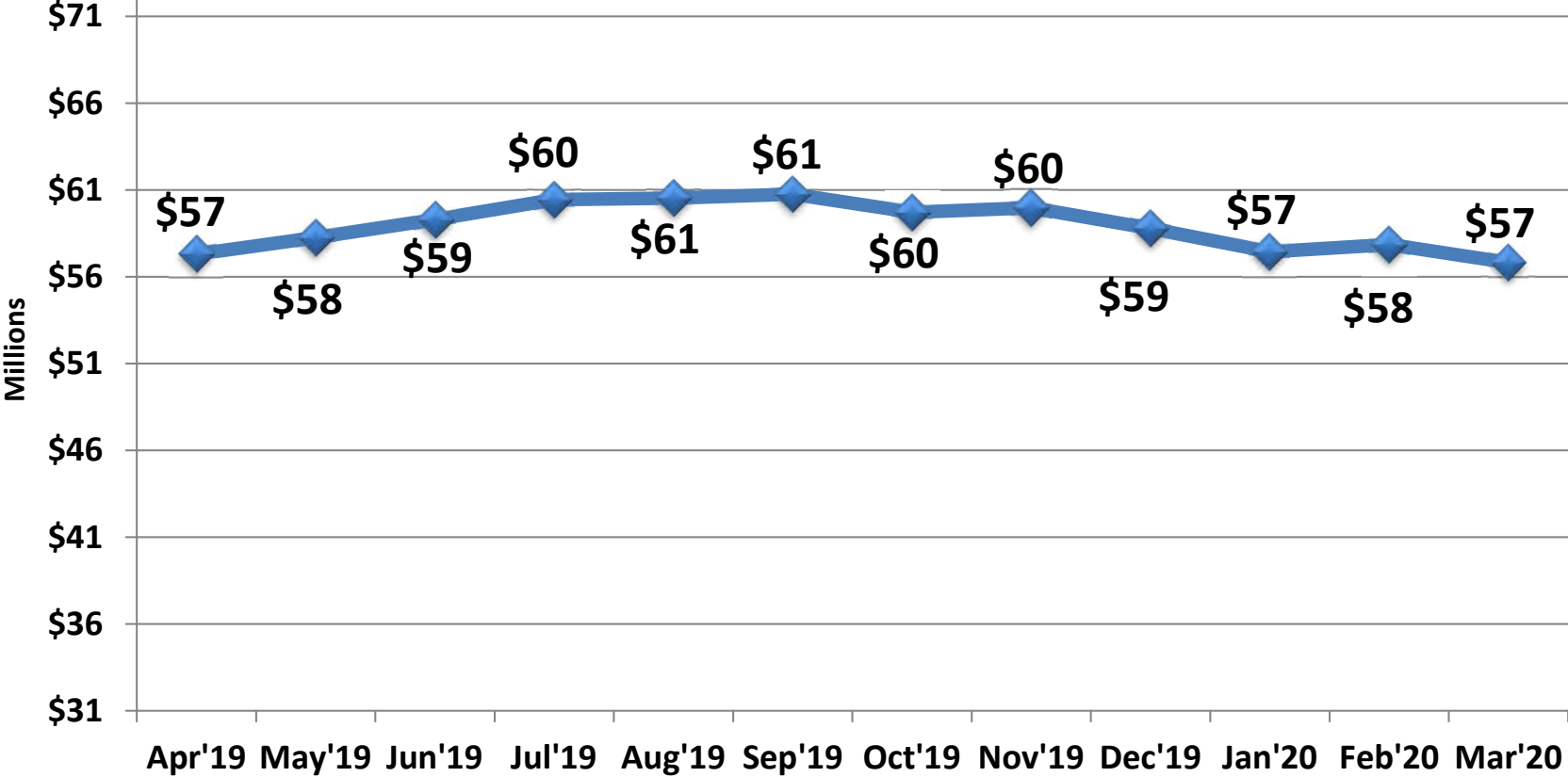
\*Interest earned is based on a conservative 2.00% average return over the period

Santa Ana Watershed Project Authority  
 Brine Line Debt Service Payment Schedule  
 March 31, 2020

| FYE  | Interest | Principal | Total Payment | New SRF Loan | Remaining Principal |
|------|----------|-----------|---------------|--------------|---------------------|
| 2019 | 673,477  | 2,162,276 | 2,835,753     | -            | 29,847,480          |
| 2020 | 675,214  | 2,160,539 | 2,835,753     | -            | 27,686,941          |
| 2021 | 620,782  | 2,214,971 | 2,835,753     | -            | 25,471,969          |
| 2022 | 564,959  | 2,043,480 | 2,608,439     | -            | 23,428,489          |
| 2023 | 514,301  | 1,195,175 | 1,709,476     | -            | 22,233,314          |
| 2024 | 486,080  | 1,223,395 | 1,709,476     | -            | 21,009,919          |
| 2025 | 457,181  | 1,252,295 | 1,709,476     | -            | 19,757,624          |
| 2026 | 427,585  | 1,281,891 | 1,709,476     | -            | 18,475,734          |
| 2027 | 397,276  | 1,312,199 | 1,709,476     | -            | 17,163,534          |
| 2028 | 366,237  | 1,343,239 | 1,709,476     | -            | 15,820,295          |
| 2029 | 334,449  | 1,375,027 | 1,709,476     | -            | 14,445,268          |
| 2030 | 301,894  | 1,407,582 | 1,709,476     | -            | 13,037,686          |
| 2031 | 268,553  | 1,440,923 | 1,709,476     | -            | 11,596,763          |
| 2032 | 234,407  | 1,475,068 | 1,709,476     | -            | 10,121,695          |
| 2033 | 199,437  | 1,510,039 | 1,709,476     | -            | 8,611,656           |
| 2034 | 163,621  | 501,581   | 665,203       | -            | 8,110,075           |
| 2035 | 154,091  | 511,111   | 665,203       | -            | 7,598,964           |
| 2036 | 144,380  | 520,822   | 665,203       | -            | 7,078,142           |
| 2037 | 134,485  | 530,718   | 665,203       | -            | 6,547,424           |
| 2038 | 124,401  | 540,801   | 665,203       | -            | 6,006,622           |
| 2039 | 114,126  | 551,077   | 665,203       | -            | 5,455,546           |
| 2040 | 103,655  | 561,547   | 665,203       | -            | 4,893,999           |
| 2041 | 92,986   | 572,217   | 665,203       | -            | 4,321,782           |
| 2042 | 82,114   | 583,089   | 665,203       | -            | 3,738,693           |
| 2043 | 71,035   | 594,167   | 665,203       | -            | 3,144,526           |
| 2044 | 59,746   | 605,457   | 665,203       | -            | 2,539,069           |
| 2045 | 48,242   | 616,960   | 665,203       | -            | 1,922,109           |
| 2046 | 36,520   | 628,682   | 665,203       | -            | 1,293,427           |
| 2047 | 24,575   | 640,627   | 665,203       | -            | 652,799             |
| 2048 | 12,403   | 652,799   | 665,203       | -            | 0                   |



# Total Cash & Investments





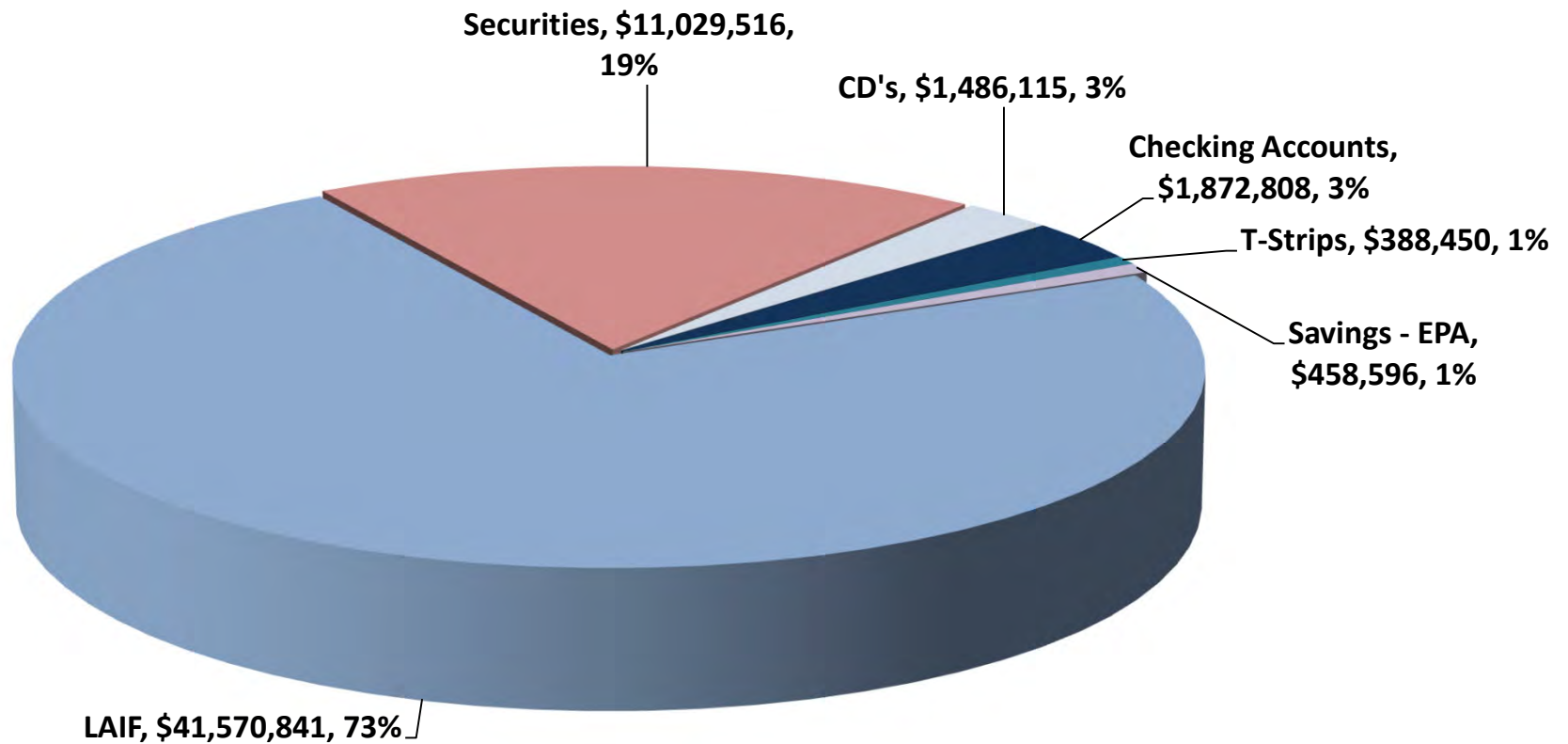
# CASH BALANCE & SOURCE OF FUNDS

March 31, 2020

| Reserve Accounts |                                         | Cash and Investments |                 |                |                          |                            |                    |               |
|------------------|-----------------------------------------|----------------------|-----------------|----------------|--------------------------|----------------------------|--------------------|---------------|
|                  | Total                                   | Checking<br>(Cash)   | LAIF<br>Account | Savings<br>EPA | Investment<br>Securities | Certificates<br>of Deposit | Treasury<br>Strips | Total         |
| 100              | General Fund                            | \$ 613,982           | 613,982         | -              | -                        | -                          | -                  | \$ 613,982    |
| 100              | Building Reserve                        | \$ 588,096           | -               | 588,096        | -                        | -                          | -                  | \$ 588,096    |
| 370              | Basin Planning General                  | \$ 402,288           | -               | 402,288        | -                        | -                          | -                  | \$ 402,288    |
| 370              | USBR Partnership Studies                | \$ 52,411            | -               | 52,411         | -                        | -                          | -                  | \$ 52,411     |
| 373              | Watershed Management Plan               | \$ 421,594           | -               | 421,594        | -                        | -                          | -                  | \$ 421,594    |
| 240              | Self Insurance Reserve                  | \$ 4,311,780         | -               | 4,311,780      | -                        | -                          | -                  | \$ 4,311,780  |
| 240              | Brine Line Debt Retirement              | \$ 3,317,311         | -               | 2,928,861      | -                        | -                          | 388,450            | \$ 3,317,311  |
| 240              | Brine Line - Pipeline Replacement       | \$ 22,125,566        | -               | 9,609,935      | -                        | 11,029,516                 | 1,486,115          | \$ 22,125,566 |
| 240              | Brine Line - OCSD Rehabilitation        | \$ 3,690,111         | -               | 3,690,111      | -                        | -                          | -                  | \$ 3,690,111  |
| 240              | Brine Line - Capacity Management        | \$ 11,817,079        | -               | 11,817,079     | -                        | -                          | -                  | \$ 11,817,079 |
| 240              | Brine Line - OCSD Future Capacity       | \$ 1,809,234         | -               | 1,809,234      | -                        | -                          | -                  | \$ 1,809,234  |
| 240              | Brine Line - Flow Imbalance Reserve     | \$ 87,444            | -               | 87,444         | -                        | -                          | -                  | \$ 87,444     |
| 240              | Brine Line - Rate Stabilization Reserve | \$ 1,013,845         | -               | 1,013,845      | -                        | -                          | -                  | \$ 1,013,845  |
| 240              | Brine Line - Operating Reserve          | \$ 3,779,138         | 1,258,826       | 2,520,312      | -                        | -                          | -                  | \$ 3,779,138  |
| 401              | Legal Defense Fund                      | \$ 458,596           | -               | -              | 458,596                  | -                          | -                  | \$ 458,596    |
| 374              | Basin Monitoring Program TF             | \$ 292,713           | -               | 292,713        | -                        | -                          | -                  | \$ 292,713    |
| 381              | SAR Fish Conservation                   | \$ 132,341           | -               | 132,341        | -                        | -                          | -                  | \$ 132,341    |
| 384              | Middle SAR TMDL TF                      | \$ 182,137           | -               | 182,137        | -                        | -                          | -                  | \$ 182,137    |
| 386              | RWQ Monitoring TF                       | \$ 380,871           | -               | 380,871        | -                        | -                          | -                  | \$ 380,871    |
| 387              | Mitigation Bank Credits                 | \$ 962,072           | -               | 962,072        | -                        | -                          | -                  | \$ 962,072    |
| 392              | Emerging Constituents TF                | \$ 20,176            | -               | 20,176         | -                        | -                          | -                  | \$ 20,176     |
| 504              | Prop 84 - SARCCUP Projects              | \$ 347,541           | -               | 347,541        | -                        | -                          | -                  | \$ 347,541    |
|                  |                                         | \$ 56,806,326        | \$ 1,872,808    | \$ 41,570,841  | \$ 458,596               | \$ 11,029,516              | \$ 1,486,115       | \$ 56,806,326 |

## Cash & Investments - March 2020

**\$56,806,326**

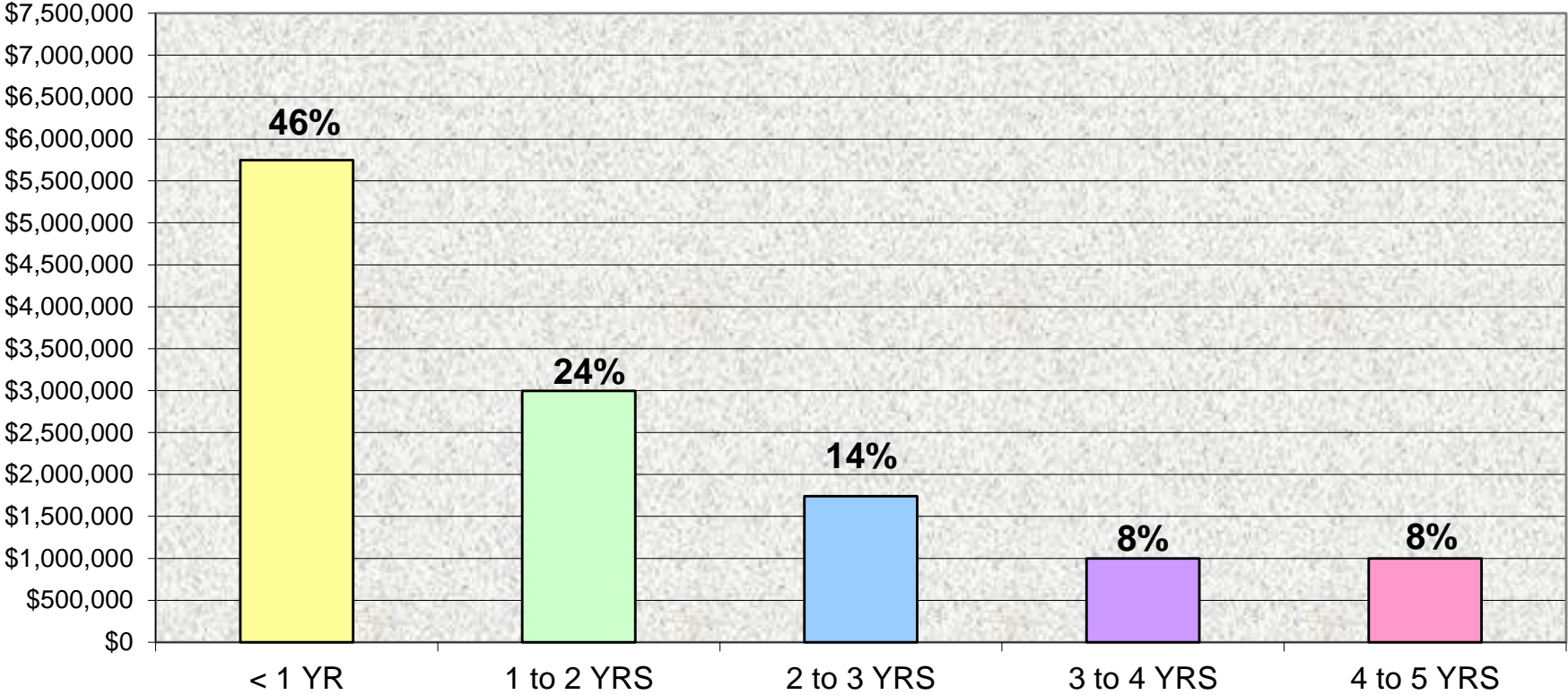




Santa Ana Watershed Project Authority  
Reserve Account Analysis  
March 31, 2020

| Reserve Account              | Balance @<br>6/30/2019 | Interest<br>Earned | Fund Receipts/<br>Contributions | Loan/T-Strip<br>Receipts | Debt Service<br>Payments | Inter-Fund<br>Loans | Fund<br>Expenses | Balance @<br>3/31/2020 | Estimated<br>Fund<br>Changes | Balance @<br>6/30/2020 |
|------------------------------|------------------------|--------------------|---------------------------------|--------------------------|--------------------------|---------------------|------------------|------------------------|------------------------------|------------------------|
| Brine Line Operating Reserve | 4,512,993              | 45,591             | 8,905,739                       |                          |                          |                     | (9,685,185)      | 3,779,138              | -                            | 3,779,138              |
| Flow Imbalance Reserve       | 85,989                 | 1,455              |                                 |                          |                          |                     |                  | 87,444                 | -                            | 87,444                 |
| OCSD Future Capacity         | 1,779,127              | 30,106             |                                 |                          |                          |                     |                  | 1,809,234              | -                            | 1,809,234              |
| Capacity Management          | 11,620,440             | 196,639            |                                 |                          |                          |                     |                  | 11,817,079             | -                            | 11,817,079             |
| Rate Stabilization Reserve   | 1,000,000              | 13,845             |                                 |                          |                          |                     |                  | 1,013,845              | -                            | 1,013,845              |
| Pipeline Replacement         | 21,015,512             | 274,637            | 1,076,609                       |                          |                          |                     | (241,190)        | 22,125,566             | (4,518,075)                  | 17,607,492             |
| OCSD Rehabilitation          | 3,628,707              | 61,404             |                                 |                          |                          |                     |                  | 3,690,111              | -                            | 3,690,111              |
| Debt Retirement              | 4,413,151              | 69,900             | 1,281,562                       |                          | (2,835,753)              |                     |                  | 2,928,861              | 3,193,041                    | 6,121,902              |
| Self Insurance               | 4,166,085              | 70,696             | 75,000                          |                          |                          |                     |                  | 4,311,780              | 25,000                       | 4,336,780              |
| General Fund                 | 2,418,254              | 47,861             | 680,981                         |                          |                          | (946,262)           | (1,586,851)      | 613,982                | -                            | 613,982                |
| Building Reserve             | 684,110                | 12,848             | 100,000                         |                          |                          |                     | (208,862)        | 588,096                | -                            | 588,096                |
|                              | 55,324,368             | 824,981            | 12,119,891                      | -                        | (2,835,753)              | (946,262)           | (11,722,088)     | 52,765,136             | (1,300,033)                  | 51,465,102             |

# Twelve Month Maturity Schedule Securities



**SAWPA**  
**TREASURER'S REPORT**  
As of March 31, 2020

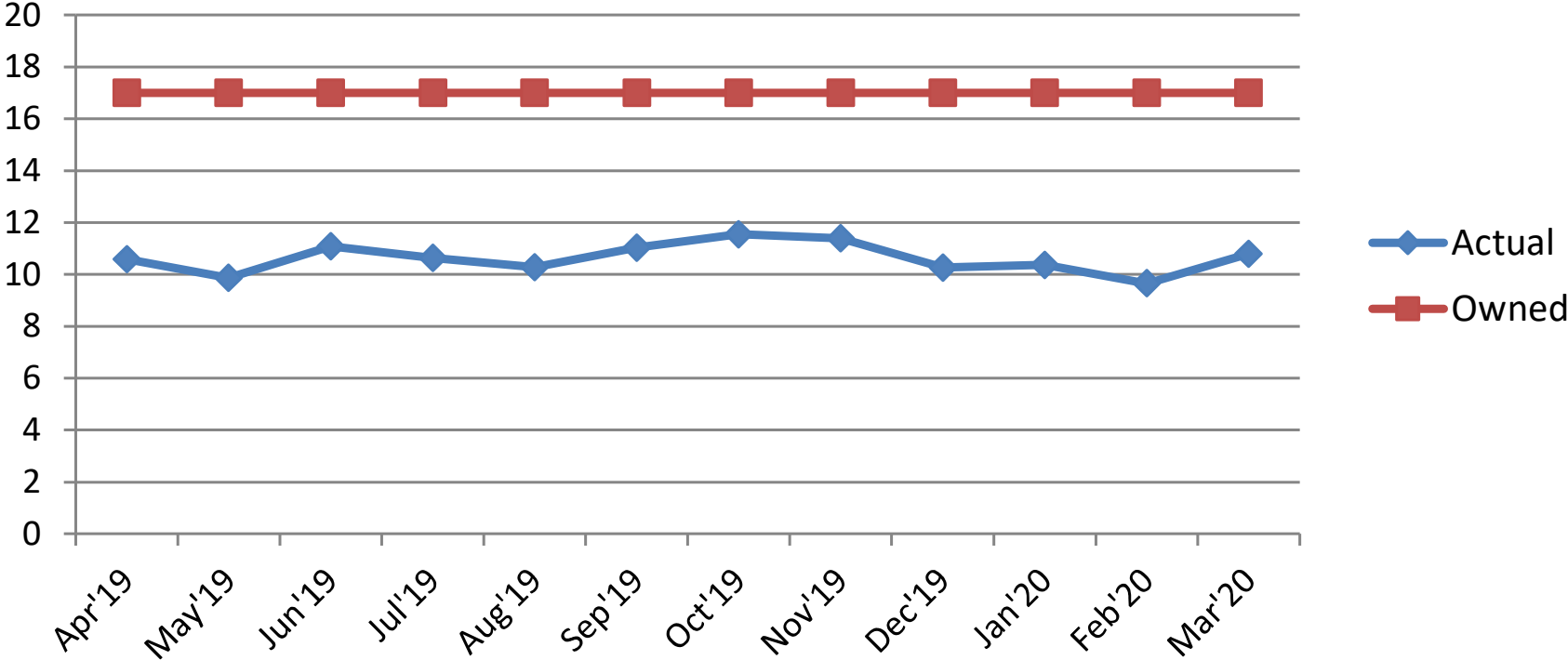
**Investment** T-Strips  
**Safekeeping** US Bank

| T-STRIPS | Debt | Purchase Date | Maturity Date | PAR           | Cost          | Initial Discount | Current Discount | Book Value | Market Value  | Interest Rate |
|----------|------|---------------|---------------|---------------|---------------|------------------|------------------|------------|---------------|---------------|
| USB      | TVRI | 02/11/2000    | 05/15/2020    | 395,000.00    | 111,030.55    | 283,969.45       | 40,451.91        | 354,548.09 | 394,970.77    | 6.36%         |
|          |      |               |               | \$ 395,000.00 | \$ 111,030.55 | \$ 283,969.45    | \$ 40,451.91     | 354,548.09 | \$ 394,970.77 | 6.36%         |

**Investment** Commercial  
**Safekeeping** US Bank

| Type   | Security                  | Purchase Date | Maturity Date | Unit Cost | Cost            | Principal        | Current Value   | Market Value  | Interest Rate |
|--------|---------------------------|---------------|---------------|-----------|-----------------|------------------|-----------------|---------------|---------------|
| Agency | FHLMC                     | 9/16/2016     | 8/12/2021     | 100.00    | \$ 990,060.00   | \$ 1,000,000.00  | \$ 1,000,000.00 | 1,009,630.00  | 1.125%        |
| Agency | FHLMC                     | 4/17/2017     | 1/13/2022     | 102.55    | \$ 512,767.00   | \$ 500,000.00    | \$ 500,000.00   | 517,484.50    | 2.375%        |
| Agency | FHLB                      | 6/16/2016     | 6/12/2020     | 102.61    | \$ 1,026,088.00 | \$ 1,000,000.00  | \$ 1,000,000.00 | 1,003,091.00  | 1.750%        |
| Agency | FHLB                      | 12/14/2017    | 6/10/2022     | 99.89     | \$ 998,930.00   | \$ 1,000,000.00  | \$ 1,000,000.00 | 1,037,443.00  | 2.125%        |
| Agency | FHLB                      | 2/4/2020      | 12/13/2024    | 106.25    | \$ 531,250.00   | \$ 500,000.00    | \$ 500,000.00   | 556,001.50    | 2.750%        |
| Agency | FNMA                      | 12/28/2015    | 12/28/2020    | 100.21    | \$ 1,002,140.00 | \$ 1,000,000.00  | \$ 1,000,000.00 | 1,010,820.00  | 1.875%        |
| Agency | FNMA                      | 6/16/2016     | 11/30/2020    | 101.52    | \$ 1,015,157.00 | \$ 1,000,000.00  | \$ 1,000,000.00 | 1,006,715.00  | 1.500%        |
| Agency | FNMA                      | 2/4/2020      | 1/7/2025      | 101.08    | \$ 505,380.00   | \$ 500,000.00    | \$ 500,000.00   | 524,220.50    | 1.625%        |
| Agency | USTN                      | 11/17/2015    | 10/31/2020    | 100.00    | \$ 1,005,312.50 | \$ 1,000,000.00  | \$ 1,000,000.00 | 1,009,688.00  | 1.750%        |
| Agency | USTN                      | 6/17/2016     | 8/31/2020     | 101.13    | \$ 507,070.31   | \$ 500,000.00    | \$ 500,000.00   | 502,656.00    | 1.375%        |
| Agency | USTN                      | 6/16/2016     | 9/30/2020     | 101.12    | \$ 506,992.19   | \$ 500,000.00    | \$ 500,000.00   | 503,281.00    | 1.375%        |
| Agency | USTN                      | 6/16/2016     | 10/31/2020    | 101.12    | \$ 506,914.06   | \$ 500,000.00    | \$ 500,000.00   | 503,594.00    | 1.375%        |
| Agency | USTN                      | 12/14/2017    | 7/31/2021     | 96.91     | \$ 969,062.50   | \$ 1,000,000.00  | \$ 1,000,000.00 | 1,012,734.00  | 1.125%        |
| CORP   | Apple Inc.                | 10/15/2018    | 5/3/2023      | 95.98     | \$ 479,898.50   | \$ 500,000.00    | \$ 500,000.00   | 517,991.50    | 2.400%        |
| CORP   | Toyota Motor Credit Corp. | 10/15/2018    | 9/20/2023     | 99.55     | \$ 497,747.50   | \$ 500,000.00    | \$ 500,000.00   | 514,895.00    | 3.450%        |
| CD     | Ally Bank                 | 4/20/2017     | 4/20/2020     | 100.00    | \$ 248,000.00   | \$ 248,000.00    | \$ 248,000.00   | 248,000.00    | 1.800%        |
| CD     | American Exp Centurion    | 4/19/2017     | 4/19/2021     | 100.00    | \$ 248,000.00   | \$ 248,000.00    | \$ 248,000.00   | 248,000.00    | 2.250%        |
| CD     | American Express BK FSB   | 5/10/2017     | 5/10/2021     | 100.00    | \$ 248,000.00   | \$ 248,000.00    | \$ 248,000.00   | 248,000.00    | 2.200%        |
| CD     | Sallie Mae BK SLT         | 7/1/2019      | 6/27/2022     | 100.00    | \$ 247,000.00   | \$ 247,000.00    | \$ 247,000.00   | 247,000.00    | 2.250%        |
| CD     | Morgan Stanley Bank NA    | 7/5/2019      | 7/5/2022      | 100.00    | \$ 247,000.00   | \$ 247,000.00    | \$ 247,000.00   | 247,000.00    | 2.200%        |
| CD     | Goldman Sachs Bank USA    | 12/20/2017    | 12/20/2022    | 100.00    | \$ 248,000.00   | \$ 248,000.00    | \$ 248,000.00   | 248,000.00    | 2.500%        |
|        |                           |               |               |           | \$12,540,769.56 | \$ 12,486,000.00 | \$12,486,000.00 | 12,716,245.00 | 1.961%        |

# Average Daily Flow by Month





## SUMMARY OF LABOR MULTIPLIERS

|                                                    |           | Benefit Rate |
|----------------------------------------------------|-----------|--------------|
| Total Employee Benefits                            | 1,092,050 | 0.412        |
| Total Payroll                                      | 2,653,523 |              |
| <br>                                               |           |              |
| Gross Indirect Costs                               | 2,817,202 |              |
| Less: Member Contributions & Other Revenue         | (488,933) |              |
| Indirect Costs for Distribution                    | 2,328,268 |              |
| <br>                                               |           |              |
| Direct Labor                                       | 1,299,923 | 1.791        |
| Indirect Costs                                     | 2,328,268 |              |
| <br>                                               |           |              |
| <b>FY 2019-20 Labor multiplier - thru 03/31/20</b> |           | <b>2.203</b> |
| <br>                                               |           |              |
| FY 2019-20 Budgeted Labor multiplier               |           | <u>1.961</u> |
| FY 2018-19 Labor multiplier                        |           | <u>2.059</u> |
| FY 2017-18 Labor multiplier                        |           | <u>1.990</u> |
| FY 2016-17 Labor multiplier                        |           | <u>1.901</u> |
| FY 2015-16 Labor multiplier                        |           | <u>2.073</u> |



## INDIRECT COSTS

*( to be Distributed )*

| <u>G/L Acct.</u> | <u>Description</u>            | <u>Actual thru</u><br><u>3/31/20</u> |
|------------------|-------------------------------|--------------------------------------|
| 51000            | Salaries - Regular            | \$ 1,353,599                         |
| 52000            | Benefits                      | \$ 617,241                           |
| 60111            | Tuition Reimbursement         | \$ 390                               |
| 60112            | Training                      | \$ 11,977                            |
| 60113            | Education                     | \$ 11,977                            |
| 60114            | Other Training & Education    | \$ 7,372                             |
| 60120            | Audit Fees                    | \$ 22,819                            |
| 60121            | Consulting                    | \$ 62,732                            |
| 60126            | Temporary Services            | \$ 23,138                            |
| 60128            | Other Professional Services   | \$ 700                               |
| 60129            | Other Contract Services       | \$ 1,400                             |
| 60130            | Legal Fees                    | \$ 75,422                            |
| 60133            | Employment Recruitment        | \$ 1,496                             |
| 60153            | Materials & Supplies          | \$ -                                 |
| 60154            | Safety                        | \$ 1,272                             |
| 60155            | Security                      | \$ 2,071                             |
| 60156            | Custodial Contract Services   | \$ 14,769                            |
| 60157            | Landscaping Maintenance       | \$ 12,415                            |
| 60158            | HVAC                          | \$ 5,601                             |
| 60159            | Facility Repair & Maintenance | \$ 23,290                            |
| 60160            | Telephone                     | \$ 17,522                            |
| 60161            | Cellular Services             | \$ 9,496                             |
| 60163            | Electricity                   | \$ 15,304                            |
| 60164            | Water Services                | \$ 5,964                             |
| 60170            | Equipment Expensed            | \$ 22,056                            |
| 60171            | Equipment Rented              | \$ 29,792                            |

(Continued - next column)

| <u>G/L Acct.</u> | <u>Description</u>                  | <u>Actual thru</u><br><u>3/31/20</u> |
|------------------|-------------------------------------|--------------------------------------|
| 60172            | Equipment Repair / Maintenance      | \$ 2,043                             |
| 60180            | Computer Hardware                   | \$ 44,640                            |
| 60181            | Software / Updates / Licensing      | \$ 83,935                            |
| 60182            | Internet Services                   | \$ 11,968                            |
| 60183            | Computer Supplies                   | \$ 3,773                             |
| 60184            | Computer Repair / Maintenance       | \$ 100                               |
| 60190            | Offsite Meeting/Travel Expense      | \$ 1,243                             |
| 60191            | In House Meetings                   | \$ 1,719                             |
| 60192            | Conference Expense                  | \$ 21,035                            |
| 60193            | Car, Repair, Maint                  | \$ 126                               |
| 60200            | Dues                                | \$ 35,174                            |
| 60202            | Subscriptions                       | \$ 5,836                             |
| 60203            | Contributions                       | \$ 17,250                            |
| 60210            | Bank Charges                        | \$ -                                 |
| 60211            | Shipping / Postage                  | \$ 381                               |
| 60212            | Office Supplies                     | \$ 10,264                            |
| 60213            | Offsite Storage                     | \$ 2,289                             |
| 60220            | Commission Fees                     | \$ 26,030                            |
| 60221            | Commission Mileage Reimb.           | \$ 3,744                             |
| 60222            | Other Commission Expense            | \$ 475                               |
| 60230            | Other Expense                       | \$ 7,624                             |
| 60240            | Building Lease                      | \$ 7,710                             |
| 81010            | Retiree Medical Expense             | \$ 75,245                            |
| 80001            | Insurance Expense                   | \$ 38,113                            |
| 80000            | Building Repair/Replacement Reserve | \$ 66,667                            |
| 13005            | Fixed Assets                        | \$ -                                 |

**Total Costs**      \$ 2,817,202

|                               |              |
|-------------------------------|--------------|
| Direct Costs Paid by Projects | \$ 1,829,281 |
| Other Income Offset           | \$ 38,933    |
| Member Contribution Offset    | \$ 450,000   |
|                               | \$ 2,318,215 |

Over (Under) Allocation %      -21.1%



## BENEFITS SUMMARY

*(Distributed based on Actual Labor)*

| <u>G/L Acct</u> | <u>Description</u>                           | <u>Budget</u> | <u>Actual @<br/>3/31/20</u> | <u>Projected<br/>FYE 2020</u> |
|-----------------|----------------------------------------------|---------------|-----------------------------|-------------------------------|
| 70101           | FICA Expense                                 | 200,498 \$    | 122,497 \$                  | 183,746                       |
| 70102           | Medicare Expense                             | 56,208 \$     | 36,746 \$                   | 55,119                        |
| 70103           | State Unemployment Insurance                 | 4,900 \$      | 4,073 \$                    | 4,900                         |
| 70104           | Worker's Compensation Insurance              | 43,068 \$     | 46,071 \$                   | 50,000                        |
| 70105           | State Disability Insurance                   | 29,183 \$     | 17,637 \$                   | 26,456                        |
| 70106           | PERS Pension Plan                            | 701,014 \$    | 448,234 \$                  | 672,351                       |
| 70111           | Medical Expense                              | 578,078 \$    | 324,715 \$                  | 487,073                       |
| 70112           | Dental Expense                               | 34,765 \$     | 19,658 \$                   | 29,487                        |
| 70113           | Vision Insurance                             | 8,268 \$      | 5,276 \$                    | 7,914                         |
| 70114           | Life Insurance Expense                       | 15,871 \$     | 10,731 \$                   | 16,097                        |
| 70115           | Long Term Disability                         | 18,502 \$     | 12,107 \$                   | 18,161                        |
| 70116           | Wellness Program Expense                     | 3,500 \$      | 1,055 \$                    | 3,500                         |
| 70117           | 401a Profit Sharing - Employers Contribution | -             | 6,500 \$                    | 6,500                         |
| 70120           | Car Allowance                                | 51,000 \$     | 36,750 \$                   | 51,000                        |
|                 | <b>Total Benefits</b>                        | 1,744,854     | 1,092,050                   | 1,612,302                     |
|                 | <b>Total Payroll</b>                         | 3,825,402 \$  | 2,653,523 \$                | 3,550,000                     |
|                 | <b>Benefits Rate</b>                         | 45.6%         | 41.2%                       | 45.4%                         |

Santa Ana Watershed Project Authority  
Labor Hours Budget vs Actual  
Month Ending March 31, 2020

| Fund                                               | Budget | Actual | %       |
|----------------------------------------------------|--------|--------|---------|
| 100 General & Administrative                       | 25,622 | 22,631 | 88.33%  |
| 135 Prop 84 Round 2 Administration                 | 320    | 310    | 96.95%  |
| 140 Prop 84 2014 Drought Administration            | 685    | 857    | 125.11% |
| 145 Prop 84 Final Round Administration             | 2,020  | 513    | 25.40%  |
| 240 Brine Line Enterprise                          | 21,925 | 12,589 | 57.42%  |
| 320 Brine Line Protection                          | 695    | 223    | 32.01%  |
| 327 Reach IV-D Corrosion Repairs                   | 320    | 7      | 2.19%   |
| 370-01 General Basin Planning                      | 1,715  | 907    | 52.90%  |
| 370-02 USBR Partnership Studies                    | 90     | 46     | 51.11%  |
| 373 Watershed Management Plan                      | 1,945  | 896    | 46.08%  |
| 374 Basin Monitoring Program                       | 443    | 335    | 75.68%  |
| 381 SAR Fish Conservation                          | 220    | 104    | 47.39%  |
| 384-01 Chino TMDL Facilitation                     | 175    | 103    | 59.00%  |
| 386MONIT Storm Water Quality Standards TF          | 155    | 67     | 43.39%  |
| 387 Arundo Removal & Habitat Restoration           | 175    | 21     | 11.71%  |
| 392 Emerging Constituents                          | 45     | 160    | 355.00% |
| 397EXPAN Water-Energy WVWD Administration          | -      | 7      | 100.00% |
| 398ADMIN DACI Grant                                | 3,650  | 1,530  | 41.91%  |
| 477-02 LESJWA - Administration                     | 320    | 295    | 92.19%  |
| 477TMDL LESJWA - TMDL Task Force                   | 625    | 417    | 66.76%  |
| 504-301A Prop 84 2014 Drought Implementation       | 100    | 60     | 59.75%  |
| 504-301C Prop 84 2014 Drought Implementation       | 110    | 195    | 177.27% |
| 504-401I Prop 84 Final Round Implementation        | 335    | 99     | 29.63%  |
| 504-401PA23 Prop 84 Final Round Implementation     | 660    | 75     | 11.33%  |
| 504-401WUEAMDIN Prop 84 Final Round Implementation | 295    | -      | 0.00%   |
| 504-402RATES Prop 84 Final Round Implementation    | -      | -      | 0.00%   |
| 504-402SMART Prop 84 Final Round Implementation    | 395    | -      | 0.00%   |
|                                                    | 63,040 | 42,446 | 67.33%  |

Note: Should be at 75% of budget for 9 months





# General Manager's Report

May 2020

Santa Ana Watershed Project Authority | 11615 Sterling Avenue, Riverside, CA 92503 | www.sawpa.org

## INSIDE THE MAY REPORT

- 1** Rock Removal Project
- 2** Alcoa Dike - Reach 4B/CRC Lateral Protection
- 3** Traffic Control Instruments Trailer
- 4** Portable Emergency Generator

## Rock Removal Project

Work on the Rock Removal Project is Substantial Complete. Orange County Sanitation Districts's Contractor, Griffith Company, completed rock removal from 13 locations within the Santa Ana River below Prado Dam. All rocks were weighed and hauled from the Contractor's yard. A total of about 14,000 tons of rock have been removed. Demobilization of the Contractor's yard and project completion is anticipated by the end of May 2020.

## Alcoa Dike - Reach 4B/CRC Lateral Protection

A 2<sup>nd</sup> draft set of plans and specifications were submitted in April 2020. SAWPA staff has reviewed and provided comments on the plans and specifications. Final plans and specifications are anticipated in June 2020. Advertisement for bids is anticipated in June 2020 with contract award in early August 2020.

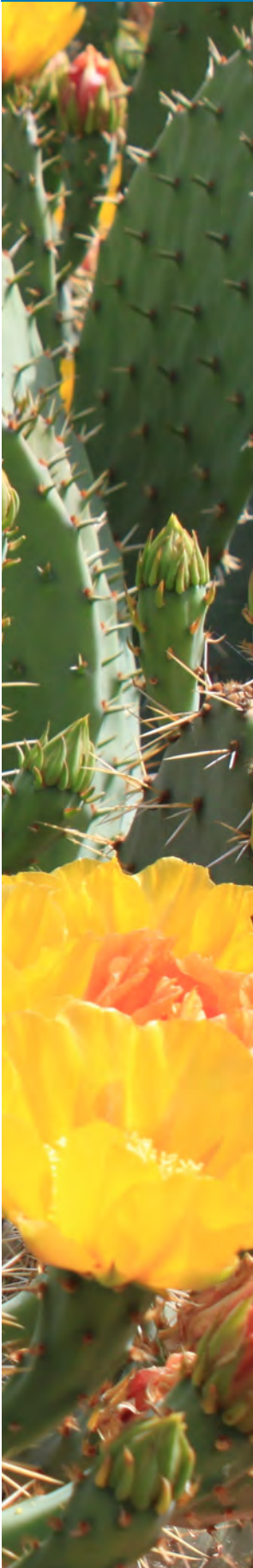
## Traffic Control Instruments Trailer

SAWPA purchased and retrofitted a towable trailer to carry traffic control instruments. This allows SAWPA staff to keep a variety of traffic control instruments, including cones, flag stands, and signs, organized. Keeping all traffic control signs organized in a trailer helps reduce time by preventing loading and unloading of traffic control equipment required for planned activities.



## Portable Emergency Generator

The transfer switch has been installed to allow direct connection of the portable emergency generator to the SAWPA building electrical supply. The transfer switch will be operational once Riverside Public Utilities disconnects the main power to the building so the proper connections to the transfer switch can be made. The transfer switch should be operational by late-June 2020.



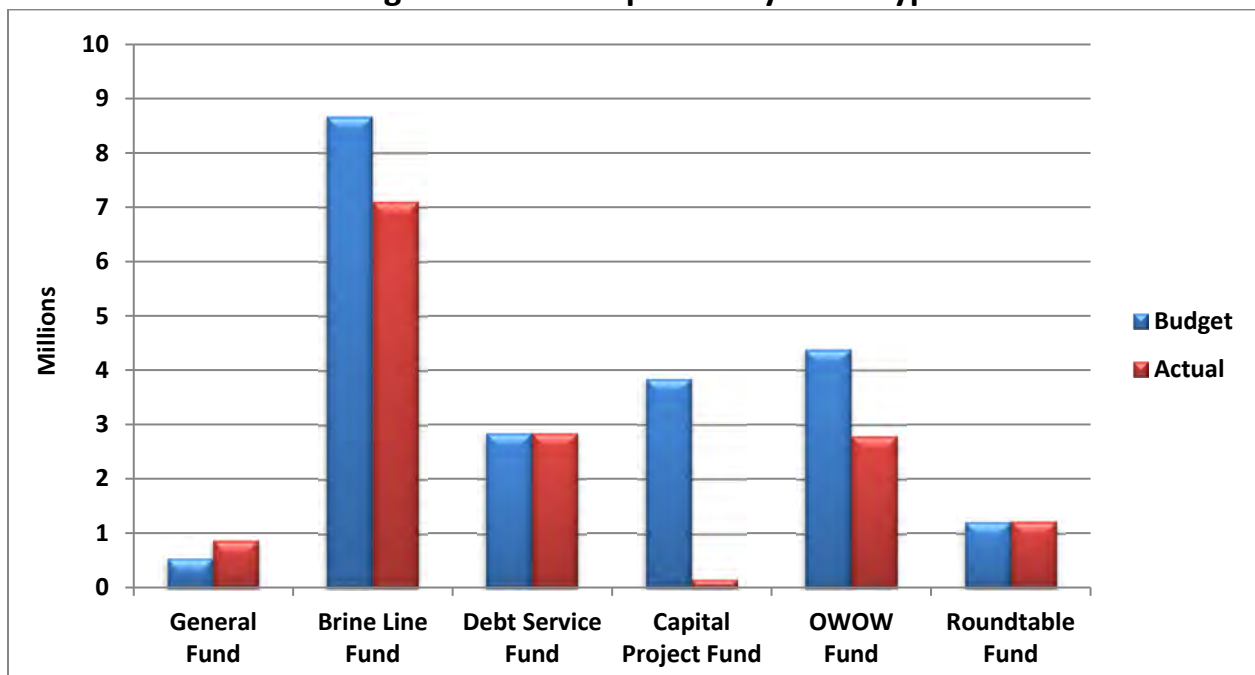
**Santa Ana Watershed Project Authority  
Executive Financial Information Report  
March 2020**

*Staff comments provided on the last page are an integral part of this report.*

|                 |                                                                                                                                    |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------|
| <b>Overview</b> | This report highlights the agency's key financial indicators for the Fiscal Year-to-Date (FYTD) March 2020 unless otherwise noted. |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------|

| Budget to Actual Expenses by Fund Type | <span style="color: green; font-size: 2em;">✔</span> <b>Favorable</b> |                     |                     |                                  |
|----------------------------------------|-----------------------------------------------------------------------|---------------------|---------------------|----------------------------------|
|                                        | Annual Budget                                                         | FYTD Budget         | FYTD Actual         | Favorable (Unfavorable) Variance |
| General Fund                           | \$676,966                                                             | \$532,726           | \$852,879           | (\$320,153)                      |
| Brine Line Enterprise                  | 11,532,103                                                            | 8,664,079           | 7,098,845           | 1,565,234                        |
| Debt Service Fund                      | 2,835,027                                                             | 2,835,027           | 2,835,753           | (726)                            |
| Capital Project Fund                   | 5,118,134                                                             | 3,838,600           | 168,433             | 3,670,167                        |
| OWOW Fund                              | 6,121,416                                                             | 4,373,462           | 2,790,242           | 1,583,220                        |
| Roundtable Fund                        | 1,563,457                                                             | 1,205,678           | 1,218,504           | (12,826)                         |
| <b>Total</b>                           | <b>\$27,847,103</b>                                                   | <b>\$21,449,572</b> | <b>\$14,964,656</b> | <b>\$6,484,916</b>               |

**Budget to Actual Expenses by Fund Type**



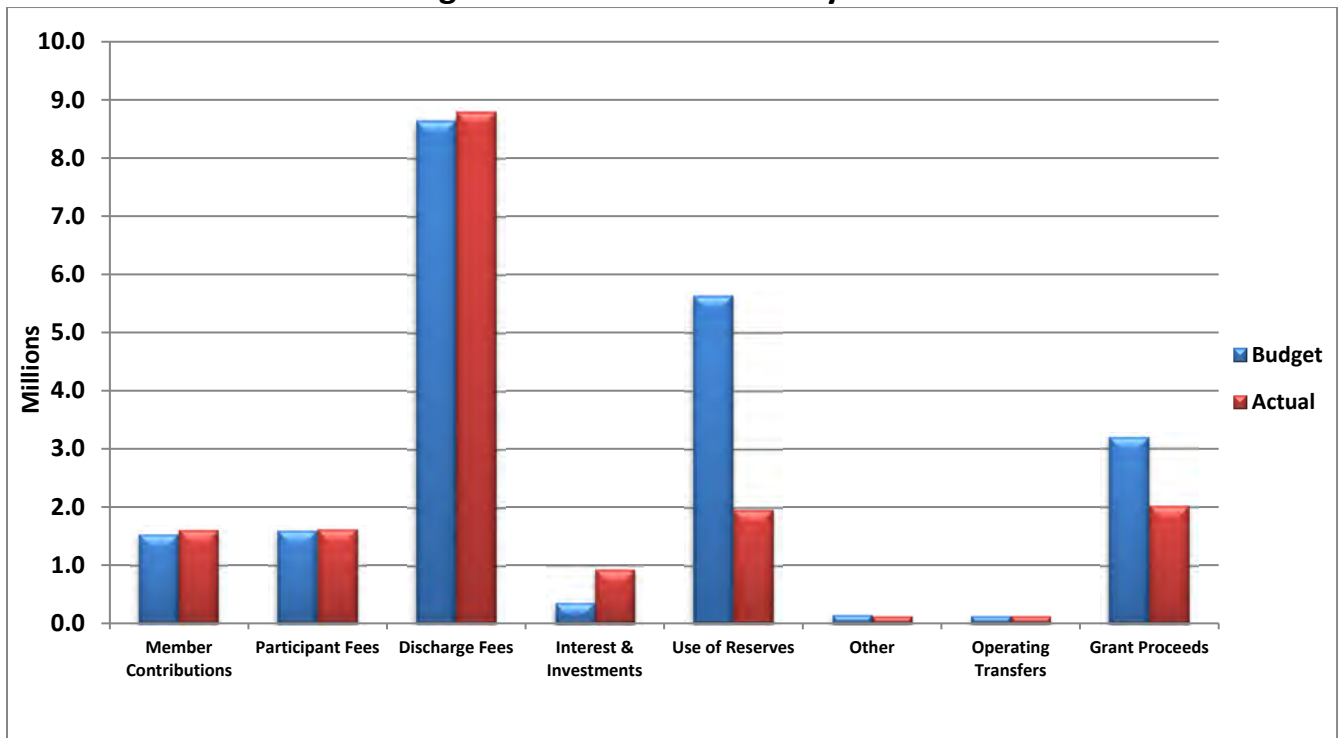
## Budget to Actual Revenues by Source



**Concern**

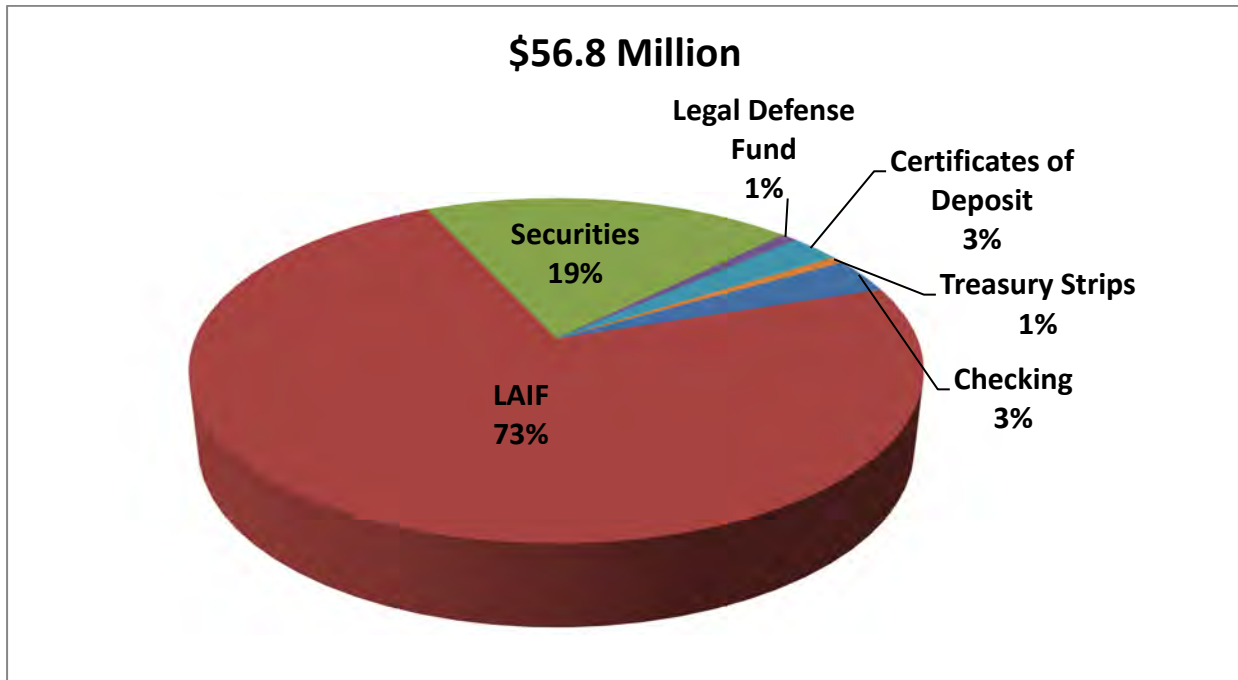
|                        | Annual Budget       | FYTD Budget         | FYTD Actual         | Favorable (Unfavorable) Variance |
|------------------------|---------------------|---------------------|---------------------|----------------------------------|
| Member Contributions   | \$1,526,966         | \$1,526,966         | \$1,601,966         | \$75,000                         |
| Participant Fees       | 1,751,232           | 1,590,565           | 1,611,653           | 21,088                           |
| Discharge Fees         | 11,532,103          | 8,649,078           | 8,803,178           | 154,100                          |
| Interest & Investments | 1,045,000           | 362,500             | 925,365             | 562,865                          |
| Use of Reserves        | 6,908,161           | 5,638,627           | 1,958,460           | (3,680,167)                      |
| Other                  | 205,186             | 153,890             | 132,887             | (21,003)                         |
| Operating Transfers    | 132,344             | 132,344             | 132,344             | -                                |
| Grant Proceeds         | 4,658,908           | 3,200,182           | 2,018,129           | (1,182,053)                      |
| <b>Total</b>           | <b>\$27,759,900</b> | <b>\$21,254,152</b> | <b>\$17,183,982</b> | <b>(\$4,070,170)</b>             |

### Budget to Actual Revenues by Source





## Total Cash & Investments - March







## Reserve Fund Balance - March

|                       | Amount              |
|-----------------------|---------------------|
| General Fund          | \$613,982           |
| Building Fund         | 588,096             |
| OWOW Fund             | 1,223,834           |
| Roundtable Fund       | 2,438,906           |
| Self Insurance        | 4,311,780           |
| Debt Retirement       | 3,317,311           |
| Pipeline Replacement  | 22,125,566          |
| OCSD Rehabilitation   | 3,690,111           |
| Capacity Management   | 11,817,079          |
| Future Capacity       | 1,809,234           |
| Rate Stabilization    | 1,013,845           |
| Flow Imbalance        | 87,444              |
| Brine Line Operating  | 3,779,138           |
| <b>Total Reserves</b> | <b>\$56,816,326</b> |

## Legend

### Compared to Budget

|                                                                                   |                    |                                                 |
|-----------------------------------------------------------------------------------|--------------------|-------------------------------------------------|
|  | Ahead or Favorable | Above +5% Favorable Revenue or Expense Variance |
|  | On Track           | +5% to -2% Variance                             |
|  | Behind             | -3% to -5% Variance                             |
|  | Concern            | Below -5% Variance                              |

## Staff Comments

For this month's report, the item(s) explained below are either "behind", a "concern", or have changed significantly from the prior month.

Total revenues are 19% below budget. Proposition 84 Projects invoices from the project proponents will probably not be received until later in the year, but it's anticipated that we will be on track at the end of the year. The OCSD Rock Removal Project should also be on track at the end of the year. The rocks have been removed from the river and need to be hauled away. We have not been billed by OCSD for the majority of the costs yet.

Expenses are also down by 30% from the budget because of those projects as well.



**May 11, 2020**

**To:** Santa Ana Watershed Project Authority

**From:** Michael Boccadoro  
Beth Olhasso  
Maddie Munson

**RE:** April Report

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Overview:

As the state moves from spring into summer, statewide snowpack conditions are depleting. Currently, the snowpack is at 17 percent of April 1 averages and 25 percent of normal for this date. With the snowpack struggling, and the state entering summer, carryover storage in California's reservoirs is a bright spot in the water supply outlook. San Luis Reservoir, the main south-of-Delta storage facility for the State Water Project, is at 83 percent of average and 72 percent capacity for this time of the year. Oroville is at 85 percent of average and 70 percent capacity.

The State Water Resources Control (SWRCB) held a workshop on April 7 to discuss their proposed definition of "microplastics in drinking water." This is the first step in a broader plan to address microplastics in drinking water. Following the definition discussion the SWRCB will look at testing procedures, reporting requirements and further regulation through notification/response levels or MCLs.

The State of California is implementing a broad-based legal attack of the federal government's new plan to operate the Central Valley Project (CVP), specifically the project's effects on the Sacramento-San Joaquin Delta. The state is looking for changes in the Biological Opinions issued by the federal government allowing for the CVP to pump more water when the SWP cannot.

The Public Policy Institute of California (PPIC) recently released a report, "[The Benefits of Headwater Forest Management](#)," which concludes that improving the health of headwater forest in the Sierra, in particular where most of the state's surface water supplies originate, will provide an array of social, economic and environmental benefits across multiple sectors and geographies. The report noted that managing a healthy and coordinated headwaters system could be very costly.

In a recent release, CalEPA responded to in-state requests for regulatory relief from state pollution limits from trucks, ships, oil and gas facilities and any number of other regulations directed at helping the state meet its ambitious emissions reduction goals. Additionally, the release addresses the U.S. EPA's March 26 sweeping policy offering enforcement "discretion" by allowing facilities to indefinitely defer routine civil compliance actions if they provide adequate documentation to the agency.

The Legislature was on an extended recess from March 16 until May 4 in the Assembly and May 11 in the Senate. Assembly committees have been scheduled for one and only one hearing and agendas have been very short, focusing on pressing issues such as COVID, homelessness, wildfire or absolutely critical legislation. The next few weeks will be focused on the handful of policy committee bills that will move this year and on the passing the state budget by June 15. The state is facing an \$18-\$54 billion budget deficit stemming from the economic crisis.

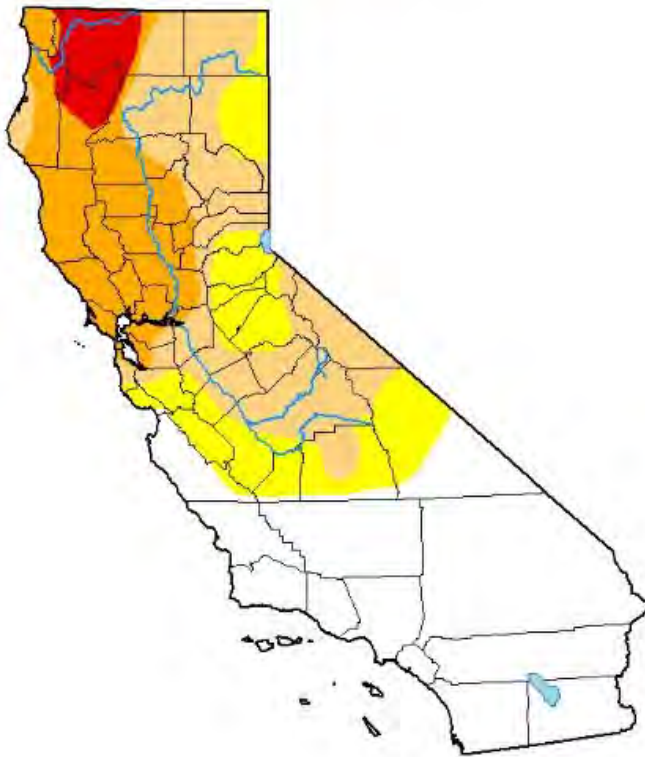
# Santa Ana Watershed Project Authority Status Report – April 2020

## ***Water Supply Conditions***

As the state moves from spring into summer, statewide snowpack conditions have depleted, as expected. Currently, the snowpack is 17 percent of April 1 averages and 25 percent of normal for this date. With the snowpack struggling, and the state entering summer, carryover storage in California’s reservoirs is a bright spot in the water supply outlook. San Luis Reservoir, the main south-of-Delta storage facility for the State Water Project, is at 83 percent of average and 72 percent capacity for this time of the year. Oroville is at 85 percent of average and 70 percent capacity.

Drought conditions have also worsened with the lack of precipitation. At the start of the year, 97 percent of the state was free from any drought conditions. Today, only 41 percent of the state is free from any drought conditions, with over 40 percent California in at least moderate drought conditions. In a reversal of normal patterns, it is the northern and far northern coastal part of the state that are the hardest hit at this time, with Southern California representing the part of the state that is not an any drought.

## **U.S. Drought Monitor California**



**May 5, 2020**  
(Released Thursday, May 7, 2020)  
Valid 8 a.m. EDT

*Drought Conditions (Percent Area)*

|                                             | None  | D0-D4 | D1-D4 | D2-D4 | D3-D4 | D4   |
|---------------------------------------------|-------|-------|-------|-------|-------|------|
| <b>Current</b>                              | 41.80 | 58.20 | 42.87 | 19.56 | 3.94  | 0.00 |
| <b>Last Week</b><br>04-28-2020              | 41.80 | 58.20 | 41.58 | 19.59 | 4.66  | 0.00 |
| <b>3 Months Ago</b><br>02-04-2020           | 65.72 | 34.28 | 0.00  | 0.00  | 0.00  | 0.00 |
| <b>Start of Calendar Year</b><br>12-31-2019 | 96.43 | 3.57  | 0.00  | 0.00  | 0.00  | 0.00 |
| <b>Start of Water Year</b><br>10-01-2019    | 95.29 | 4.71  | 2.06  | 0.00  | 0.00  | 0.00 |
| <b>One Year Ago</b><br>05-07-2019           | 94.03 | 5.97  | 0.00  | 0.00  | 0.00  | 0.00 |

***Intensity:***

- None
- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme Drought
- D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>.

***Author:***  
Brad Pugh  
CPC/NOAA



[droughtmonitor.unl.edu](https://droughtmonitor.unl.edu)



### ***SWRCB Holds Workshop on Definition of “Microplastics”***

The State Water Resources Control (SWRCB) held a workshop on April 7 to discuss their proposed definition of “microplastics in drinking water.” A definition must be adopted by July 1 as required by SB 1422 (2018, Portantino). A report issued by the SWRCB noted that evidence concerning the hazards and exposure of humans from microplastics is “nascent and rapidly evolving and currently no standardized methods for the detection of microplastics exists.” The report also notes that in the very few studies that have been done, microplastic levels are very low (if any) in ground water, however surface water sources are known to contain microplastics at high detection frequencies.

The SWRCB is proposing to define microplastics in drinking water as “solid polymeric materials to which chemical additives or other substances may have been added, which are particles which have at least two dimensions that are greater than 1 and less than 5,000 micrometers (im). Polymers that are derived in nature that have not been chemically modified (other than by hydrolysis) are excluded.” They noted, after discussion about the details and specifics of the definition, that the definition is subject to change in response to new information.

In addition to a definition, SB 1422 requires the SWRCB to accomplish the following by July 1, 2021:

- Adopt a standard methodology to be used in testing drinking water for microplastics
- Adopt requirements for four years of testing and reporting of microplastics in drinking water, including the disclosure of those results
- Consider issuing a notification level or other guidance to aid consumer interpretation of results
- Accredit qualified California laboratories to analyze microplastics.

At the April 7 workshop, two environmentalists generally praised the proposed definition while other stakeholders raised some concern.

Cindy Tuck representing ACWA shared that ACWA recognizes the need that there be testing and more information, but doesn’t want to “scare the public,” noting hope that there will be better information available regarding health effects or the “lack thereof.”

The American Chemistry Council indicated apprehension about the breadth of waterways and sources that may be included in the SWRCB’s definition of drinking water sources and that microplastics have not been shown to be a primary vector for, or increase, persistent organic pollutants (POPs) exposure compared with natural sources. In response, state board staff stated that they are considering the different source waters, and when they get down the line to a sampling and analysis plan, are going to be mindful of which types of waters are likely to have microplastics and tailor the sampling and analysis plans accordingly.

State board staff also noted that this is a first step in a larger microplastics discussion. There are many uncertainties at this point on the health effects of microplastics and the plan, outlined in SB 1422 allows for the study of these effects.

Written comments were due on April 24 and the board is scheduled to vote on the definition at its June 16 meeting.

## ***Delta Update***

The State of California is implementing a broad-based legal attack of the federal government's new plan to operate the Central Valley Project (CVP), specifically the project's effects on the Sacramento-San Joaquin Delta.

The first prong of the attack is on the federal government's biological opinions (BiOps) – environmental documents required by the Endangered Species Act (ESA) that detail how the CVP operations will effect ESA listed salmon and smelt, and how the project operators must mitigate for those effects. The state filed a lawsuit in federal court challenging the validity of the federal government's plan under the ESA and the National Environmental Policy Act (NEPA). The water contractors are intervening to oppose the state's efforts while environmental groups are supporting the state's legal challenges.

Most recently, the state filed a motion for a preliminary injunction to halt the new operational rules and another motion to shorten the timeline of the legal proceedings. The judge presiding over the federal hearing is expected to rule on these two recent motions in the coming weeks. The judge's ruling and reasonings could provide telling insight into how the judge might rule on the broader case.

The second prong of the state's efforts are related to the California Endangered Species Act and the incidental take permit process. This process is somewhat comparable to the federal BiOps process under the federal ESA. Historically, the state and federal government have operated the CVP and the State Water Project together. As such, in analyzing the CVP and SWP's effects on CESA listed species, the state has mirrored the federal government's environmental analysis in the BiOps. However, for the first time in the history of the two water projects, the state is fracturing from the federal government and as such conducting a separate analysis with separate operational rules under the CESA and the incidental take permit process.

The federal government is arguing that they are not subject to these state rules and will continue to operate the CVP under the federal guidelines. The state disagrees and is expected to file a lawsuit in state court in the next month to settle this question. While environmental groups have not completely supported the state's operational rules, they are expected to support the state's lawsuit. The Metropolitan Water District of Southern California board has voted to intervene in this lawsuit, and Kern County Water Agency is expected to consider whether or not to intervene soon.

There were extensive legal challenges on the last set of BiOps issued in 2008 and 2009, so legal challenges are not new. However, these lawsuits are different because this is the first time in the history of the operations of the CVP and SWP that the state and federal government haven't proposed separate operational guidelines. The state's challenge under CESA in state court is also a legal question that hasn't been considered before, at least at this magnitude. These lawsuits will likely be drawn out over multiple years, but the coming months could be telling.

Given these lawsuits and complex relations among the variety of parties involved, it has been widely speculated that the ongoing Voluntary Agreement process over how to manage Delta flows and water quality issues will fall apart. If that does happen, the State Water Resources Control could resume the Bay Delta Water Quality Control Plan process, which is currently in Phase 2. Phase 2 is set to cover the Sacramento River and its tributaries.

### ***PPIC Releases Report on Headwaters***

The Public Policy Institute of California (PPIC) recently released a report, “[The Benefits of Headwater Forest Management](#),” which concludes that improving the health of headwater forest in the Sierra, in particular where most of the state’s surface water supplies originate, will provide an array of social, economic and environmental benefits across multiple sectors and geographies.

The report did not identify any specific funding proposals or policy suggestions, but it did note that improving forest health will require a substantial lift from private and public agencies in terms of new policies and funding sources to facilitate complex and collaborative management. It highlighted that identifying the benefits and beneficiaries of forest management is critical to craft financial tools and policies and that the “heavy lift” will require actions at the local, state, and federal levels that could require actions at large scales and high costs. Decades of effort and funds will be required and that forest managers will need to identify revenue streams and determine long-term management responsibilities.

As with all PPIC reports, this report does not carry the weight of any mandatory action but will help inform policy makers. The topic of headwaters management is not new in California. There is constant talk of headwaters management. With the link between forest health and wildfires front and center in Sacramento, this might be the time headwaters management gets the traction needed to make the broad progress headwaters managers have been looking for. The water community will need to remain involved in the process as funding is discussed, as in the past, downstream users have been suggested as a major funder of headwaters management.

### ***CalEPA Commits to Filling Gaps Left by Easing of Federal Environmental Regulations***

In a recent release, CalEPA responded to in-state requests for regulatory relief from state pollution limits from trucks, ships, oil and gas facilities and any number of other regulations directed at helping the state meet its ambitious emissions reduction goals. Additionally, the release addresses the U.S. EPA’s March 26 sweeping policy offering enforcement “discretion” by allowing facilities to indefinitely defer routine civil compliance actions if they provide adequate documentation to the agency.

CalEPA says it is offering some regulated entities in California some “time-limited remedies, such as the extension of deadlines” for compliance due to COVID-19.”

Additionally, CalEPA said that they will fill any enforcement gaps left by U.S. EPA’s decision to reduce environmental oversight.

As reported in previous reports, the state is concerned it is not on pace to meet the state’s emissions reduction goals. Those concerns are only growing as reports that zero emission vehicle sales and rooftop solar installations have both shown dramatic decreases since the global pandemic began.

CARB’s ZEV rule requires 1.4 million ZEVs to be on California roads by 2025 and 15.4 percent of new car sales to be ZEVs in the same year. There are currently about 600,000 ZEVs on CA roads. Adding to the difficulty of meeting the ZEV goal, some major automakers are pushing back the introduction of new EV models until 2021 or 2022, in part due to COVID-19. A 43 percent drop in EV sales is predicted in 2020 due to many circumstances including the economic crisis, low gas prices and other factors.

CARB chair Mary Nichols noted that “we need to send a longer-term signal about where we are headed,” and that the current ZEV mandate is “much lower than what we actually need to see.”

With the state unlikely to ease mandates and goals, the question of where the emissions reductions are going to come from grows ever more pressing. The EV and environmental advocacy groups' push for a new rule requiring all light-duty vehicles offered for sale in California to have zero emissions starting in 2030, seems more likely as the state looks for reductions. Heavy-duty regulations could also be accelerated.

On the solar front, the rooftop solar and storage industry has seen 40-92 percent declines in permit approvals for installations at homes and businesses. The decline is attributed to economic uncertainty on the customer side, local government permit processing delays, installation delays due to lack of workers, and the IOUs not responding to requests for power shutoff and restarts.

While this decline is hopefully temporary, it is again important to consider what other measures the state might push on industry should their current efforts not yield the results they are looking for to meet the state's emissions reduction and clean energy goals and mandates.

### ***Legislative Update***

The Legislature was on an extended recess from March 16 until May 4 in the Assembly and May 11 in the Senate. Assembly committees have been scheduled for one and only one hearing and agendas have been very short, focusing on pressing issues such as COVID, homelessness, wildfire or absolutely critical legislation.

Public access to the Capitol is limited, with the advocates being encouraged to call-into committee hearings to register support and opposition. Letters of support and opposition can also be submitted electronically by WCA, and WCA can and has been working with authors during the recess on amendments.

A top priority for the Legislature in the coming days and weeks is the state budget ahead of the June 15 constitutional deadline. It was expected they will pass a "workload" or "baseline" budget in June that is designed to maintain existing service levels, and come back with revisions in August after the delayed July 15 income tax receipts are available. But recent reports from the Department of Finance and the Legislative Analyst's Office indicate that the state could be facing a budget deficit of between \$18 and \$54 billion in the coming year. The "May Revision" of the budget is expected by May 15 and will likely be significantly scaled back from the \$222 billion proposed in January, and drastically different than the initial budget the Governor proposed. There will likely be no Greenhouse Gas Reduction Fund (GGRF) proposal until August and many of the normal expenditures may be drastically reduced.

The committee schedule for the water and energy committees is as follows:

Wednesday May 13:

10:00 Assembly Natural Resources

Thursday May 14:

9:00 Senate Energy

10:00 Water, Parks & Wildlife

11:30 Environmental Safety and Toxic Materials

Tuesday May 19:

9:00 Sen. Natural Resources and Water

Wednesday May 20:  
1:30 Utilities & Energy

Tuesday May 26:  
1:30 Sen Natural Resources and Water

Friday May 29:  
Sen. Environmental Quality

Monday June 1:  
Sen Appropriations

Senate Budget Sub Committees- 5/18-5/22 at 1:30 (No specifics on which subs when)

Senate Full Budget- 5/23 & 5/24; budget adoption 6/1.

#### *Climate Resilience Bond Update*

There has been significant talk of climate resilience being included in a larger recovery bond. Recently Senator Henry Stern (D-Santa Monica) and twenty other members including Senator Connie Leyva (D-Chino) and Senator Anthony Portantino (D- La Canada Flintridge), sent a [letter](#) urging the members of the Governor’s Task Force on Business and Jobs Recovery consider a “resilience” framework regarding climate. There is no formal proposal, but they did outline water resilience as an important policy area.

It is clear that there is at least going to be a discussion of a recovery bond from the legislature and that climate issues are part of that discussion as a means for shovel ready projects to get people back to work.

AB 3256 (E. Garcia, D- Coachella) has been referred to the Natural Resources Committee and is scheduled for hearing on May 13. The amendments discussed in last month’s report were put into print, but with these amendments being drafted pre-COVID, it is very likely that more amendments are coming. It is unclear if the Assembly will use AB 3256 as its economic recovery vehicle or if some of the ideas in the measure will be folded into a separate bill.