



# 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-29-20, THIS MEETING WILL BE CONDUCTED VIRTUALLY. ALL VOTES TAKEN WILL BE CONDUCTED BY ORAL ROLL CALL.

This meeting will be accessible 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/94656407973">https://sawpa.zoom.us/j/94656407973</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: 946 5640 7973</li> </ul>	<ul style="list-style-type: none"> <li>• Meeting ID: 946 5640 7973</li> </ul>
* Participation in the meeting via the Zoom app (a free download) is strongly encouraged	

## REGULAR COMMISSION MEETING TUESDAY, APRIL 6, 2021 – 9:30 A.M.

### AGENDA

1. CALL TO ORDER (Jasmin A. Hall, 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

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: MARCH 16, 2021..... 5  
Recommendation: Approve as posted.

B. TREASURER’S REPORT – FEBRUARY 2021..... 9  
Recommendation: Approve as posted.

6. NEW BUSINESS

A. FYE 2022 AND 2023 GENERAL FUND DRAFT BUDGET (CM#2021.22) ..... 15  
Presenter: Karen Williams  
Recommendation: Review and discuss the FYE 2022 and 2023 General Fund draft budget.

- B. [SAWPA PROPERTIES \(CM#2021.23\)](#) ..... 55  
**Presenter:** Carlos Quintero  
**Recommendation:** Receive and file.
  
- C. [SANTA ANA RIVER WATERSHED WEATHER MODIFICATION FOR WATER SUPPLY ANALYSIS AND GRANT APPLICATION \(CM#2021.24\)](#) ..... 71  
**This item is subject to the provisions of Project Agreement 25**  
**Presenter:** Mark Norton  
**Recommendation:** (1) Authorize proceeding with the ground seeding site selection analysis and CEQA Development in FY 21-22; and, (2) Authorize staff to prepare a watershed wide SAWPA project application for Prop 1 Round 2 seeking 50% grant funding for a three-year pilot scale watershed weather modification program.
  
- D. [OPPOSE POSITION FOR AB 377 \(RIVAS\) \(CM#2021.25\)](#) ..... 99  
**Presenter:** Jeff Mosher  
**Recommendation:** Adopt an OPPOSE position on AB 377 (Rivas) and authorize staff to send the attached letter opposing the legislation

**7. INFORMATIONAL REPORTS**

**Recommendation:** Receive for information.

- A. [CHAIR’S COMMENTS/REPORT](#)
- B. [COMMISSIONERS’ COMMENTS](#)
- C. [COMMISSIONERS’ REQUEST FOR FUTURE AGENDA ITEMS](#)

**8. CLOSED SESSION**

There were no Closed Session items anticipated at the time of the posting of this agenda.

**9. ADJOURNMENT**

**PLEASE NOTE:**

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, CMC, Clerk of the Board of the Santa Ana Watershed Project Authority declare that on March 30, 2021, a copy of this agenda has been uploaded to the SAWPA website at [www.sawpa.org](http://www.sawpa.org) and posted at SAWPA's office, 11615 Sterling Avenue, Riverside, California.

**2021 SAWPA Commission Meetings/Events**

First and Third Tuesday of the Month

(NOTE: All meetings begin at 9:30 a.m., unless otherwise noticed, and are held at SAWPA.)

<b>January</b>	<b>February</b>
1/5/21 <del>Commission Workshop</del> [cancelled]	2/2/21 Commission Workshop
1/5/21 Special Commission Meeting	2/16/21 Regular Commission Meeting
1/8/21 Special Commission Meeting	
1/12/21 Special Commission Meeting	
1/19/21 Regular Commission Meeting	
<b>March</b>	<b>April</b>
3/2/21 Commission Workshop	4/6/21 Commission Workshop
3/16/21 Regular Commission Meeting	4/20/21 Regular Commission Meeting
<b>May</b>	<b>June</b>
5/4/21 Commission Workshop	6/1/21 Commission Workshop
5/18/21 Regular Commission Meeting	6/15/21 Regular Commission Meeting
5/4 – 5/7/21 ACWA Spring Conference, Monterey	
<b>July</b>	<b>August</b>
7/6/21 Commission Workshop	8/3/21 Commission Workshop
7/20/21 Regular Commission Meeting	8/17/21 Regular Commission Meeting
<b>September</b>	<b>October</b>
9/7/21 Commission Workshop	10/5/21 Commission Workshop
9/21/21 Regular Commission Meeting	10/19/21 Regular Commission Meeting
<b>November</b>	<b>December</b>
11/2/21 Commission Workshop	12/7/21 Commission Workshop
11/16/21 Regular Commission Meeting	12/21/21 Regular Commission Meeting
	11/30 – 12/3/21 ACWA Fall Conference, Pasadena

# 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.

In addition to Commission meetings, 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: April 2021

DATE	TIME	MEETING DESCRIPTION	LOCATION
4/6/21	8:30 AM	PA 23 Committee Mtg	VIRTUAL/TELEPHONICALLY
4/6/21	10:00 AM	PA 24 Committee Mtg	VIRTUAL/TELEPHONICALLY
4/12/21	10:00 AM	Basin Monitoring Program Task Force Mtg	VIRTUAL/TELEPHONICALLY
4/13/21	8:30 AM	PA 22 Committee Mtg	VIRTUAL/TELEPHONICALLY
4/15/21	4:00 PM	LESJWA Board of Directors Mtg	VIRTUAL/TELEPHONICALLY
4/19/21	9:30 AM	Lake Elsinore/Canyon Lake TMDL Task Force Mtg	VIRTUAL/TELEPHONICALLY
4/19/21	1:30 PM	MSAR TMDL/Regional WQ Monitoring Task Force Mtg	VIRTUAL/TELEPHONICALLY

## MONTH OF: May 2021

DATE	TIME	MEETING DESCRIPTION	LOCATION
5/3/21	10:00 AM	Emerging Constituents Program Task Force Mtg	VIRTUAL/TELEPHONICALLY
5/4/21	10:00 AM	PA 24 Committee Mtg	VIRTUAL/TELEPHONICALLY
5/11/21	8:30 AM	PA 22 Committee Mtg	VIRTUAL/TELEPHONICALLY
5/27/21	11:00 AM	OWOW Steering Committee Mtg	VIRTUAL/TELEPHONICALLY

*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  
MARCH 16, 2021**

**COMMISSIONERS PRESENT**

Jasmin A. Hall, Chair, Inland Empire Utilities Agency  
Bruce Whitaker, Vice Chair, Orange County Water District  
Brenda Dennstedt, Secretary-Treasurer, Western Municipal Water District  
David J. Slawson, Eastern Municipal Water District  
June D. Hayes, San Bernardino Valley Municipal Water District

**COMMISSIONERS ABSENT**

None

**ALTERNATE COMMISSIONERS PRESENT; NON-VOTING**

T. Milford Harrison, Alternate, San Bernardino Valley Municipal Water District  
Kelly E. Rowe, Alternate, Orange County Water District  
Mike Gardner, Alternate, Western Municipal Water District

**STAFF PRESENT**

Jeff Mosher, Karen Williams, Mark Norton, Dean Unger, David Ruhl, Carlos Quintero, Marie Jauregui, Rick Whetsel, Kelly Berry

**OTHERS PRESENT**

Andrew D. Turner, Lagerlof, LLP

The Regular Meeting of the Santa Ana Watershed Project Authority Commission was called to order at 9:31 a.m. by Chair Hall on behalf of the Santa Ana Watershed Project Authority, 11615 Sterling Avenue, Riverside, California.

**1. CALL TO ORDER**

Pursuant to the provisions of Executive Order N-29-20, this meeting was conducted virtually and all votes were taken by 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: MARCH 2, 2021**

Recommendation: Approve as posted.

**MOVED**, approve the Consent Calendar.

Result:	<b>Adopted by Roll Call Vote (Unanimously)</b>
Motion/Second:	Dennstedt/Hayes
Ayes:	Dennstedt, Hall, Hayes, Slawson, Whitaker
Nays:	None
Abstentions:	None
Absent:	None

## 6. **NEW BUSINESS**

### A. **FYE 2022 AND 2023 OWOW AND ROUNDTABLES FUND DRAFT BUDGETS (CM#2021.19)**

Karen Williams provided the PowerPoint presentation on pages 11 – 67 of the agenda packet, *FYE 2022 and 2023 OWOW and Roundtables Funds Draft Budget*. Ms. Williams advised these draft budgets were reviewed by the member agency Chief Financial Officers and any comments or concerns were addressed. A comprehensive budget presentation will be provided to the Commission at the April 20 meeting, with budget approval anticipated on May 4. Chair Hall referred to the Member Contributions slide (page 65 of the agenda packet) and asked what determines the amounts collected; Ms. Williams noted this is based on what the member agencies have approved in each budget. For instance, this year homelessness water monitoring and weather modification projects were approved; in prior years, the OWOW Plan updates would have increased member contributions. There was discussion regarding Basin Monitoring Program Task Force and Middle Santa Ana Riverside (MSAR) TMDL Task Force participant fees. Chair Hall noted that key local city and county staff have been replaced recently due to retirement and asked how information about these task force efforts could be presented to incoming leadership. Mark Norton noted city representatives attend quarterly task force meetings and SAWPA staff regularly provide presentations covering task force efforts; in addition to these efforts, staff will reach out to local county public works, flood control, municipal leadership, and city council members. Commissioner Dennstedt requested General Manager Mosher make a presentation about the WECAN project to the WMWD Board at a future meeting.

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

### B. **PROPOSITION 84 ROUND 2 IMPLEMENTATION GRANT AND PROPOSITION 1 ROUND 1 IMPLEMENTATION GRANT STATUS UPDATE (CM#2021.20)**

Marie Jauregui provided the PowerPoint presentation on pages 77 – 94 of the agenda packet, *Proposition 84 & Proposition 1 Status Update*. The Proposition 84 Round 2 Implementation Grant consists of 18 projects (not including grant administration) and has a total project cost of approximately \$124 million. Fifteen projects are complete or pending final reporting; three projects are on schedule and expected to be completed by June 2021. The Proposition 1 Round 1 Implementation Grant is under review with DWR. Staff and legal counsel are drafting sub-agreements which will be sent to each of the project proponents for review in order to reduce the time between execution of the DWR-SAWPA grant agreement and the SAWPA-Agency sub-agreements.

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

### C. **DISADVANTAGED COMMUNITY INVOLVEMENT (DCI) PROGRAM STATUS (CM#2021.21)**

Rick Whetsel provided the PowerPoint presentation on pages 98 – 112 of the agenda packet, *Disadvantaged Communities Involvement Program Status Report*. The Disadvantaged Community Involvement (DCI) Program is a Proposition 1 funded effort within the Integrated Regional Water Management (IRWM) Program to ensure the involvement of disadvantaged communities, economically distressed areas, and underrepresented communities in integrated regional water management planning. In collaboration with program partner the Local Government Commission, SAWPA is hosting an online virtual mini series – the Santa Ana River Watershed Ambassador Program for Local Policymakers. A Watershed Ambassador

certification is awarded after participants complete three workshops about the watershed, collaboration during uncertainty, and communicating the value of water.

For more information, reference: <https://www.lgc.org/sawpa/>

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

**7. INFORMATIONAL REPORTS-**

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

**A. CASH TRANSACTIONS REPORT – JANUARY 2021**

**B. INTER-FUND BORROWING – JANUARY 2021 (CM#2021.17)**

**C. PERFORMANCE INDICATORS/FINANCIAL REPORTING – JANUARY 2021 (CM#2021.18)**

**D. PROJECT AGREEMENT 25 – OWOW FUND – FINANCIAL REPORT, DECEMBER 2020**

**E. PROJECT AGREEMENT 26 – ROUNDTABLE FUND – FINANCIAL REPORT, DECEMBER 2020**

**F. GENERAL MANAGER REPORT**

Staff recently met with Councilmember Ted Hoffman, City of Norco, the newest member appointed to the OWOW Steering Committee. It is anticipated that the Orange County Council of Governments will appoint its member to the vacant Orange County seat during their March board meeting. The Commission workshop regarding the 100-day plan will take place at the second meeting in April.

**G. STATE LEGISLATIVE REPORT**

General Manager Mosher noted that the member agencies are working on a regional letter in opposition to AB 377 (Rivas).

**H. CHAIR’S COMMENTS/REPORT**

There were no comments/reports from the Chair.

**I. COMMISSIONERS’ COMMENTS**

Commissioner Hayes referenced a letter recently provided by the CSDA signed by a coalition of associations opposing AB 377 (Rivas), a copy of which will be provided to the Commission and member agency general managers.

**J. 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 Hall adjourned the meeting at 10:35 a.m.

**Approved at a Regular Meeting of the Santa Ana Watershed Project Authority Commission on Tuesday, April 6, 2021.**

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Jasmin A. Hall, Chair

Attest:

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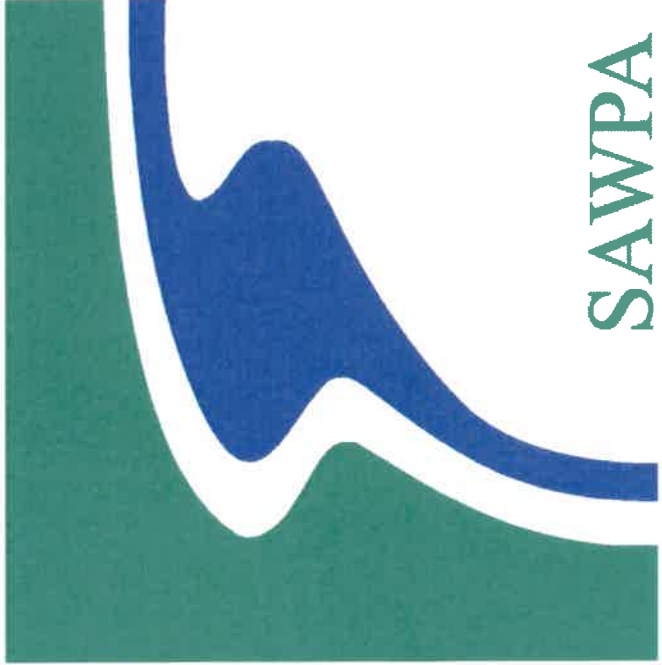


*Santa Ana Watershed  
Project Authority*

**Finance Department**

Santa Ana Watershed Project Authority  
**TREASURER'S REPORT**

**February 2021**



During the month of February 2021, the Agency's actively managed temporary idle cash earned a return of 1.793%, representing interest earnings of \$11,376. Additionally, the Agency's position in overnight funds L.A.I.F. generated \$14,843 in interest, resulting in \$26,219 of interest income from all sources. Please note that this data represents monthly earnings only, and does not indicate actual interest received. There were zero (0) investment position purchased, zero (0) positions sold, zero (0) positions matured, and zero (0) positions were called.

This Treasurer's Report is in compliance with SAWPA's Statement of Investment Policy. Based upon the liquidity of the Agency's investments, this report demonstrates the ability to meet customary expenditures during the next six months.

Prepared and Submitted by:

March 9, 2021

Karen L. Williams, Deputy GM/Chief Financial Officer

*Santa Ana Watershed Project Authority*

**INVESTMENT PORTFOLIO - MARKED TO MARKET - UNREALIZED GAINS & LOSSES**

*February 28, 2021*

SAWPA primarily maintains a "Buy and Hold" investment philosophy, with all investments held by US Bank via a third-party safekeeping contract.

Investment	Security		Purchase	Maturity	Call Date		Yield To	Investment	Market Value	Unrealized	Coupon	Interest	
Type	Type	CUSIP	Dealer	Date	Date	(if appl)	Par Value	Maturity	Cost	Current Month	Gain / (Loss)	Rate	Earned
Agency	FHLMC	3137EAEC9	WMS	09-16-16	08-12-21	No Call	\$ 1,000,000.00	1.335%	\$ 990,060.00	\$ 1,004,876.00	\$ 14,816	1.125%	\$ 1,024.07
Agency	FHLMC	3137EADB2	WMS	04-17-17	01-13-22	No Call	\$ 500,000.00	2.375%	\$ 512,767.00	\$ 509,905.00	\$ (2,862)	2.375%	\$ 910.96
Agency	FHLB	313379Q69	WMS	12-14-17	06-10-22	No Call	\$ 1,000,000.00	2.150%	\$ 998,930.00	\$ 1,024,746.00	\$ 25,816	2.125%	\$ 1,649.39
Agency	FHLB	3130A3GE8	MBS	02-04-20	12-13-24	No Call	\$ 500,000.00	1.414%	\$ 531,250.00	\$ 541,812.50	\$ 10,563	2.750%	\$ 542.40
Agency	FNMA	3135G0X24	MBS	02-04-20	01-07-25	No Call	\$ 500,000.00	1.398%	\$ 505,380.00	\$ 519,634.50	\$ 14,255	1.625%	\$ 536.25
Agency	FNMA	3135G05X7	WMS	10-30-20	08-25-25	No Call	\$ 1,000,000.00	0.460%	\$ 995,952.00	\$ 983,962.00	\$ (11,990)	0.375%	\$ 352.88
Agency	USTN	912828S76	WMS	12-14-17	07-31-21	No Call	\$ 1,000,000.00	2.013%	\$ 969,062.50	\$ 1,004,492.00	\$ 35,430	1.125%	\$ 1,544.07
CORP	Apple Inc	037833AK6	WMS	10-15-18	05-03-23	No Call	\$ 500,000.00	3.360%	\$ 479,898.50	\$ 522,292.00	\$ 42,394	2.400%	\$ 1,288.77
CORP	Toyota Motor Corp Credit	89236TFNO	WMS	10-15-18	09-20-23	No Call	\$ 500,000.00	3.550%	\$ 497,747.50	\$ 536,631.50	\$ 38,884	3.450%	\$ 1,361.64
CD	American Express	02587DP85	WMS	04-19-17	04-19-21	No Call	\$ 248,000.00	2.250%	\$ 248,000.00	\$ 248,000.00	\$ -	2.250%	\$ 428.05
CD	American Express BK FSB	AN4199708	WMS	05-10-17	05-10-21	No Call	\$ 248,000.00	2.200%	\$ 248,000.00	\$ 248,000.00	\$ -	2.200%	\$ 418.54
CD	Sallie Mae BK SLT Lake City	7954503Q6	MBS	07-01-19	06-27-22	No Call	\$ 247,000.00	2.250%	\$ 247,000.00	\$ 247,000.00	\$ -	2.250%	\$ 426.33
CD	Morgan Stanley Bank NA	6169OUHP8	MBS	07-05-19	07-05-22	No Call	\$ 247,000.00	2.200%	\$ 247,000.00	\$ 247,000.00	\$ -	2.200%	\$ 416.85
CD	Goldman Sachs Bank USA	38148PUV7	WMS	12-20-17	12-20-22	No Call	\$ 248,000.00	2.500%	\$ 248,000.00	\$ 248,000.00	\$ -	2.500%	\$ 475.62

<b>Total Actively Invested Funds</b>	<b>\$ 7,738,000.00</b>	<b>\$ 7,719,047.50</b>	<b>\$ 7,886,351.50</b>	<b>\$ 167,304</b>	<b>1.793%</b>	<b>\$ 11,375.84</b>
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<b>Total Local Agency Investment Fund</b>		<b>\$47,541,380.32</b>		<b>0.407%</b>	<b>\$ 14,843.33</b>
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<b>Total Invested Cash</b>	<b>\$ 7,738,000.00</b>	<b>\$55,260,427.82</b>		<b>0.601%</b>	<b>\$ 26,219.17</b>
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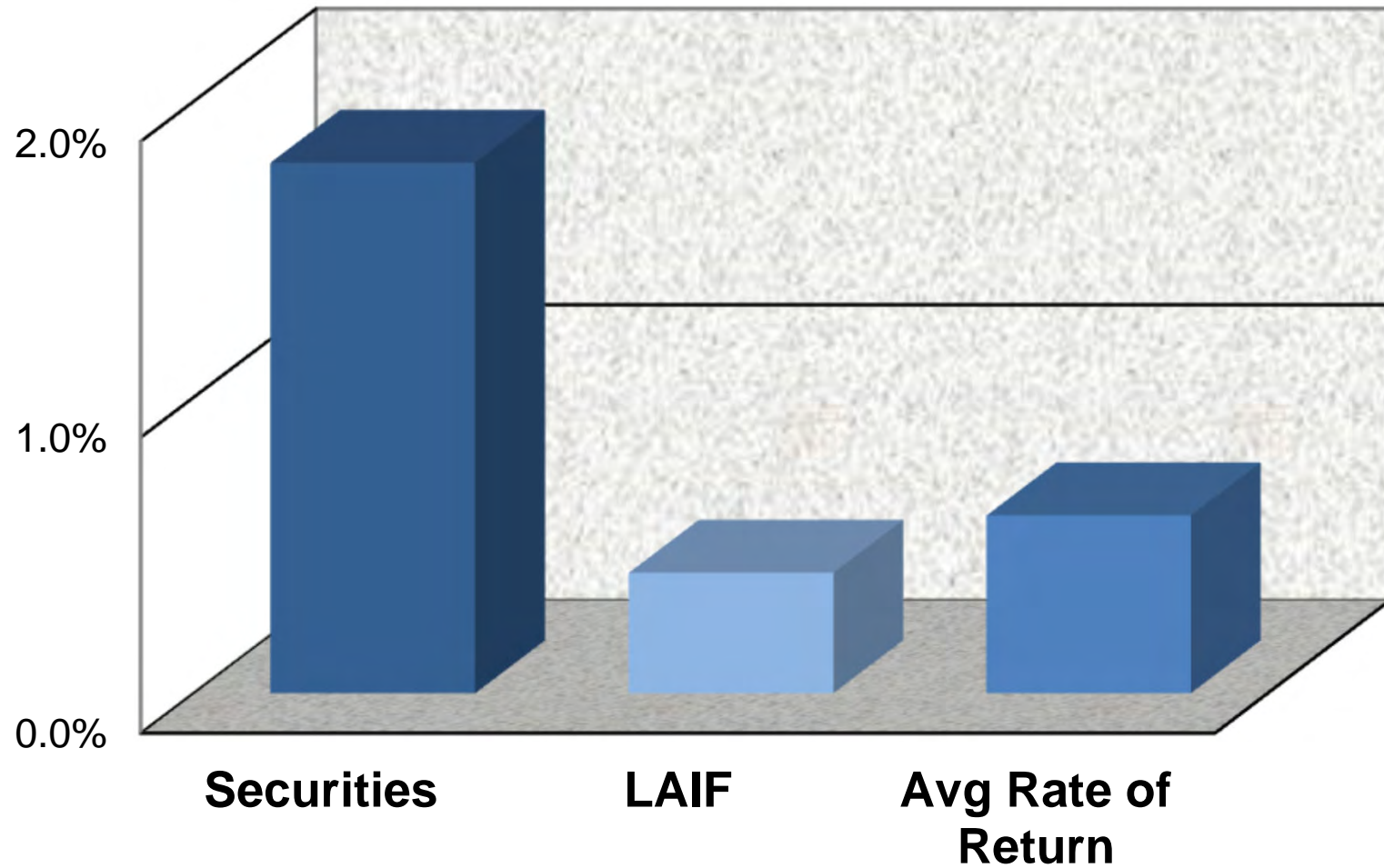
**Keyto Security Type:**

FHLB	= Federal Home Loan Bank
FHLMC	= Federal Home Loan Mortgage Corporation
FNMA	= Federal National Mortgage Association
USTN	= US Treasury Note
CORP	= Corporate Note
CD	= Certificate of Deposit
GDB	= Goldman Sachs Bank
AEC	= American Express Centurion

**Keyto Dealers:**

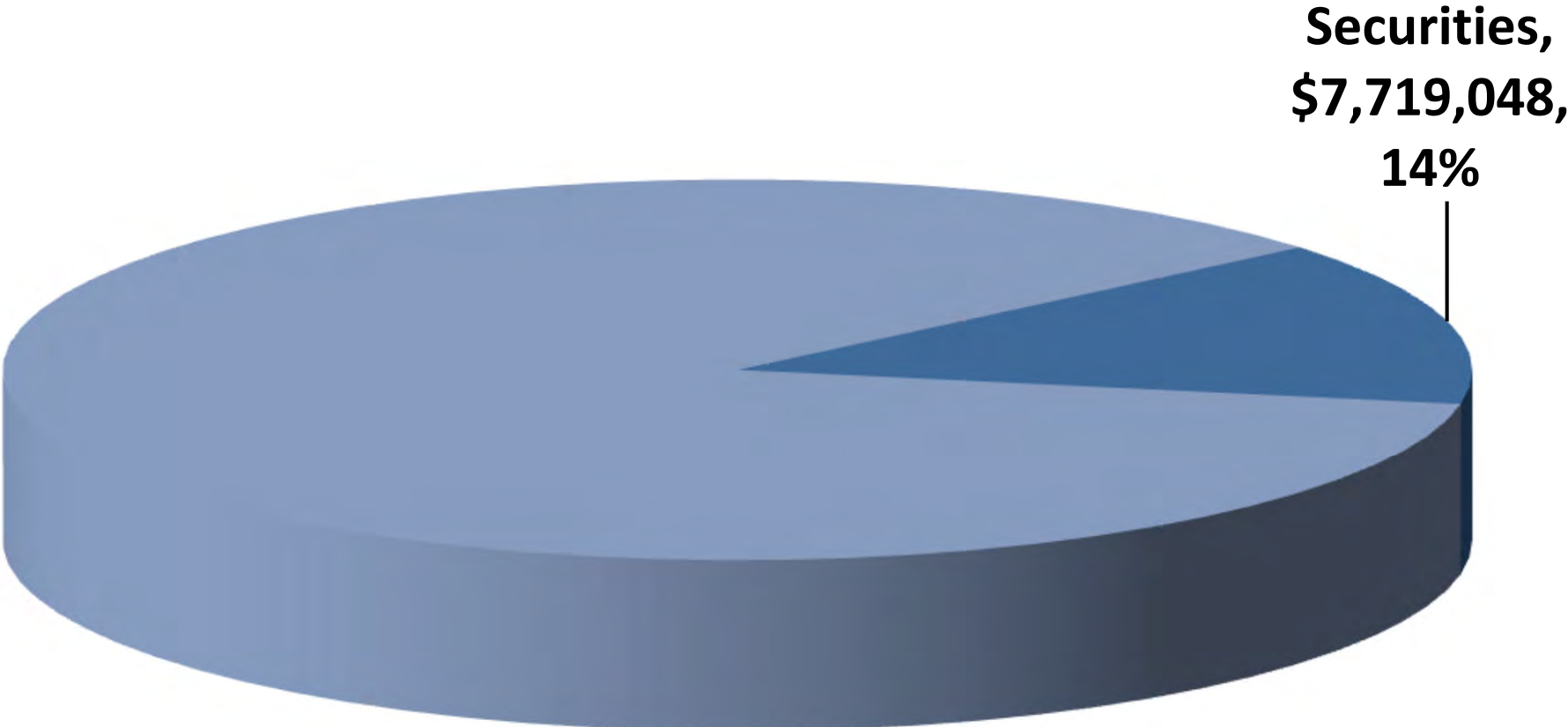
FCS	= FinaCorp Securities
MBS	= Multi-Bank Securities
MS	= Mutual Securities
RCB	= RBC Dain Rauscher
SA	= Securities America
TVI	= Time Value Investments
WMS	= Wedbush Morgan Securities

# Interest Rate Analysis



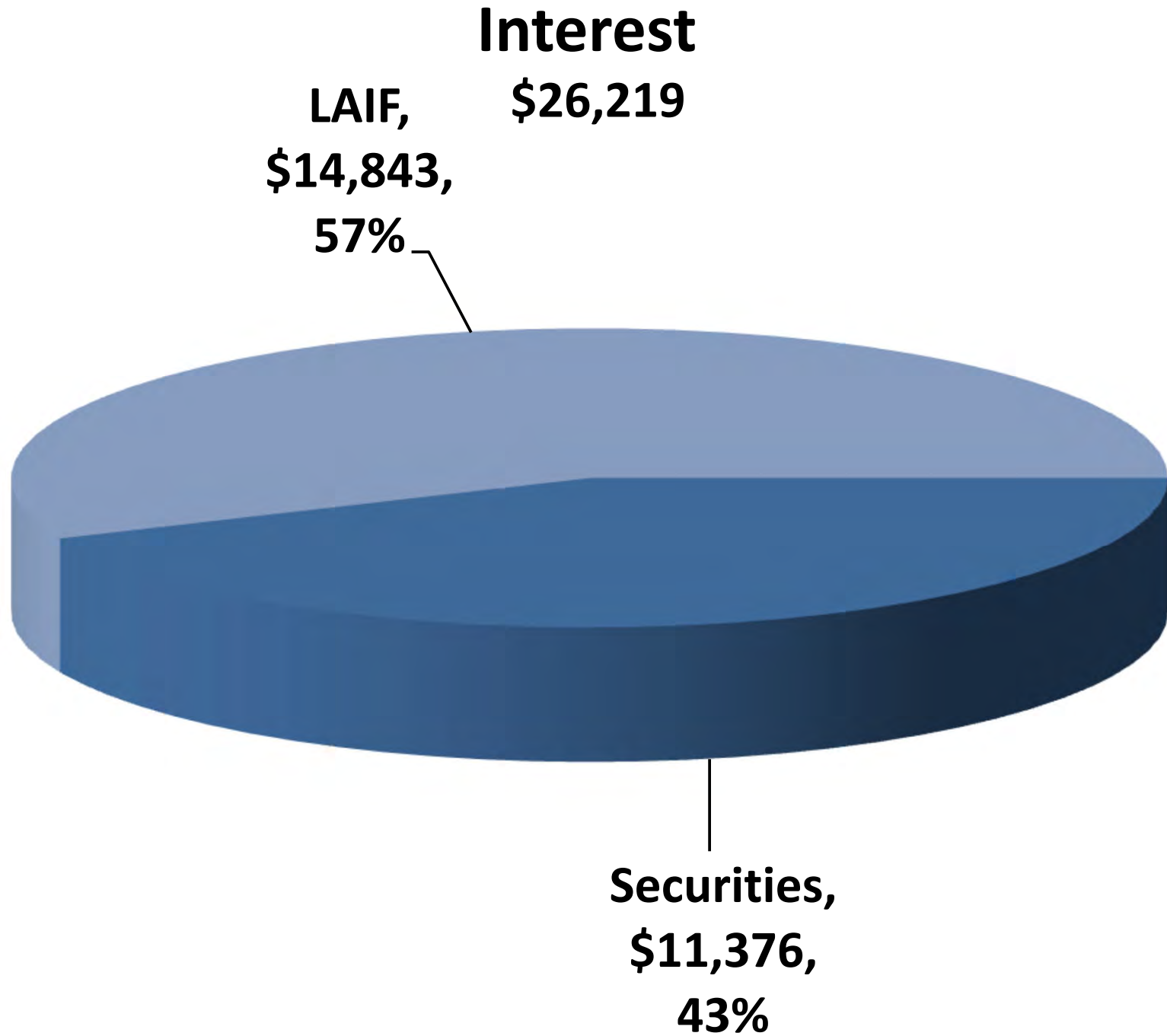
# Investments

\$55,260,428



**LAIF,**  
**\$47,541,380,**  
**86%**

**Securities,**  
**\$7,719,048,**  
**14%**



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## **COMMISSION MEMORANDUM NO. 2021.22**

**DATE:** April 6, 2021  
**TO:** SAWPA Commission  
**SUBJECT:** FYE 2022 and 2023 General Fund Draft Budget  
**PREPARED BY:** Karen Williams, DGM/CFO

### **RECOMMENDATION**

It is recommended that the Commission review and discuss the draft FYE 2022 and 2023 Brine Line and General Fund Budgets.

### **DISCUSSION**

On January 21, 2021, staff presented the FYE 2022 and 2023 Goals and Objectives to the Commission for their review. On March 11, 2021, the first draft FYE 2022 and 2023 Budget was presented to member agencies' financial staff at the Budget Workshop. There were no comments or suggested changes from the member agencies' financial staffs. As per the Budget Schedule, the Budget will be presented to the Commission in three meetings. The OWOW and Roundtable Budgets were presented on March 16, 2021, the General Fund Budget will be presented today at the Commission meeting, and the Brine Line Fund Budget will be presented today to PA24. The combined Comprehensive Budget will be presented on April 20, 2021 and may be approved at that meeting.

As in the past, the FYE 2022 and 2023 is a two-year budget and is being prepared in accordance with the Government Finance Officers Association's (GFOA) recommended guidelines and practices. SAWPA has received the GFOA Distinguished Budget Presentation Award for the last six bi-annual budgets. Staff will submit the FYE 2022 and 2023 Budget for this award program after final adoption.

The following documents are attached for your review and will be discussed in detail at the Commission Meeting:

- ◆ General Fund Budget FYE 2022 and 2023
- ◆ Summary of Labor Multipliers (Indirect Costs and benefit allocation rates)
  - General Fund Costs FYE 2022 and 2023
  - Benefit Summary FYE 2022 and 2023
- ◆ Member Agency Contribution Schedule

### **RESOURCE IMPACTS**

Member Agency Contributions will be \$305,393 per Member Agency for FYE 2022 (a 3.76% increase over FYE 2021) and will be \$306,068 per Member Agency for FYE 2023.

Attachments:

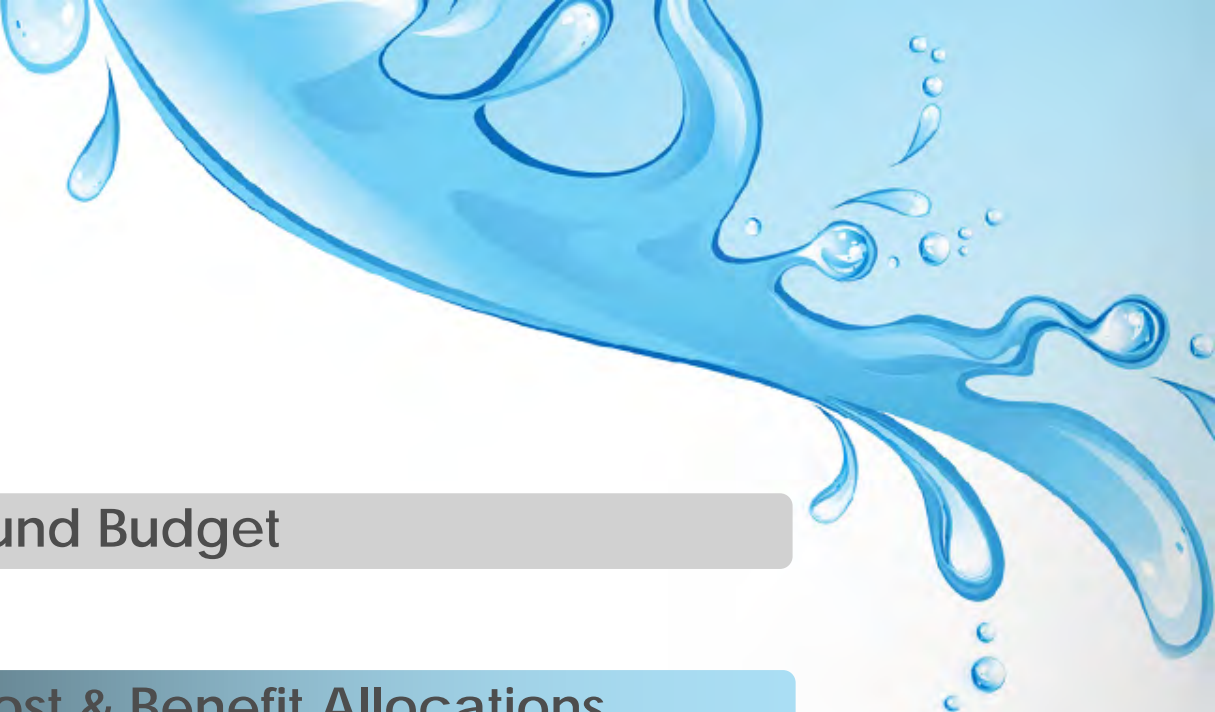
1. PowerPoint Presentation
2. Budget Documents:
  - General Fund Budget FYE 2022 and 2023
  - Summary of Labor Multipliers (Indirect Costs and benefit allocation rates)
  - General Fund Costs FYE 2022 and 2023
  - Benefit Summary FYE 2022 and 2023
  - Member Agency Contribution Schedule



# SAWPA

A large, stylized graphic of a water splash in shades of blue, flowing from the top right towards the bottom left. The splash is composed of various droplets and streams, creating a sense of movement and freshness. The background is a light, gradient blue.

FYE 2022 and 2023  
General Fund  
Draft Budget



**1** General Fund Budget

**2** Indirect Cost & Benefit Allocations

**3** Member Contributions

# General Fund Budget





## Budget Policy Practices

The General Fund is used for all JPA administrative functions in support of the Commission, legislative needs, headquarter building facility and maintenance, and all other functions not specifically related directly to projects.

A decorative graphic of a blue water splash with droplets and bubbles, located in the top right corner of the slide.

## Budget Policy Practices

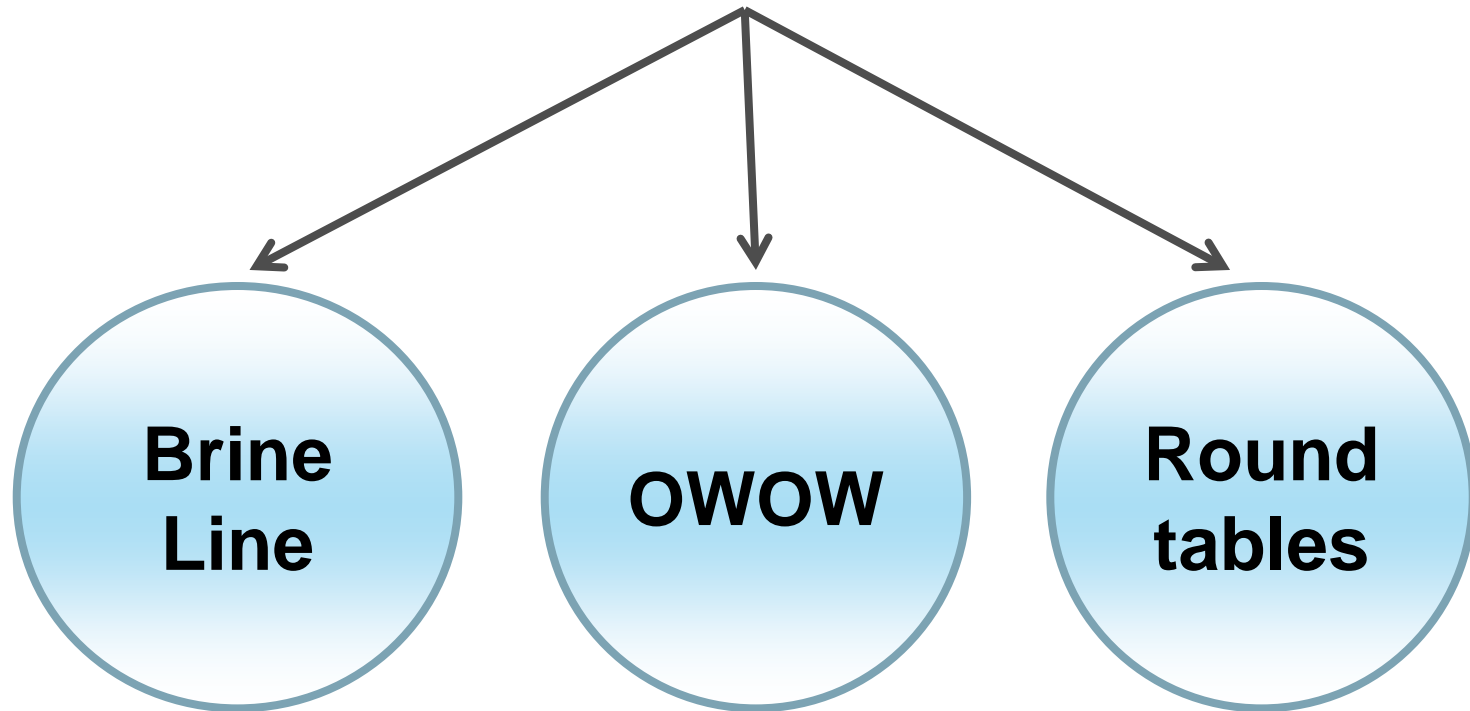
**SAWPA will endeavor to keep the indirect cost rate constant from year to year to provide stability in costs charged to projects using SAWPA labor, and for reimbursable contracts and charges to outside agencies.**



## Budget Policy Practices

**SAWPA will work to keep member agency contributions reasonable and relatively constant to provide stability for the member agencies.**

Administration  
Finance/Accounting  
Information Systems & Technology



Engineering &  
Operations

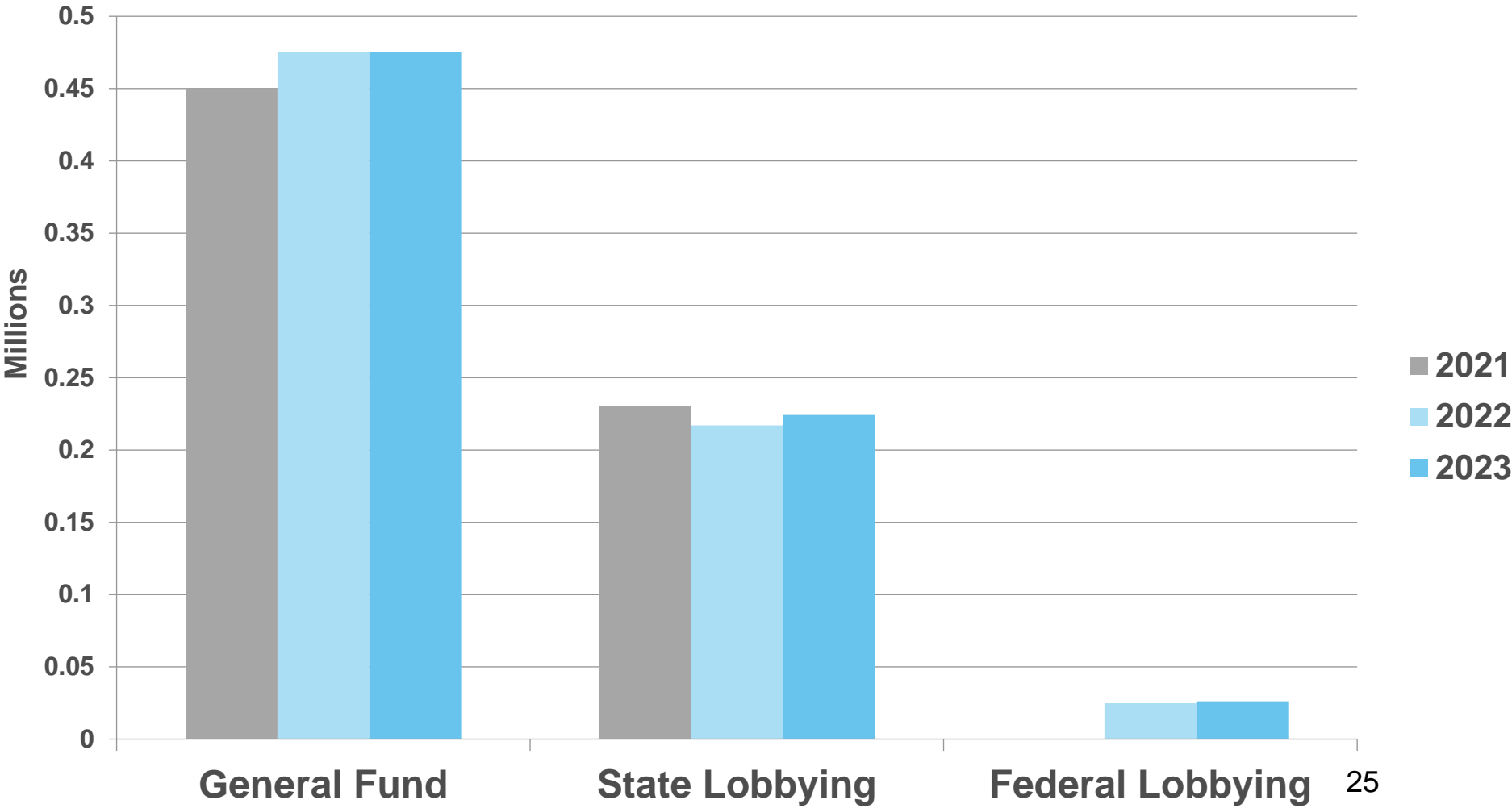
Planning



Payroll Activities



# General Funds



# General Funds Expenses



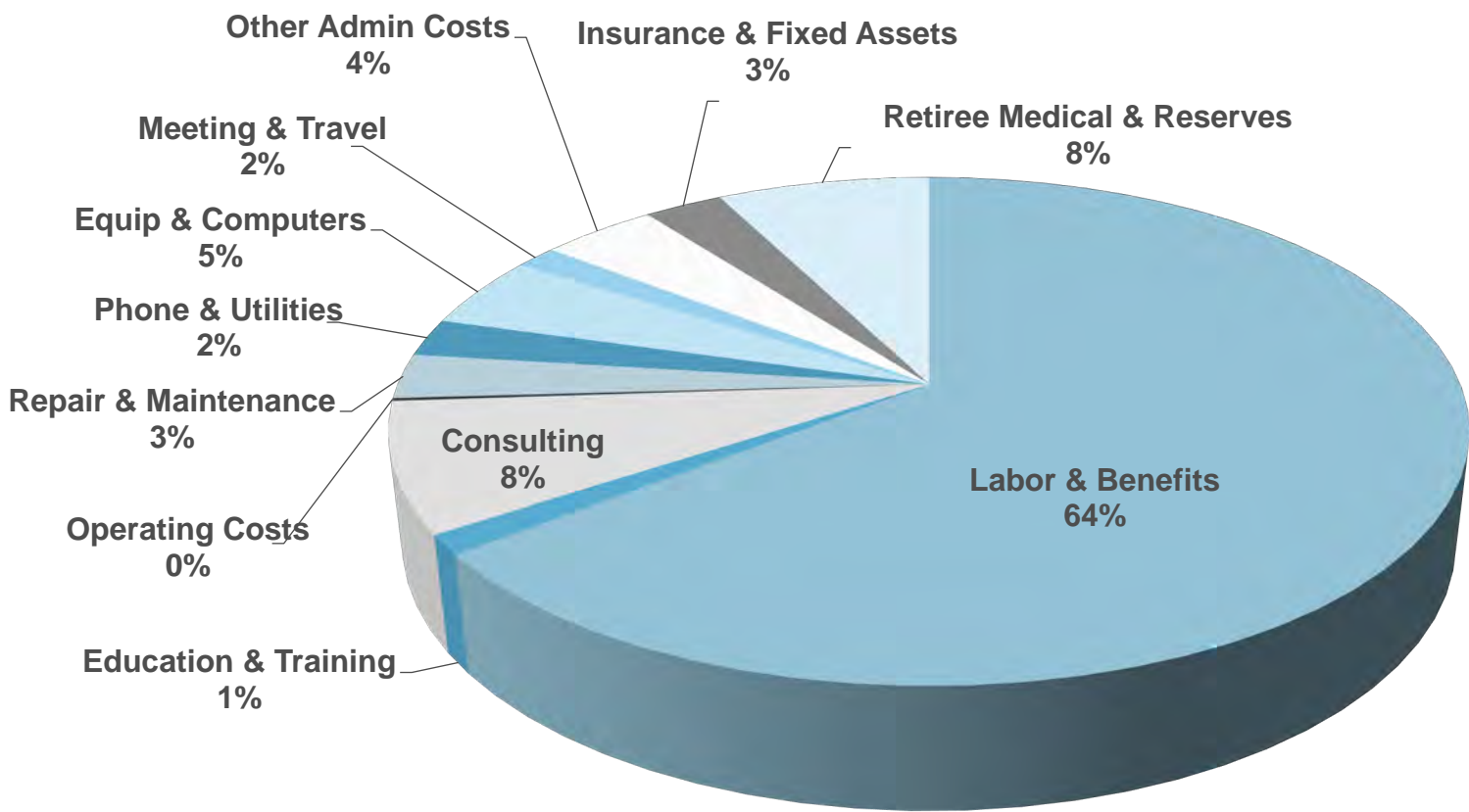
<b>Expense</b>	<b>FYE 2021</b>	<b>FYE 2022</b>	<b>FYE 2023</b>
General Fund	\$450,000	\$475,000	\$475,000
State Lobbying	239,339	216,974	224,232
Federal Lobbying	0	24,873	26,205
Total	\$680,339	\$716,847	\$725,437

# General Fund Costs

Fund	FYE 2021	FYE 2022	FYE 2023
Labor and Benefits	\$2,547,084	\$2,390,790	\$2,566,349
Education & Training	50,200	46,500	46,600
Consulting & Professional Services	304,000	303,750	309,000
Operating Costs	6,550	6,400	6,400
Repair & Maintenance	122,550	106,000	106,400
Phone & Utilities	75,900	89,150	94,350
Equipment & Computers	212,650	170,000	185,400
Meeting & Travel	62,000	55,500	55,500
Other Administrative Expenses	209,103	153,319	153,154
Insurance & Fixed Assets	139,250	104,178	106,577
Retiree Medical & Building Reserves	277,823	281,642	297,414
Total Before Indirect Cost Allocations	\$4,007,110	\$3,707,229	\$3,927,144
Less Indirect Cost Allocations	(3,557,110)	(3,232,229)	(3,452,144)
<b>Total General Fund Costs</b>	<b>\$450,000</b>	<b>\$475,000</b>	<b>\$475,000</b>

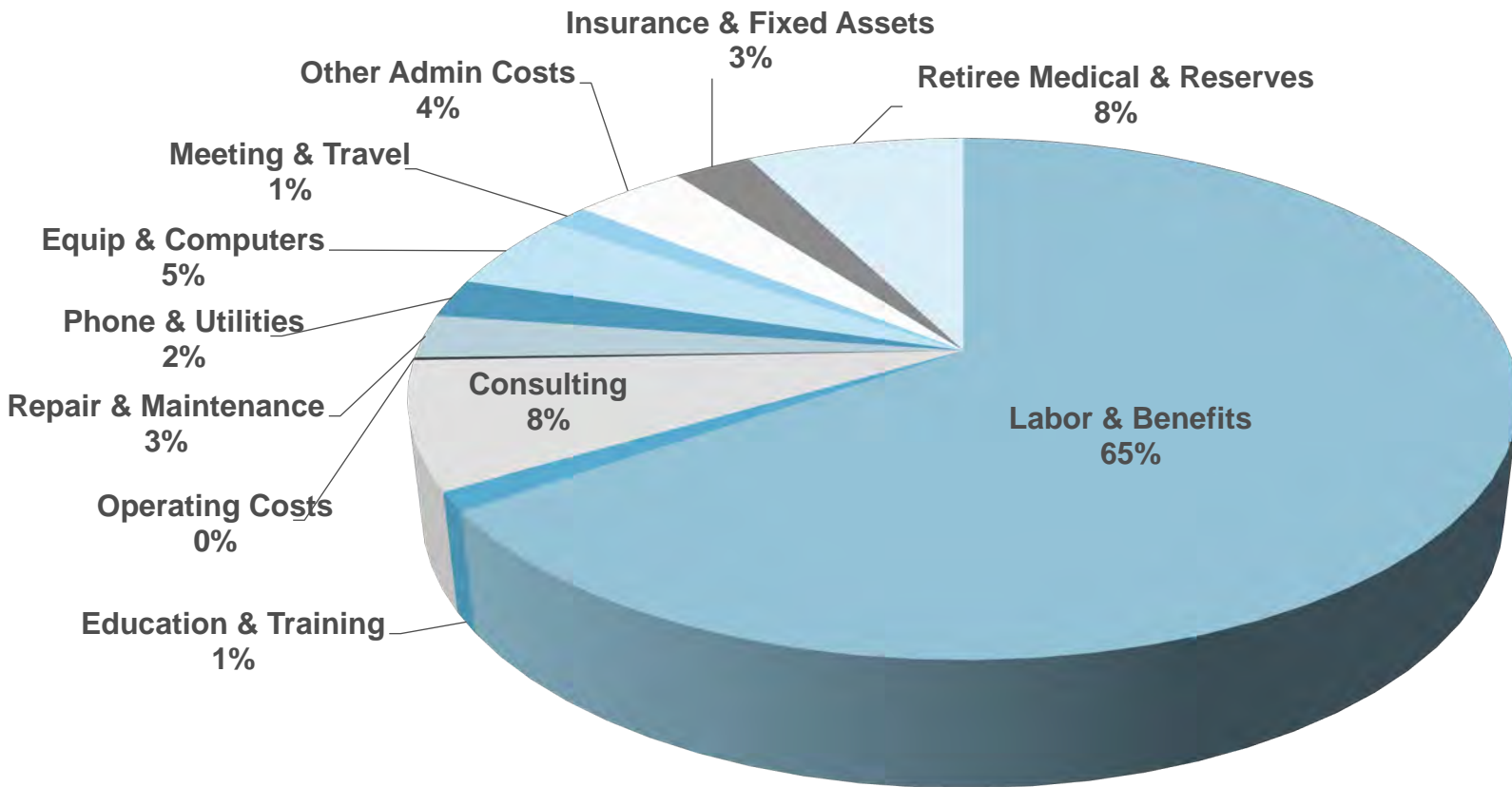
FYE 2022

### General Fund Costs \$3.7 Million



FYE 2023

## General Fund Costs \$3.9 Million

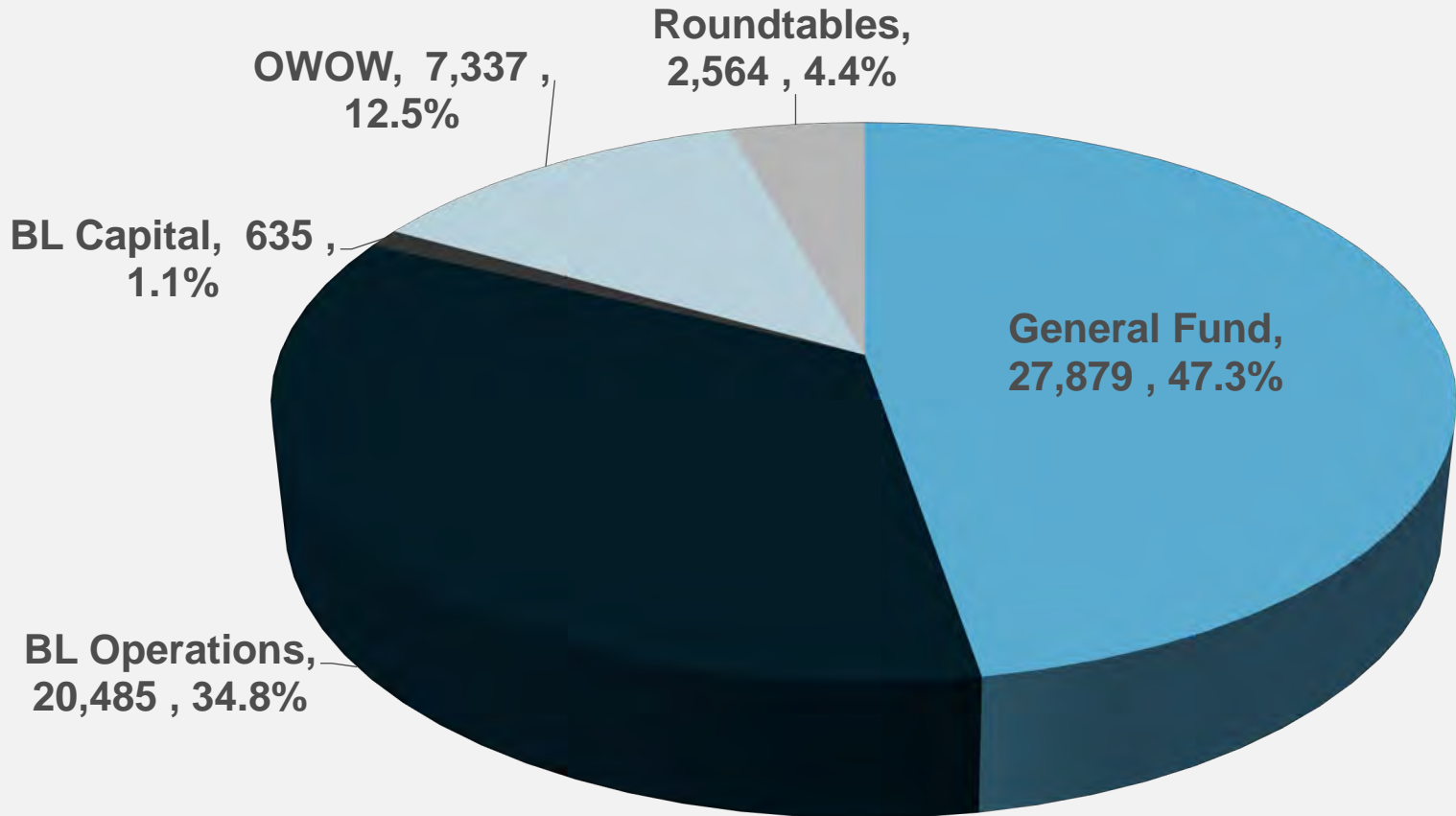


# Indirect Cost Allocations by Fund Type

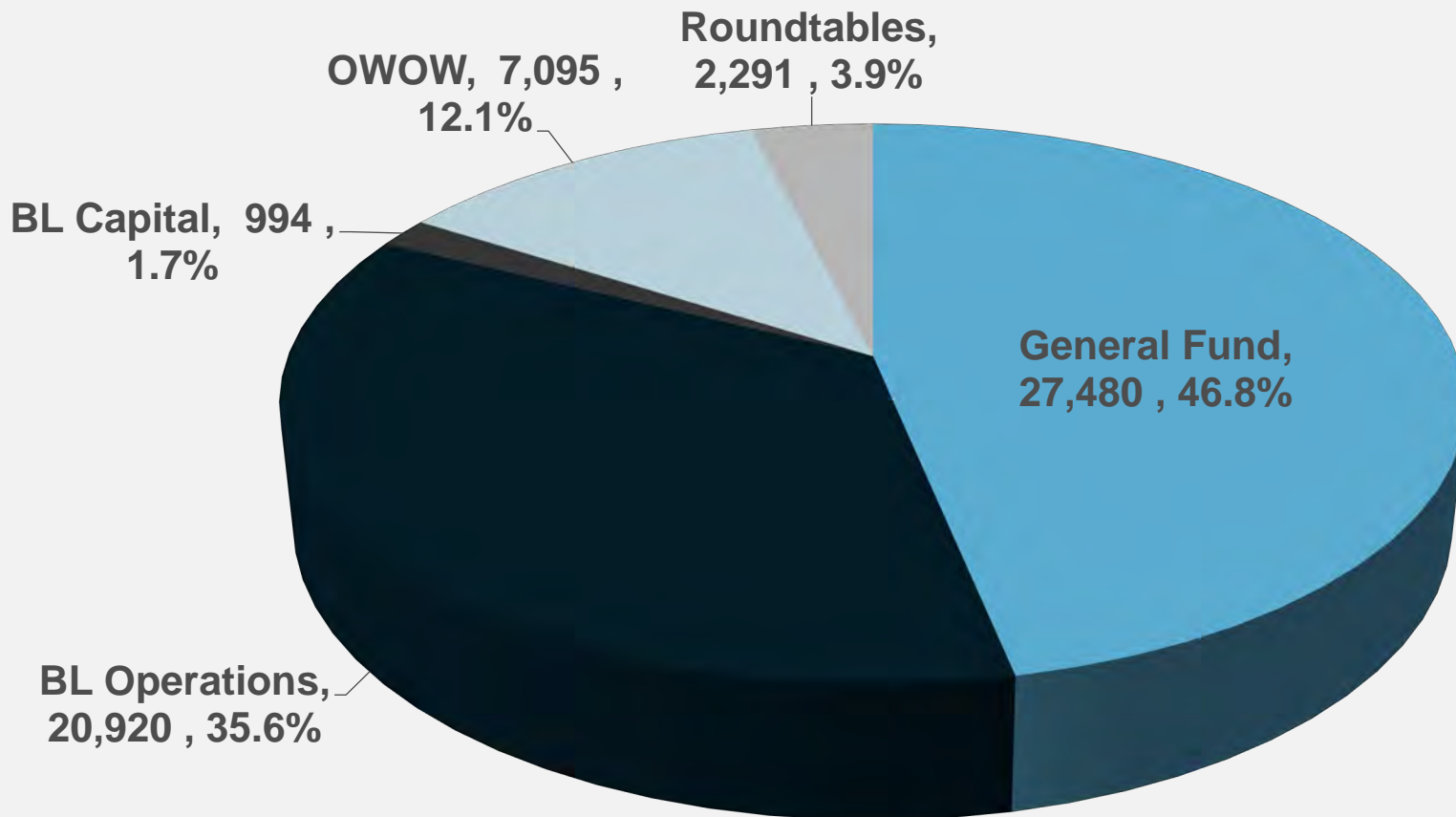


<b>Fund</b>	<b>FYE 2022</b>	<b>FYE 2023</b>
<b>Brine Line Operations Fund</b>	<b>\$1,979,458</b>	<b>\$2,133,400</b>
<b>Brine Line Capital Fund</b>	<b>94,824</b>	<b>147,614</b>
<b>OWOW Fund</b>	<b>874,486</b>	<b>898,635</b>
<b>Roundtables Fund</b>	<b>283,460</b>	<b>272,496</b>
<b>Total</b>	<b>\$3,232,229</b>	<b>\$3,452,144</b>

# Labor Hours Distribution FYE 2022



# Labor Hours Distribution FYE 2023





# Total Labor Hours Distribution



<b>Fund</b>	<b>FYE 2022</b>	<b>% of Total</b>	<b>FYE 2023</b>	<b>% of Total</b>
<b>General Fund</b>	<b>27,879</b>	<b>47.3%</b>	<b>27,480</b>	<b>46.7%</b>
<b>Brine Line Operating Fund</b>	<b>20,485</b>	<b>34.8%</b>	<b>20,920</b>	<b>35.6%</b>
<b>Brine Line Capital Fund</b>	<b>635</b>	<b>1.1%</b>	<b>994</b>	<b>1.7%</b>
<b>OWOW Funds</b>	<b>7,337</b>	<b>12.4%</b>	<b>7,095</b>	<b>12.1%</b>
<b>Roundtables Funds</b>	<b>2,564</b>	<b>4.4%</b>	<b>2,291</b>	<b>3.9%</b>
<b>Total</b>	<b>58,900</b>	<b>100.0%</b>	<b>58,780</b>	<b>100.0%</b>

# Labor Assumptions Used

- **26 FTE**
  - **25 filled and approved FTE**
  - **1 unfilled budgeted positions**
- **5 Interns**
- **7% Salary increase each year**
  - **Merit Pool**
  - **COLA**
  - **Promotions**
  - **Adjustments**

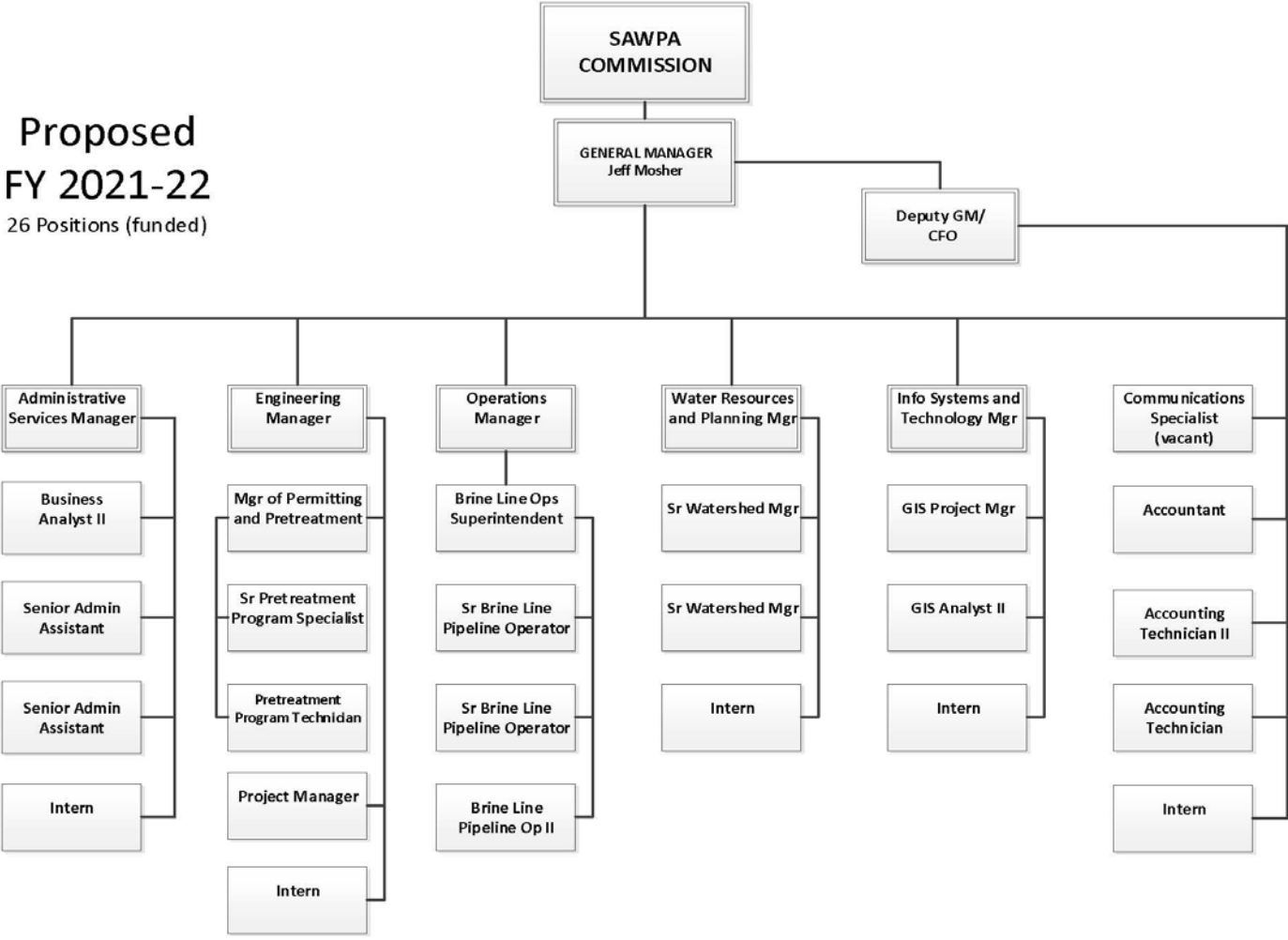
# Staff Changes



- **Removed**
  - **Executive Counsel**
  - **Watershed Manager**
- **Changed**
  - **Executive Assistant to Communications Specialist**

# Organization Chart

**Proposed  
FY 2021-22**  
26 Positions (funded)





# Positions by Department

Department	FYE 2016	FYE 2017	FYE 2018	FYE 2019	FYE 2020	FYE 2021	FYE 2022	FYE 2023
<b>Executive Management</b>	2	2	2	2	3	3	2	2
<b>Administrative Services</b>	5	5	5	6	6	6	4	4
<b>Finance/Accounting</b>	3	3	3	3	2	2	4	4
<b>Information Systems and Technology</b>	3	3	3	3	3	3	3	3
<b>Engineering*</b>	9	9	5	5	5	5	5	5
<b>Operations*</b>	0	0	5	5	5	5	5	5
<b>Water Resources &amp; Planning</b>	4	4	5	5	4	4	3	3
<b>Total Positions</b>	<b>26</b>	<b>26</b>	<b>28</b>	<b>29</b>	<b>28</b>	<b>28</b>	<b>26</b>	<b>26</b>

\* Engineering and Operations was one department prior to 2018

# Benefit Assumptions Used

## PERS 2% @ 55 - Classic

	<b>FYE 2022</b>	<b>FYE 2023</b>
<b>PERS Employers Rate</b>	<b>11.66%</b>	<b>11.70%</b>
<b>Employer Paid Member Contribution (EPMC)</b>	<b>0%</b>	<b>0%</b>
<b>Unfunded Liability Payment</b>	<b>\$115,529</b>	<b>\$152,000</b>

## PERS 2% @ 62 - PEPRA

	<b>FYE 2022</b>	<b>FYE 2023</b>
<b>PERS Employers Rate</b>	<b>7.70%</b>	<b>7.70%</b>
<b>Unfunded Liability Payment</b>	<b>\$11,712</b>	<b>\$12,000</b>

# Benefit Assumptions Used



- **PERS Unfunded Liability as of 06/30/2020**
  - \$4,081,229
- **Outstanding OPEB Liability as of 06/30/2020**
  - \$503,309
- **GASB 45/75 Compliance (6 employees eligible)**
  - **FYE 2022 – \$181,642**
    - Annual Required Contribution = \$65,000
    - Pay go Retiree Premiums (8) = \$116,642
  - **FYE 2023 - \$197,414**
    - Annual Required Contribution = \$65,000
    - Pay go Retiree Premiums (8) = \$132,414
- **Health insurance cap based on the lowest cost plan**
  - **(Kaiser family) - \$1,994/month**
    - 10% increase FYE 2022
    - 10% increase FYE 2023

# Total Payroll & Benefit Costs

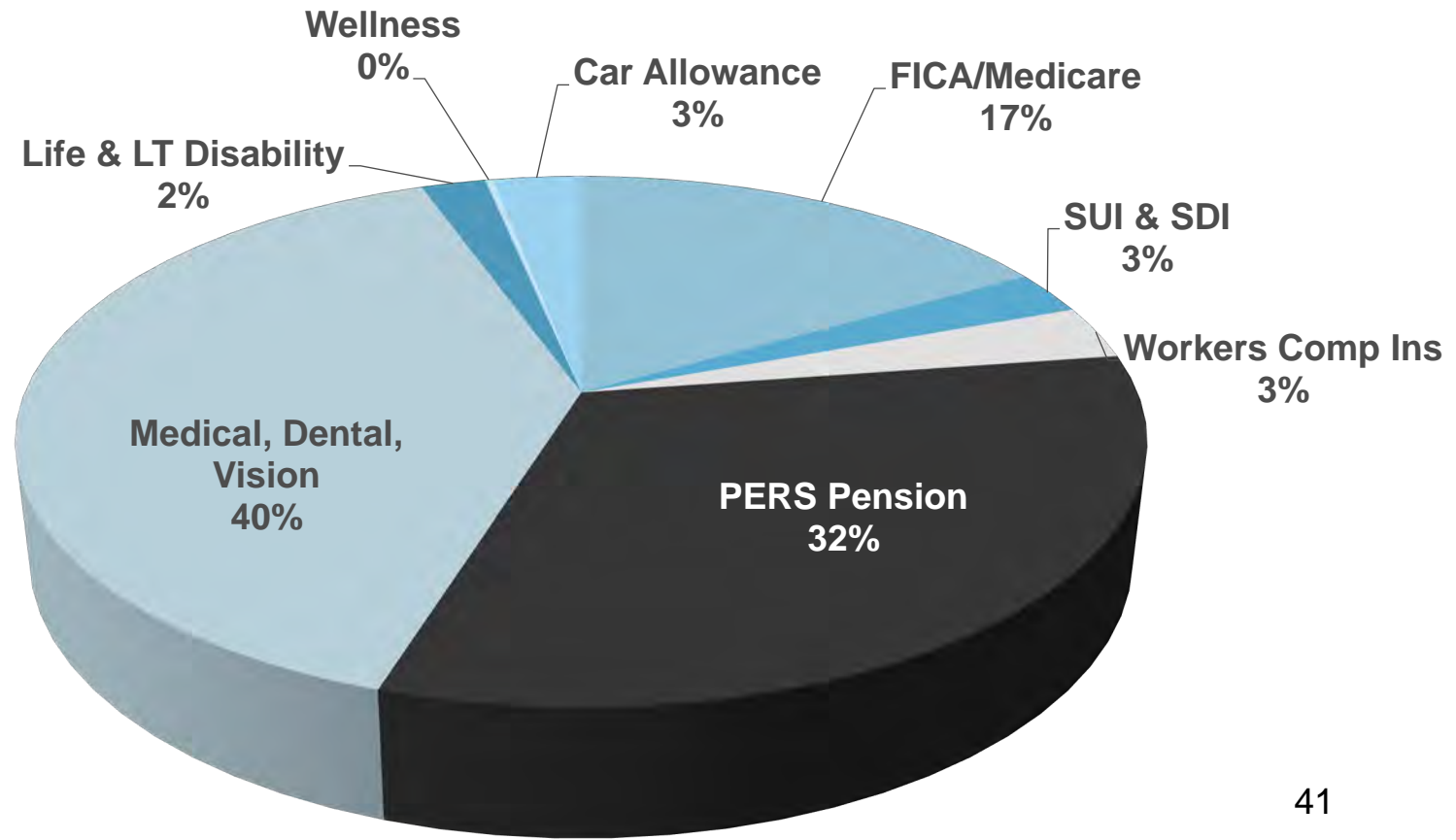


FYE	Benefits	Payroll	Total	FTE	
2018	\$1,356,121	\$3,290,569	\$4,646,690	27	
2019	\$1,496,863	\$3,390,201	\$4,887,064	28	
2020	\$1,476,642	\$3,493,614	\$4,970,256	28	
Budget {	2021	\$1,890,627	\$4,173,739	\$6,064,366	28
	2022	\$1,497,154	\$3,782,588	\$5,279,742	26
	2023	\$1,689,235	\$4,025,165	\$5,714,400	26



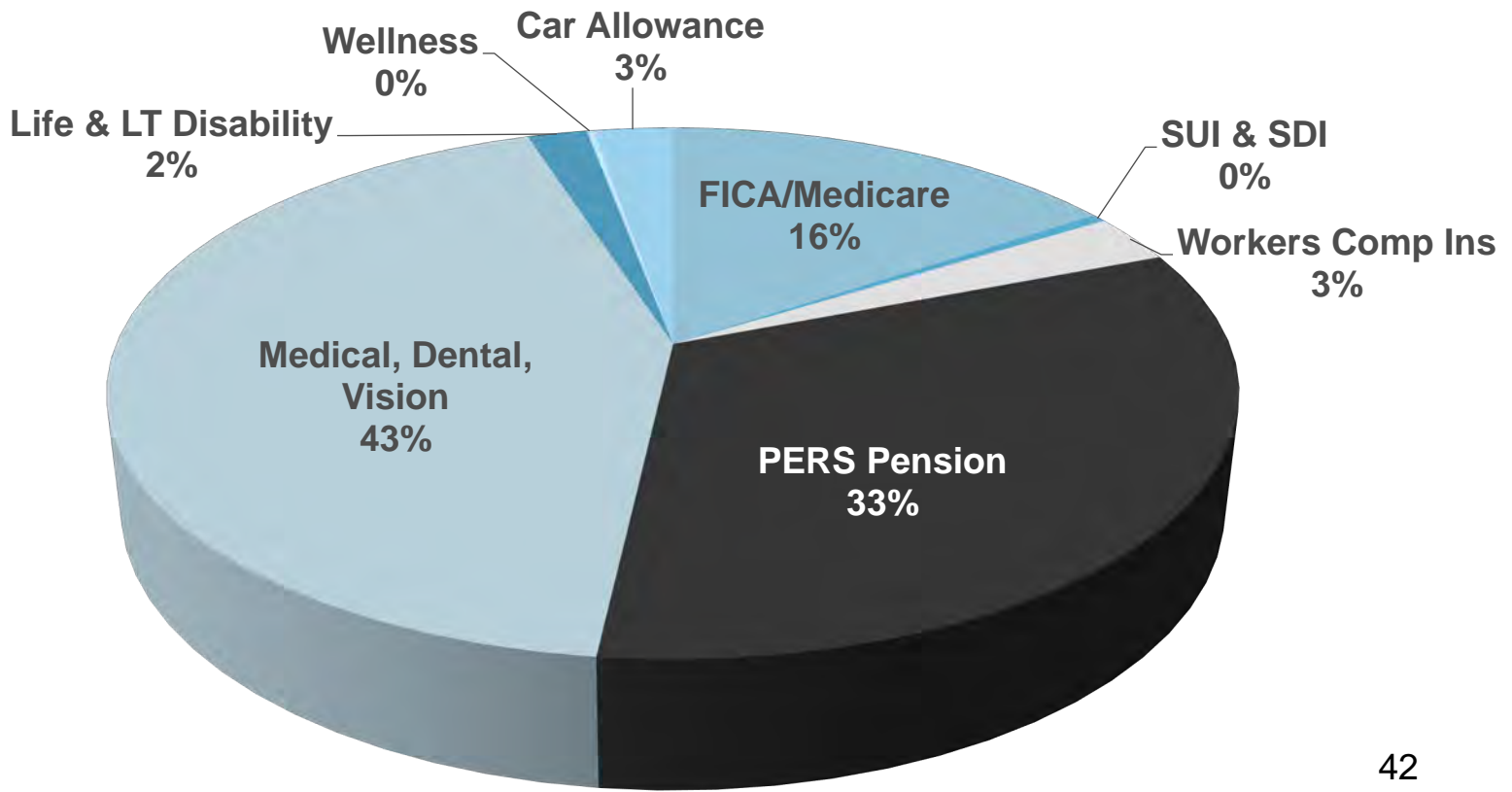
# Benefit Costs FYE 2022

**Total Benefits \$1,497,154**



# Benefit Costs FYE 2023

**Total Benefits \$1,689,235**

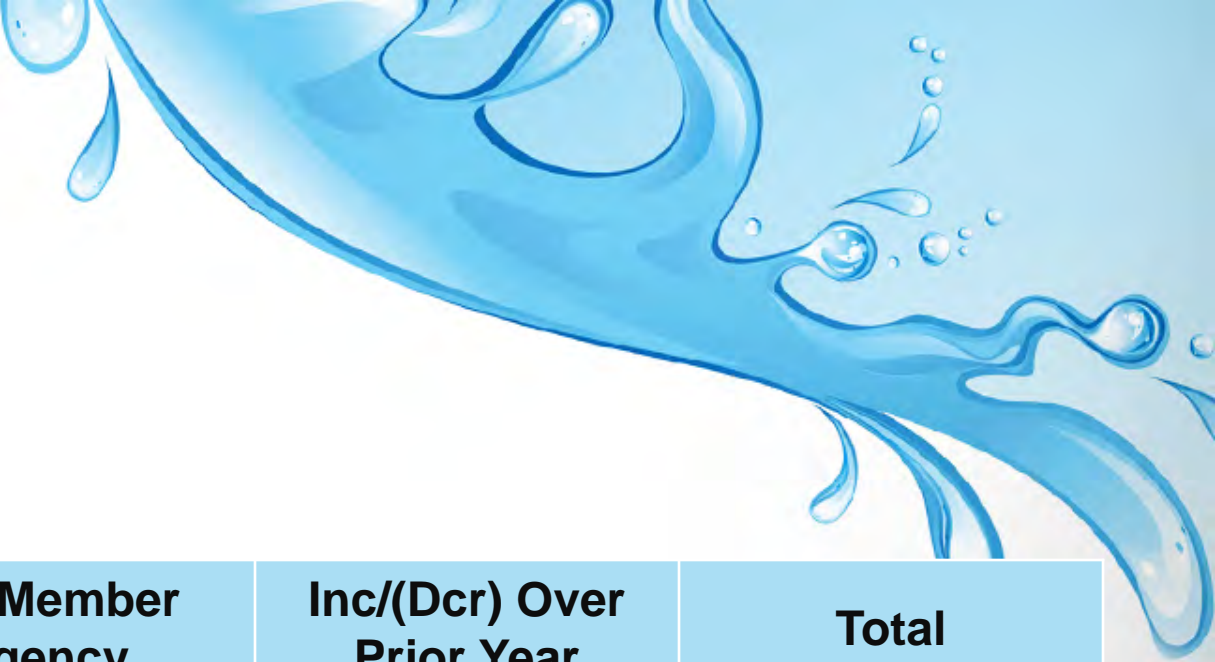


# Benefit & Indirect Cost Allocation Rates

<b>FYE</b>	<b>Benefits</b>	<b>Indirect Cost</b>	<b>Total</b>
<b>2018</b>	<b>0.412</b>	<b>1.578</b>	<b>1.990</b>
<b>2019</b>	<b>0.442</b>	<b>1.617</b>	<b>2.059</b>
<b>2020</b>	<b>0.423</b>	<b>1.886</b>	<b>2.309</b>
<b>2021</b>	<b>0.453</b>	<b>1.508</b>	<b>1.961</b>
<b>2022</b>	<b>0.396</b>	<b>1.613</b>	<b>2.009</b>
<b>2023</b>	<b>0.420</b>	<b>1.608</b>	<b>2.028</b>

Budget

# Member Contributions



<b>FYE</b>	<b>Per Member Agency</b>	<b>Inc/(Dcr) Over Prior Year</b>	<b>Total</b>
<b>2018</b>	<b>\$288,423</b>	<b>(\$562)</b>	<b>(0.195%)</b>
<b>2019</b>	<b>\$294,339</b>	<b>\$5,916</b>	<b>2.05%</b>
<b>2020</b>	<b>\$305,393</b>	<b>\$11,054</b>	<b>3.76%</b>
<b>2021</b>	<b>\$306,068</b>	<b>\$675</b>	<b>0.22%</b>
<b>2022</b>	<b>\$311,369</b>	<b>\$5,301</b>	<b>1.73%</b>
<b>2023</b>	<b>\$313,087</b>	<b>\$1,718</b>	<b>0.55%</b>

# Member Contributions per Agency

Activity	Actual FYE 2021	Budget FYE 2022	Budget FYE 2023
General Planning	\$72,000	\$80,000	\$80,000
USBR Partnership Studies	4,000	4,000	4,000
Watershed Management (OWOW)	90,000	80,000	80,000
SA River Fish Conservation	2,000	2,000	2,000
LESJWA Management	2,000	2,000	2,000
State Lobbying	46,068	43,394	44,846
Federal Lobbying	0	4,975	5,241
General Fund	90,000	95,000	95,000
<b>Total Agency Contribution</b>	<b>\$306,068</b>	<b>\$311,369</b>	<b>\$313,087</b>

1.73%

0.55%

45



**Questions?**

SAWPA General Fund Budget  
FYE 2022

	General Fund <u>Fund 100-00</u>	State Lobbying <u>Fund 100-03</u>	Federal Lobbying <u>Fund 100-04</u>	Total
<b><u>Source of Funds:</u></b>				
Financing Proceeds	\$ -	\$ -	\$ -	\$ -
Grant Proceeds	\$ -	\$ -	\$ -	\$ -
Member Agency Contributions	\$ 475,000	\$ 216,974	\$ 24,873	\$ 716,847
Other Income	\$ -	\$ -	\$ -	\$ -
Interest & Investments	\$ -	\$ -	\$ -	\$ -
Total Source of Funds	\$ 475,000	\$ 216,974	\$ 24,873	\$ 716,847
<b><u>Staffing:</u></b>				
Hours Allocated	27,349	530	-	27,879
FTE (based on 2080)	13.1	0.3	-	13.4
<b><u>Use of Funds:</u></b>				
Labor	\$ 1,712,844	\$ 55,147	\$ 10,656	\$ 1,778,647
Benefits	\$ 677,946	\$ 21,827	\$ 4,217	\$ 703,990
Indirect Costs Applied	\$ (3,232,229)	\$ -	\$ -	\$ (3,232,229)
Education & Training	\$ 46,500	\$ -	\$ -	\$ 46,500
Consulting & Professional Services	\$ 303,750	\$ 126,500	\$ 10,000	\$ 440,250
Operating Costs	\$ 6,400	\$ -	\$ -	\$ 6,400
Repair & Maintenance	\$ 106,000	\$ -	\$ -	\$ 106,000
Phone & Utilities	\$ 89,150	\$ -	\$ -	\$ 89,150
Equipment & Computers	\$ 170,000	\$ -	\$ -	\$ 170,000
Meeting & Travel	\$ 55,500	\$ 13,500	\$ -	\$ 69,000
Other Administrative Costs	\$ 153,319	\$ -	\$ -	\$ 153,319
Other Expenses	\$ 104,178	\$ -	\$ -	\$ 104,178
Construction	\$ -	\$ -	\$ -	\$ -
Debt Service	\$ -	\$ -	\$ -	\$ -
Total Use of Funds	\$ 193,358	\$ 216,974	\$ 24,873	\$ 435,205
<b><u>Contribution To Reserves:</u></b>				
Retiree Medical Expense	\$ 181,642	\$ -	\$ -	\$ 181,642
Building Repair/Replacement Reserve	\$ 100,000	\$ -	\$ -	\$ 100,000
Total Contributions to Reserves	\$ 281,642	\$ -	\$ -	\$ 281,642
Total Use of Funds	\$ 475,000	\$ 216,974	\$ 24,873	\$ 716,847
Net Gain (loss)	\$ 0	\$ -	\$ -	\$ 0

# SAWPA General Fund Budget FYE 2023

	General Fund Fund 100-00	State Lobbying Fund 100-03	Federal Lobbying Fund 100-04	Total
<b><u>Source of Funds:</u></b>				
Financing Proceeds	\$ -	\$ -	\$ -	\$ -
Grant Proceeds	\$ -	\$ -	\$ -	\$ -
Member Agency Contributions	\$ 475,000	\$ 224,232	\$ 26,205	\$ 725,437
Other Income	\$ -	\$ -	\$ -	\$ -
Interest & Investments	\$ -	\$ -	\$ -	\$ -
Total Source of Funds	\$ 475,000	\$ 224,232	\$ 26,205	\$ 725,437
<b><u>Staffing:</u></b>				
Hours Allocated	26,945	535	-	27,480
FTE (based on 2080)	13.0	0.3	-	13.2
<b><u>Use of Funds:</u></b>				
Labor	\$ 1,807,710	\$ 59,332	\$ 11,415	\$ 1,878,457
Benefits	\$ 758,639	\$ 24,900	\$ 4,790	\$ 788,329
Indirect Costs Applied	\$ (3,452,144)	\$ -	\$ -	\$ (3,452,144)
Education & Training	\$ 46,600	\$ -	\$ -	\$ 46,600
Consulting & Professional Services	\$ 309,000	\$ 126,500	\$ 10,000	\$ 445,500
Operating Costs	\$ 6,400	\$ -	\$ -	\$ 6,400
Repair & Maintenance	\$ 106,400	\$ -	\$ -	\$ 106,400
Phone & Utilities	\$ 94,350	\$ -	\$ -	\$ 94,350
Equipment & Computers	\$ 185,400	\$ -	\$ -	\$ 185,400
Meeting & Travel	\$ 55,500	\$ 13,500	\$ -	\$ 69,000
Other Administrative Costs	\$ 153,154	\$ -	\$ -	\$ 153,154
Other Expenses	\$ 106,577	\$ -	\$ -	\$ 106,577
Construction	\$ -	\$ -	\$ -	\$ -
Debt Service	\$ -	\$ -	\$ -	\$ -
Total Use of Funds	\$ 177,586	\$ 224,232	\$ 26,205	\$ 428,023
<b><u>Contribution To Reserves:</u></b>				
Retiree Medical Expense	\$ 197,414	\$ -	\$ -	\$ 197,414
Building Repair/Replacement Reserve	\$ 100,000	\$ -	\$ -	\$ 100,000
Total Contributions to Reserves	\$ 297,414	\$ -	\$ -	\$ 297,414
Total Use of Funds	\$ 475,000	\$ 224,232	\$ 26,205	\$ 725,437
Net Gain (loss)	\$ (0)	\$ -	\$ -	\$ (0)





## SUMMARY OF LABOR MULTIPLIERS

	FYE 2022		FYE 2023	
		Benefits Rate		Benefits Rate
Total Employee Benefits	1,497,154	0.396	1,689,235	0.420
Total Payroll	3,782,588		4,025,165	
Gross Indirect Costs	3,707,229		3,927,144	
Less: Member Contributions	(475,000)		(475,000)	
Indirect Costs for Distribution	3,232,229		3,452,144	
		Indirect Costs		Indirect Costs
Direct Labor Charged	2,003,941	1.613	2,146,708	1.608
Indirect Costs	3,232,229		3,452,144	
<b>Budgeted Labor Multiplier</b>		<b>2.009</b>	<b>2.028</b>	

	Actual	Budgeted
FY 2020-21 Labor Multiplier	<u>1.856</u>	<u>1.961</u>
FY 2019-20 Labor Multiplier	<u>2.309</u>	<u>1.961</u>
FY 2018-19 Labor Multiplier	<u>2.059</u>	<u>1.848</u>
FY 2017-18 Labor Multiplier	<u>1.99</u>	<u>1.848</u>

**FYE 2022**  
**GENERAL FUND COSTS (Indirect)**  
*(to be Distributed)*

<u>G/L Acct.</u>	<u>Description</u>	<u>Budget</u>
51000	Salaries - Regular	\$ 1,712,844
52000	Benefits	\$ 677,946
60111	Tuition Reimbursement	\$ 2,800
60112	Training	\$ 13,700
60113	Education	\$ 12,000
60114	Other Training & Education	\$ 18,000
60120	Audit Fees	\$ 23,750
60121	Consulting	\$ 120,500
60126	Temporary Services	\$ 30,000
60128	Other Professional Services	\$ 26,500
60129	Other Contract Services	\$ -
60130	Legal Fees	\$ 100,000
60133	Employment Recruitment	\$ 3,000
60154	Safety	\$ 6,400
60155	Security	\$ 3,500
60156	Custodial Contract Services	\$ 37,200
60157	Landscaping Maintenance	\$ 25,000
60158	HVAC	\$ 14,000
60159	Facility Repair & Maintenance	\$ 26,300
60160	Telephone	\$ 36,350
60161	Cellular Services	\$ 18,000
60163	Electricity	\$ 27,600
60164	Water Services	\$ 7,200
60170	Equipment Expensed	\$ 4,200
60171	Equipment Rented	\$ 14,800

(Continued - next column)

<u>G/L Acct.</u>	<u>Description</u>	<u>Budget</u>
60172	Equipment Repair / Maintenance	\$ -
60180	Computer Hardware	\$ 24,200
60181	Software / Updates / Licensing	\$ 107,500
60182	Internet Services	\$ 13,000
60183	Computer Supplies	\$ 5,000
60184	Computer Repair / Maintenance	\$ 1,300
60190	Offsite Meeting / Travel Expense	\$ 6,500
60191	In House Meetings	\$ 2,000
60192	Conference Expense	\$ 47,000
60200	Dues	\$ 46,170
60202	Subscriptions	\$ 7,950
60203	Contributions	\$ 27,400
60211	Shipping / Postage	\$ 3,500
60212	Office Supplies	\$ 15,000
60213	Offsite Storage	\$ 7,000
60220	Commission Fees	\$ 28,200
60221	Commission Mileage Reimb.	\$ 5,099
60222	Other Commission Expense	\$ 8,000
60230	Other Expense	\$ 5,000
60240	Building Lease	\$ 5,578
81010	Post Retirement Benefits Reserve	\$ 181,642
80001	Insurance Expense	\$ 73,600
80000	Building Repair/Replacement Reserve	\$ 100,000
13005	Fixed Assets	\$ -
60300	Reserves/Contingency	\$ 25,000

Total General Fund Costs	\$ 3,707,229
Less Reserves Used	-
Net General Fund Costs	<u>3,707,229</u>

**FYE 2023**  
**GENERAL FUND COSTS (Indirect)**  
*(to be Distributed)*

<u>G/L Acct.</u>	<u>Description</u>	<u>Projected Budget</u>
51000	Salaries - Regular	\$ 1,807,710
52000	Benefits	\$ 758,639
60111	Tuition Reimbursement	\$ 2,800
60112	Training	\$ 13,800
60113	Education	\$ 12,000
60114	Other Training & Education	\$ 18,000
60120	Audit Fees	\$ 24,500
60121	Consulting - IT	\$ 125,000
60126	Temporary Services	\$ 30,000
60128	Other Professional Services	\$ 26,500
60129	Other Contract Services	\$ -
60130	Legal Fees	\$ 100,000
60133	Employment Recruitment	\$ 3,000
60154	Safety	\$ 6,400
60155	Security	\$ 3,600
60156	Custodial Contract Services	\$ 37,200
60157	Landscaping Maintenance	\$ 25,000
60158	HVAC	\$ 14,000
60159	Facility Repair & Maintenance	\$ 26,600
60160	Telephone	\$ 40,350
60161	Cellular Service	\$ 18,000
60163	Electricity	\$ 28,200
60164	Water Services	\$ 7,800
60170	Equipment Expensed	\$ 4,600
60171	Equipment Rented	\$ 15,900

(Continued - next column)

<u>G/L Acct.</u>	<u>Description</u>	<u>Projected Budget</u>
60172	Equipment Repair / Maintenance	\$ -
60180	Computer Hardware	\$ 33,200
60181	Software / Updates / Licensing	\$ 111,500
60182	Internet Services	\$ 13,000
60183	Computer Supplies	\$ 5,200
60184	Computer Repair / Maintenance	\$ 2,000
60190	Offsite Meeting / Travel Expense	\$ 6,500
60191	In House Meetings	\$ 2,000
60192	Conference Expense	\$ 47,000
60200	Dues	\$ 46,670
60202	Subscriptions	\$ 8,950
60203	Contributions	\$ 27,400
60211	Shipping / Postage	\$ 3,500
60212	Office Supplies	\$ 15,000
60213	Offsite Storage	\$ 4,000
60220	Commission Fees	\$ 29,400
60221	Commission Mileage Reimb.	\$ 5,234
60222	Other Commission Expense	\$ 8,000
60230	Other Expense	\$ 5,000
60240	Building Lease	\$ 5,927
81010	Retiree Medical Expense	\$ 197,414
80001	Insurance Expense	\$ 75,650
80000	Building Repair/Replacement Reserve	\$ 100,000
13005	Fixed Assets	\$ -
60300	Reserves/Contingency	\$ 25,000

<b>Total General Fund Costs</b>	<b>\$ 3,927,144</b>
<b>Less Reserves Used</b>	<b>-</b>
<b>Net General Fund Costs</b>	<b>\$ 3,927,144</b>

# BENEFITS SUMMARY

*(Distributed based on Actual Labor)*

<u>G/L Acct.</u>	<u>Description</u>	<i>Projected</i> <u>FYE 2021</u>	<i>Proposed</i> <u>FYE 2022</u>	<i>Proposed</i> <u>FYE 2023</u>
70101	FICA	\$136,314	195,806	201,621
70102	Medicare	\$48,934	55,500	59,017
70103	State Unemployment Insurance	\$4,950	4,284	4,851
70104	Worker's Compensation Insurance	\$43,624	48,726	49,120
70105	State Disability Insurance	\$18,256	35,108	30,010
70106	PERS Pension Plan - Employer	\$632,617	481,931	543,352
70111	Medical Insurance	\$436,266	557,223	677,598
70112	Dental Insurance	\$25,717	28,794	32,526
70113	Vision Insurance	\$7,098	7,801	8,526
70114	Life Insurance	\$14,106	15,229	15,528
70115	Long Term Disability Insurance	\$15,928	17,702	18,186
70116	Wellness Program	\$3,500	4,050	3,900
70120	Car Allowance	\$46,000	45,000	45,000
	Total Benefits	\$1,433,308	\$1,497,154	\$ 1,689,235
	Total Payroll	\$3,656,974	\$3,782,588	\$ 4,025,165
	Benefits Rate	39.2%	39.6%	42.0%



# MEMBER CONTRIBUTION

## Summary Schedule

		<i>Adopted</i>	<i>Proposed</i>	<i>Proposed</i>
		<u>FYE 2021</u>	<u>FYE 2022</u>	<u>FYE 2023</u>
<b>Member Agency Contributions</b>				
<b><u>Exempt from Indirect Costs</u></b>				
	<b><u>Funds</u></b>			
SAWPA General Funds	100-00	\$ 450,000	\$ 475,000	\$ 475,000
State Lobbying	100-03	\$ 230,339	\$ 216,974	\$ 224,232
Federal Lobbying	100-04	\$ -	\$ 24,873	\$ 26,205
		<u>\$ 680,339</u>	<u>\$ 716,847</u>	<u>\$ 725,437</u>
<b><u>Planning Projects</u></b>				
General Planning	370-01	\$ 360,000	\$ 400,000	\$ 400,000
USBR Partnership Studies	370-02	\$ 20,000	\$ 20,000	\$ 20,000
Watershed Management (OWOW)	373	\$ 450,000	\$ 400,000	\$ 400,000
SA River Fish Conservation	381	\$ 10,000	\$ 10,000	\$ 10,000
LESJWA Management	477	\$ 10,000	\$ 10,000	\$ 10,000
		<u>\$ 850,000</u>	<u>\$ 840,000</u>	<u>\$ 840,000</u>
Total Member Agency Contributions		\$ 1,530,339	\$ 1,556,847	\$ 1,565,437
Per Member Agency		<u>\$ 306,068</u>	<u>\$ 311,369</u>	<u>\$ 313,087</u>

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## COMMISSION MEMORANDUM NO. 2021.23

**DATE:** April 6, 2021  
**TO:** SAWPA Commission  
**SUBJECT:** SAWPA Properties  
**PREPARED BY:** Carlos Quintero, Operations Manager

### RECOMMENDATION

Receive and file.

### DISCUSSION

SAWPA has acquired properties in Riverside and San Bernardino Counties throughout the years for a variety of purposes. The following information summarizes the properties owned by SAWPA, including current and potential future uses. A map is provided in Attachment 1.

Assessor's Parcel Number (APN): 1033-171-04 (County Line Property)

County: San Bernardino

Area: 7.22 acres

Year acquired: mid-1970's

Purpose: Acquired as part of the Brine Line Reach 4 construction

Current use: None

Potential future use: Brine Line flow equalization facilities, Santa Ana River Trail easement

Assessor's Parcel Number (APN): 0260-081-14 (Edison Easement Property)

County: San Bernardino

Area: 2 acres

Year acquired: early 1990's

Purpose: Acquired as part of the RIX Facility construction

Current use: SCE High-Voltage transmission towers easement

Potential future use: None

Assessor's Parcel Number (APN): 0260-091-79 (Colton Power Plant Property)

County: San Bernardino

Area: 2.95 acres

Year acquired: early 1990's

Purpose: Acquired as part of the RIX Facility construction

Current use: Location of RIX Facility monitoring wells

Potential future use: None

Assessor's Parcel Number (APN): 183-160-006 (Jurupa Property)

County: Riverside

Area: 1.04 acres

Year acquired: early 1990's

Purpose: Acquired as part of the Brine Line Mission Tunnel construction

Current use: None

Potential future use: Brine Line Storage Facility

Assessor's Parcel Number (APN): 183-160-007 (Jurupa Property)  
County: Riverside  
Area: 0.09 acres  
Year acquired: early 1990's  
Purpose: Acquired as part of the Brine Line Mission Tunnel construction  
Current use: None  
Potential future use: Brine Line storage facility

Assessor's Parcel Number (APN): 132-020-042  
County: Riverside  
Area: 1.44 acres  
Year acquired: early 1990's  
Purpose: Acquired as part of the SAWPA building construction  
Current use: SAWPA building  
Potential future use: SAWPA building

**CRITICAL SUCCESS FACTORS**

N/A

**RESOURCE IMPACTS**

N/A

Attachments:

1. Map showing SAWPA Properties
2. PowerPoint Presentation



# SAWPA Properties

— Brine Line



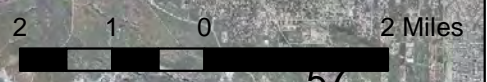
Edison Easement Property  
APN: 0260-081-14

Jurupa Property  
APN: 183-160-006; 183-160-007

Colton Power Plant Property  
APN: 0260-091-79

SAWPA Building  
APN: 132-020-042

County Line Parcel  
APN: 1033-071-04



# SAWPA Properties

Carlos Quintero, Operations Manager

SAWPA Commission | April 6, 2021

Item No. 6.B.

# Recommendation

- Receive and file

# SAWPA Properties

— Brine Line



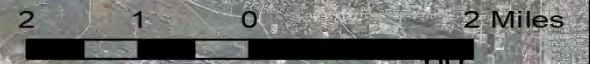
Edison Easement Property  
APN: 0260-081-14

Jurupa Property  
APN: 183-160-006; 183-160-007

Colton Power Plant Property  
APN: 0260-091-79

SAWPA Building  
APN: 132-020-042

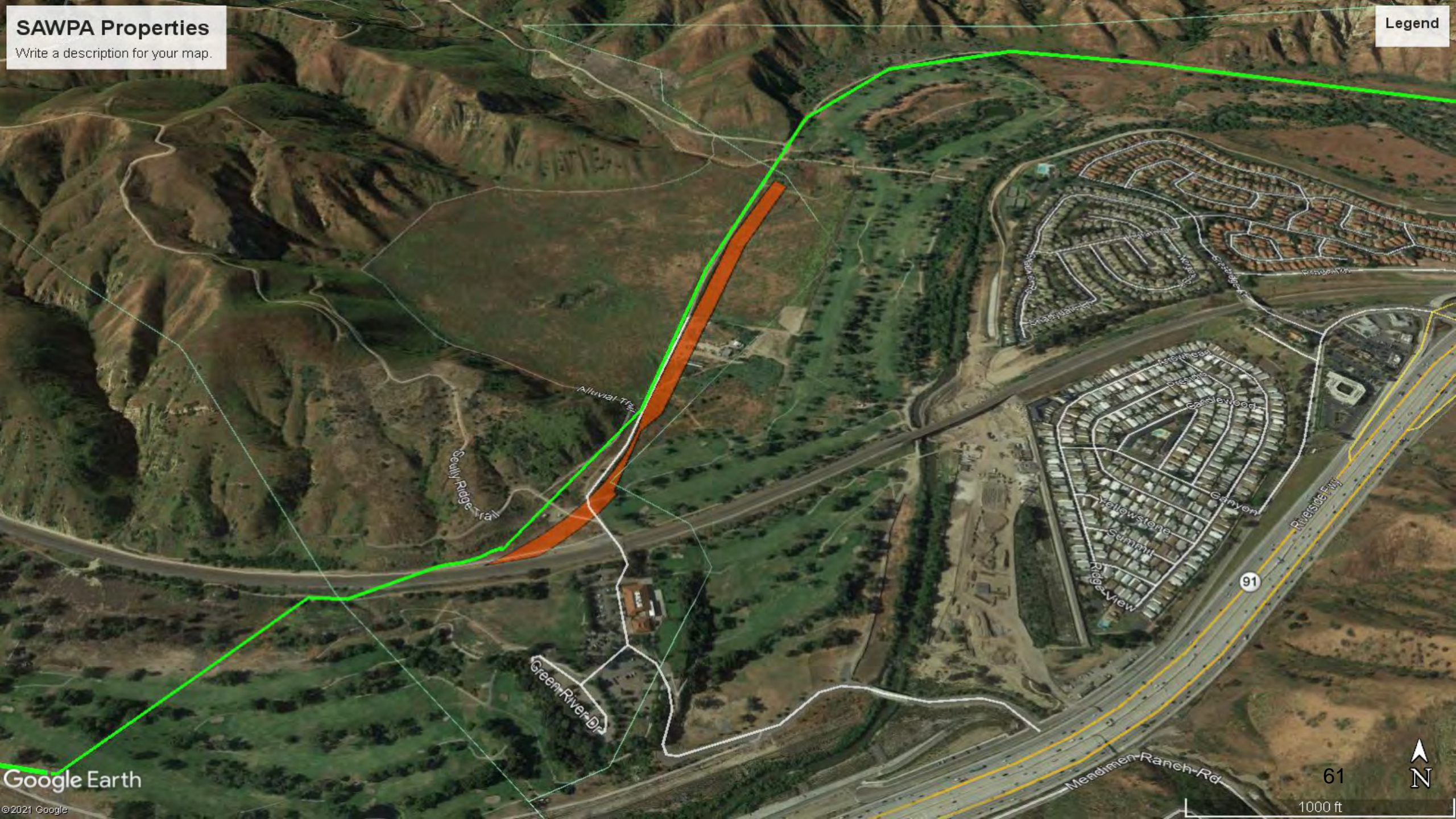
County Line Parcel  
APN: 1033-071-04



# SAWPA Properties

Write a description for your map.

Legend



12/12/2013 14:08

# SAWPA Properties

Write a description for your map.

Legend





SAWPA Building Property



# SAWPA Properties

Write a description for your map.

Legend





Jurupa Property

05/13/2019 13:43



**Edison Easement Property**

**Colton Power Plant Property**





Colton Power Plant Property

01/15/2018 14:56



# Edison Easement Property

09/01/2016 11:25

# Recommendation

- Receive and File

## COMMISSION MEMORANDUM NO. 2020.24

**DATE:** April 6, 2021

**TO:** SAWPA Commission

**SUBJECT:** Santa Ana River Watershed Weather Modification for Water Supply Analysis and Grant Application

**PREPARED BY:** Mark Norton P.E., Water Resources & Planning Manager  
**(This item is subject to the provisions of Project Agreement 25)**

### RECOMMENDATION

Staff recommends that the SAWPA Commission: (1) Authorize proceeding with the ground seeding site selection analysis and CEQA Development in FY 21-22 and (2) Authorize staff to prepare a watershed wide SAWPA project application for Prop 1 Round 2 seeking 50% grant funding for a three-year pilot scale watershed weather modification program.

### 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 21-22 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. Based on a review panel recommendation, the SAWPA Commission on December 17, 2019 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.

On May 19, 2020 in accordance with the Scope of Work, a milestone decision point interim report was prepared and shared 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. provided a presentation about the preliminary results. After discussion, the SAWPA Commission indicated that there appeared to be sufficient justification at this stage to continue the completion of the feasibility study.

Since the completion of Tasks 1 and 2, further work was conducted on following tasks:

Task 3 - Development of Program Design and Seeding Increase Estimates

Task 4 - Perform a Benefit/Cost Analysis

Task 5 – Draft and Final Report (completion pending feedback from Commission)

SAWPA staff has conducted extensive outreach to all potentially interested and impacted agencies from a future cloud seeding program to invite technical staff to participate in review and discussion meetings with the consultant. These meetings were held virtually by Zoom on the following dates: June 3<sup>rd</sup>, Sept. 3<sup>rd</sup>, and Nov. 2<sup>nd</sup>. Many questions and concerns were raised based on the review of Task 3 and 4 interim reports. Some of the concerns resulted in changes to the overall program and site locations to ensure no added risk would occur because of the cloud seeding program for areas with little to no stormwater management infrastructure. Additionally, at the request of some SAWPA Commissioners from the May 19, 2020 SAWPA Commission meeting and by various SAWPA member agency GMs, additional presentations were provided to governing boards of the SAWPA member agencies and many other agencies by SAWPA staff and by Tom Ryan, the MWDSC cloud seeding program representative.

On December 1, 2020, the SAWPA Commission was generally supportive but wanted to ensure the new SAWPA general manager, Jeff Mosher, had the opportunity to review the program to support any staff recommendations. Based on the technical review and results of the feasibility, SAWPA staff believes there is sufficient benefit to the watershed and SAWPA member agencies, to proceed with further analysis and CEQA for a future watershed wide cloud seeding program.

#### **CRITICAL SUCCESS FACTORS**

- Successful implementation of an integrated regional water resource plan that reflects the watershed management needs of the public and the environment.
- Data and information needed for decision-making is available to all.

#### **RESOURCE IMPACTS**


The ground seeding site location analysis is estimated to cost \$20,000 and the CEQA analysis is estimated to cost \$60,000 along with management staff costs. The program is included in the SAWPA FY 21-22 Budget for approximately \$90,000 cost using surplus



carry over funding available from Fund 370-01. Additional cost share partners who may benefit will be approached in the FY 21-22 which may decrease the member agency share.

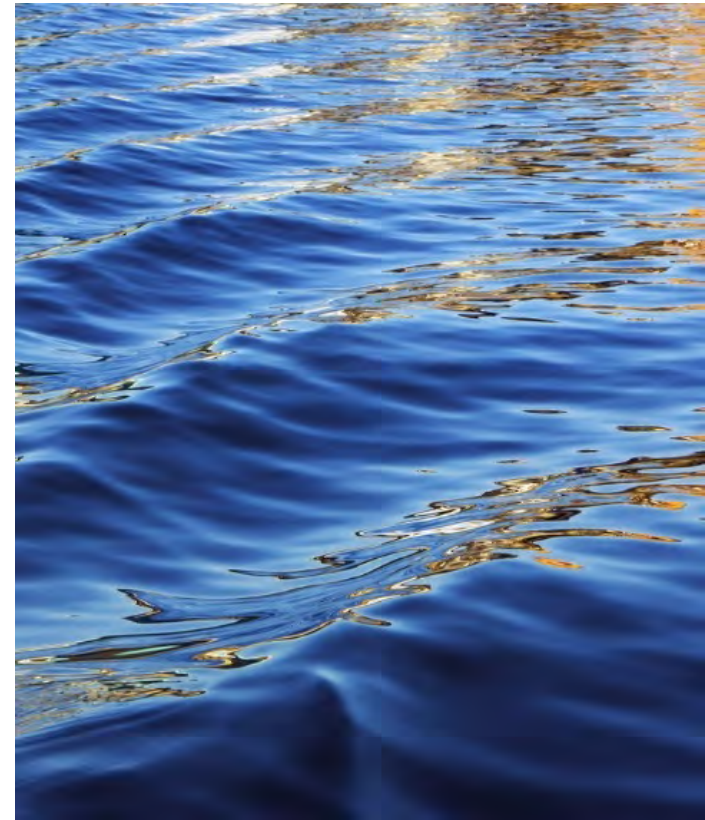
Attachments:

1. PowerPoint Presentation



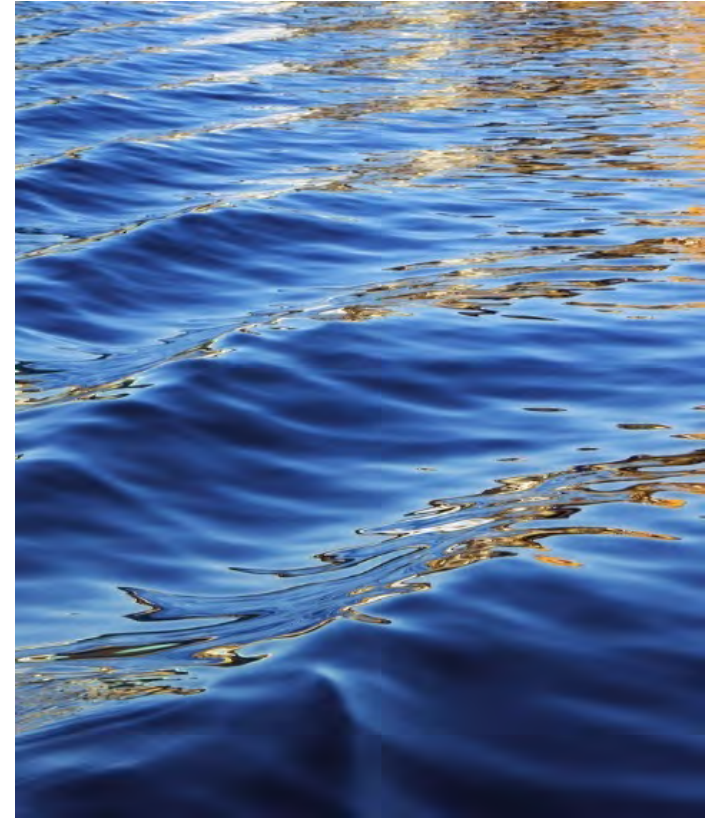
# Santa Ana Watershed Weather Modification Feasibility Study

Mark Norton, Water Resources & Planning Mgr.  
Santa Ana Watershed Project Authority  
Item No. 6.C.





# Review & Background



# Cloud Seeding Mechanisms



# Ground Based Seeding Methods



## CNG's (Cloud Nuclei Generators)

- Ideal for orographic lift (movement of air over mountain barriers)
- Create a continuous plume
- Inexpensive to install and operate

## AHOGS (Automated High Output Ground Seeding) Systems

- Deliver a higher concentration of Silver Iodide – rapid release
- Operated remotely
- Ideal for storms with convective attributes (turbulence)

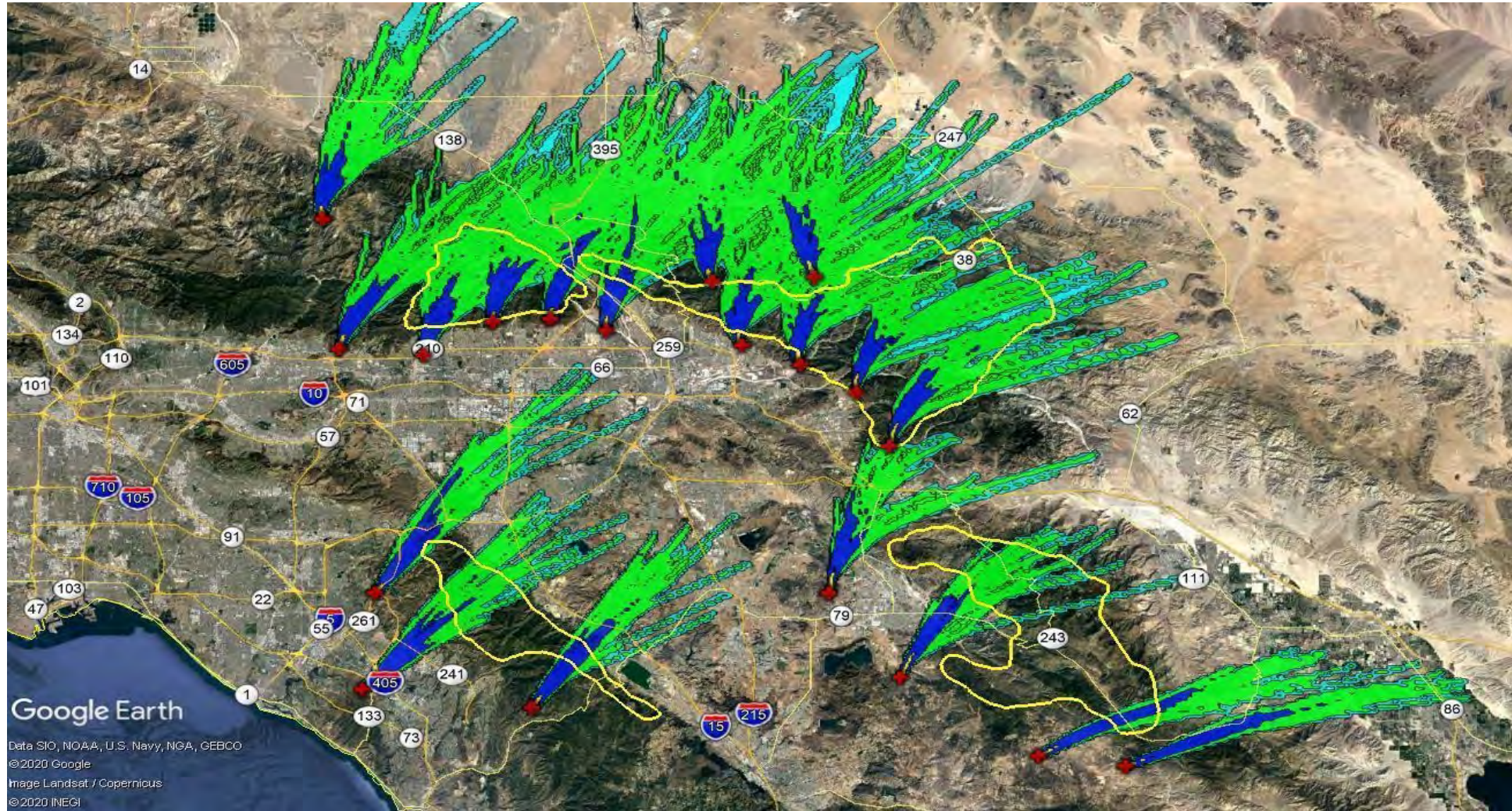




# Aerial Seeding



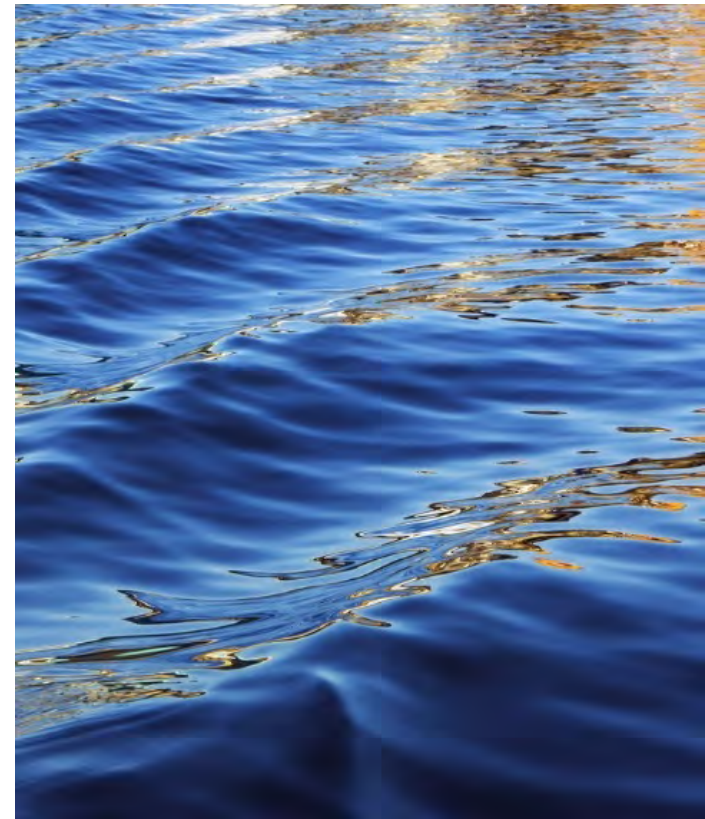
# Ground Based Seeding Dispersion Model







# Increase Estimates



# Total Projected Increases

## Ground Only Seeding

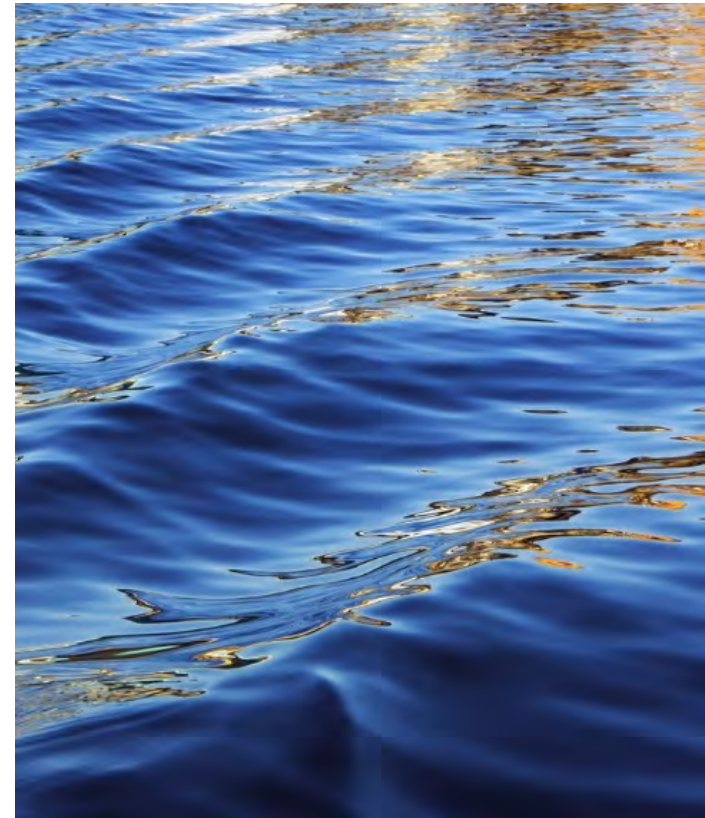
Target Area	Seasonal Precip. Increase (inches)	Percent Increase	Avg. Natural Streamflow (AF)	Streamflow Increase (AF)	Percent Increase
NW	0.41	3.5%	25,000	2,043	8.2%
NE	0.49	4.1%	65,000	4,330	6.7%
SW	0.59	3.7%	5,000	447	9.0%
SE	0.49	4.5%	10,000	1,373	13.7%
<b>TOTAL w/ Ground Only</b>			<b>105,000</b>	<b>8,193</b>	<b>7.8%</b>

## With Aerial Support in the NE Target

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	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>105,000</b>	<b>11,635</b>	<b>11.1%</b>



# Suspension Criteria



# Cloud Seeding Suspension Criteria

## National Weather Service (NWS)

- Whenever the NWS issues a severe storm, precipitation, flood warning or flash flood warning that affects any of the target areas, the project meteorologist will suspend operations for parts or all of the program. Operations will be suspended for at least the period of time during which the warning is in effect.

## Southern Target Areas

- Due to concerns related to infrastructure, Consultant suggested suspending operations when:
  - Hourly precipitation is forecasted to exceed 0.5 or 0.7 inches
  - 24-hr precipitation totals are forecasted to exceed 2-3 inches.
  - These thresholds correspond to events that occur on average once every 2-5 years.

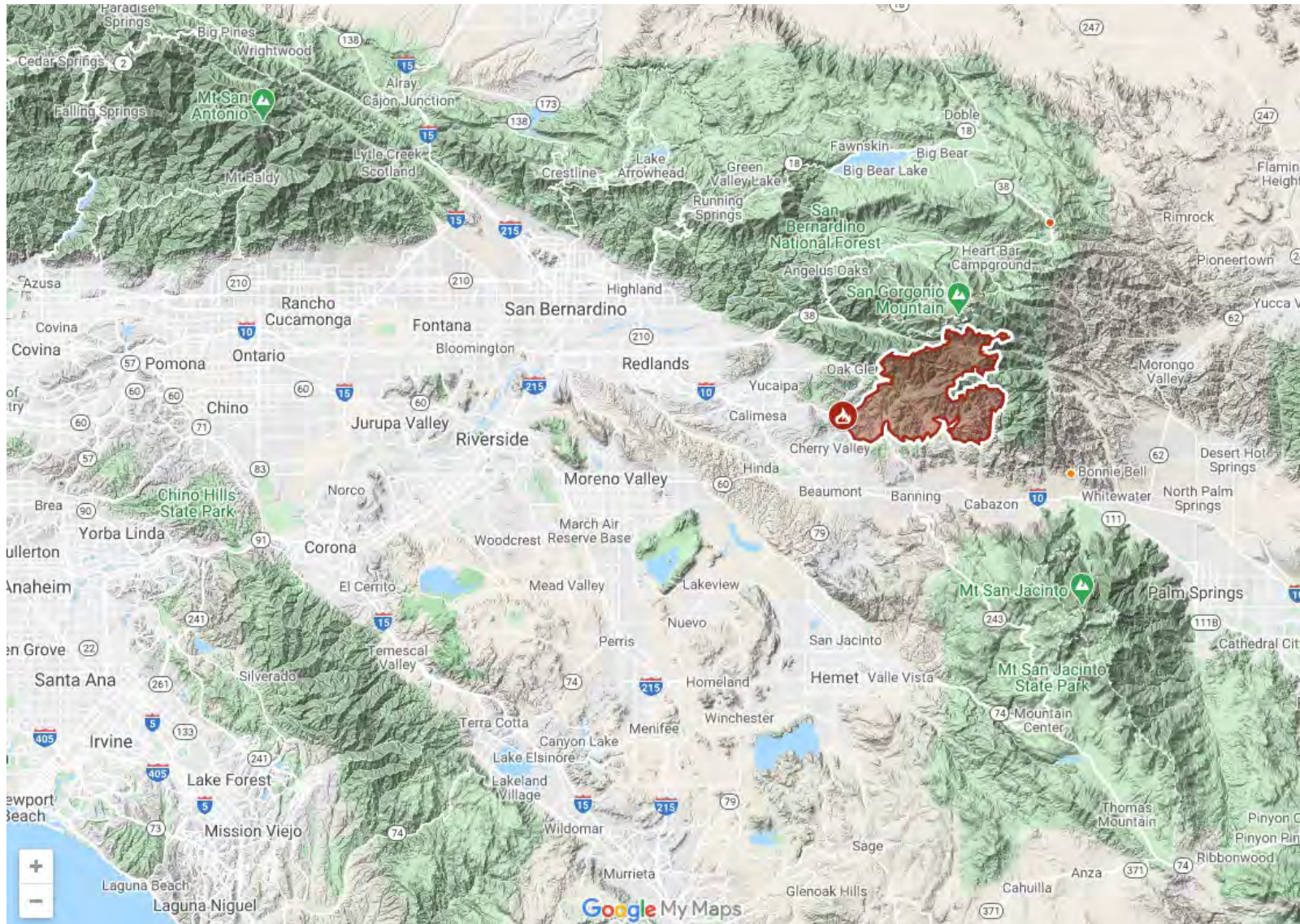
# Cloud Seeding Suspension Criteria

## Forest Fires

- Considerations
  - Size
  - Location
  - Vegetation
  - Soil Attributes (glassing)
  - Flood Risk
  - Debris Flow

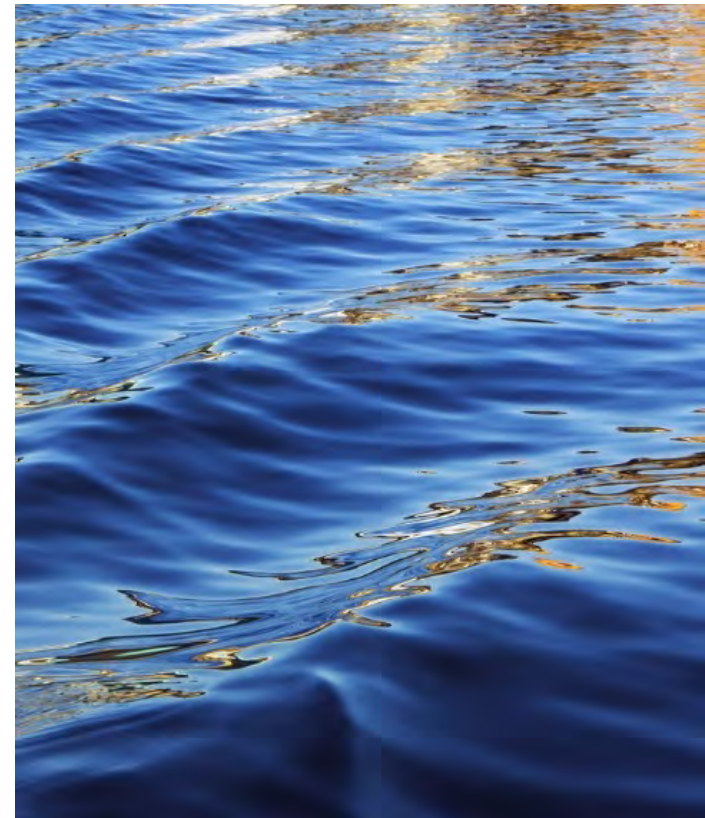


# Apple Fire





# Feasibility



# Technical Feasibility

## Considerations Included:

- Results obtained from previous relevant winter research and operational cloud seeding programs (i.e., scientific data).
- Detailed climatology review, including storm attributes and atmospheric behavior
- Watershed geographical and topographical attributes
- Equipment requirements and possible siting locations

*Consultant concluded that a program, following the proposed design in the feasibility report, is technically feasible.*



# Economic Feasibility

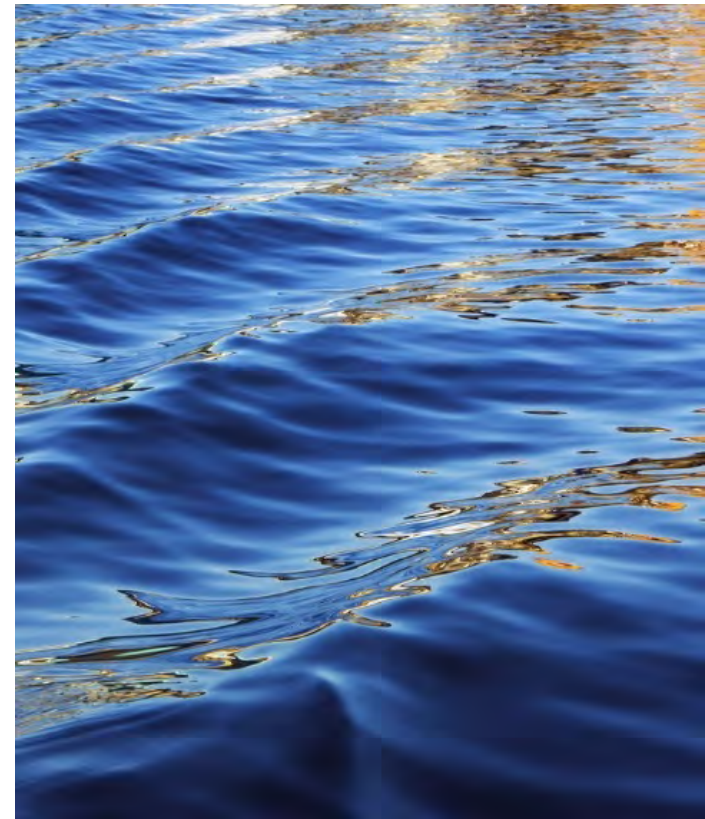
ASCE 2016 publication “Guidelines for Cloud Seeding to Augment Precipitation” recommends a minimum **benefit to cost ratio of 5:1** to justify economic feasibility

- This minimum ratio ensures a positive return amidst natural seasonal variability.
- In California, seasonal variability is often more exaggerated than in other climates, so ratio goal was to establish a program with a **near 10:1 benefit to cost ratio**. This accommodates for drier seasons that present fewer seeding opportunities.
- Assumptions:
  - Costs were compared to untreated and unpressurized imported water reflecting an average watershed wide value of \$255 per acre-foot.
  - Multiplier of 0.9 to the project yield of the aerial component, to account for the probability of missed flight opportunities





# Cost Effectiveness



# Estimate – Ground and Aerial Seeding

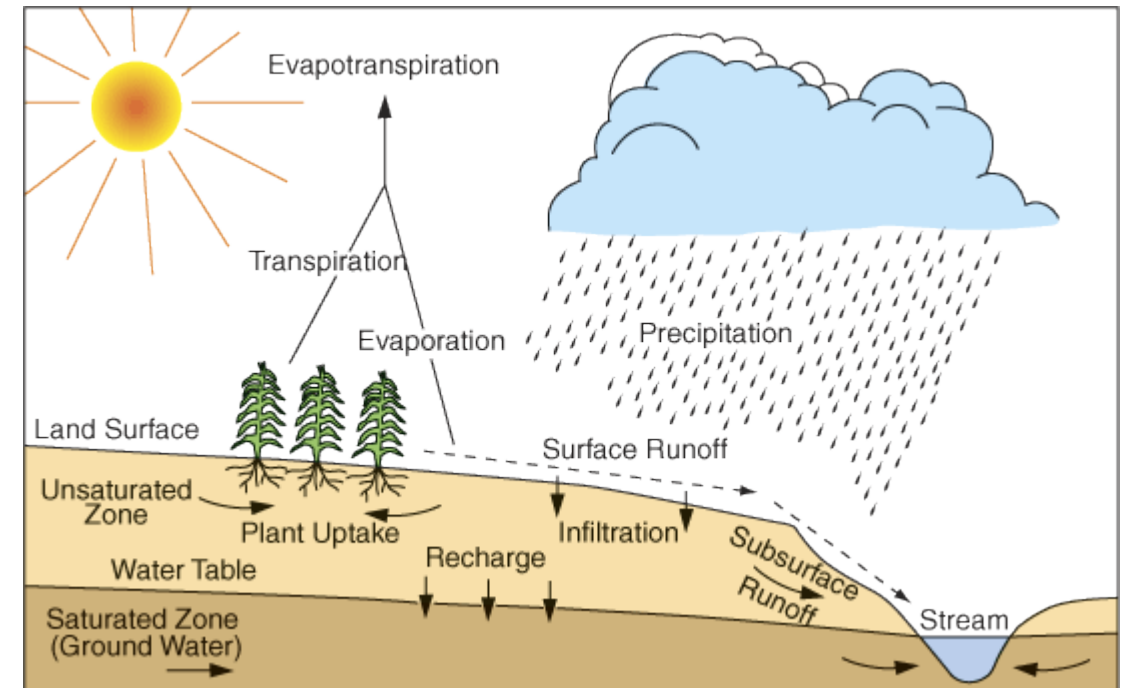
	Rate	Frequency	
<b>Annual Operations</b>			
Set Up	\$ 40,000	1	\$ 40,000
Take Down	\$ 31,000	1	\$ 31,000
Reporting	\$ 10,000	1	\$ 10,000
<b>Monthly Operations</b>			
Fixed Services	\$ 55,000	5	\$ 275,000
<b>Variable Items (timed expenses are billed on a per hour basis)</b>			
Ground Flares	\$ 110	60	\$ 6,600
Generator Run Time	\$ 19.50	600	\$ 11,700
Flight Time	\$ 375	30	\$ 11,250
Aerial Flares	\$ 110	150	\$ 16,500
<b>TOTAL</b>			<b>\$ 402,050</b>
<b>COST PER ACRE-FOOT</b>			<b>\$ 35.61</b>
<b>Benefit to Cost</b>			<b>7.16</b>

# Estimate – Ground Based Seeding Only

	Rate	Frequency	
<b>Annual Operations</b>			
Set Up	\$ 33,500	1	\$ 33,500
Take Down	\$ 24,000	1	\$ 24,000
Reporting	\$ 10,000	1	\$ 10,000
<b>Monthly Operations</b>			
Fixed Services	\$ 24,500	5	\$ 122,500
<b>Variable Items (timed expenses are billed on a per hour basis)</b>			
Ground Flares	\$ 110	60	\$ 6,600
Generator Run Time	\$ 19.50	600	\$ 11,700
Flight Time	\$ 375	N/A	-
Aerial Flares	\$ 110	N/A	-
<b>TOTAL</b>			<b>\$ 208,300</b>
<b>COST PER ACRE-FOOT</b>			<b>\$ 25.42</b>
<b>Benefit to Cost</b>			<b>10.03</b>

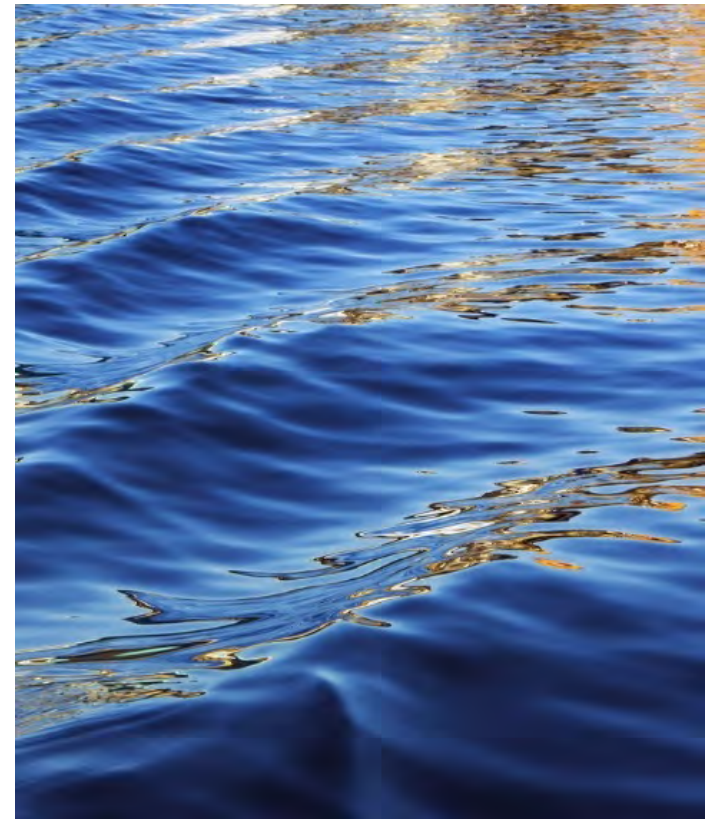
# Value to SAWPA Member Agencies

- Based on cost benefit ratio and a conservative estimate of water cost, the watershed could obtain 8200 – 11,600 AF/yr of additional recharge water supply at a cost of \$280K - \$475K/yr vs. \$2.1 million - \$3 million.
- This will have a direct impact on reducing costs to purchase recharge water by SAWPA member agencies.
- This cost could even be less if a SAWPA Prop 1 IRWM Round 2 grant application is successful for a three-year pilot program (50% grant – 50% local share)





# Next Steps



# Next Steps

1. Selection of Specific Ground Seeding Locations
2. CEQA Compliance - Mitigated Negative Declaration
  - CEQA compliance work is estimated to take 6-12 months



## Cost Estimate

Service Rendered	Cost
Selecting Specific Site Locations	\$1,100 per site or \$15,400
<u>CEQA (Mitigated Negative Dec)</u>	<u>\$60,000</u>
CEQA combined with Site Selection	\$75,400

# Next Steps

- SAWPA GM and Member Agency GM's indicated full support with the continued investigation and CEQA preparation
- Full support that SAWPA prepare a Prop 1 Round 2 grant application for a three-year pilot scale project for the Santa Ana Watershed Weather Modification Program. If successful, grant could cover 50% of program costs.
- Grant application would be for \$300K-\$600K in grant funds, less than 3% of available competitive Round 2 grant funding from Santa Ana Funding Area allocation.





# Recommendation

- Staff recommends that the SAWPA Commission:
  - (1) Authorize proceeding with the ground seeding site selection analysis and CEQA Development in FY 21-22
  - (2) Authorize staff to prepare a watershed wide SAWPA project application for Prop 1 Round 2 seeking 50% grant funding for a three-year pilot scale watershed weather modification program

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## COMMISSION MEMORANDUM NO. 2021.25

**DATE:** April 6, 2021  
**TO:** SAWPA Commission  
**SUBJECT:** OPPOSE Position for AB 377 (Rivas)  
**PREPARED BY:** Jeff Mosher, General Manager

### RECOMMENDATION

It is recommended that the Commission adopt an OPPOSE position on AB 377 (Rivas) and authorize staff to send the attached letter opposing the legislation.

### DISCUSSION

Assembly Bill 377, as introduced, Assemblyman Robert Rivas and co-authored by Senator Robert Hertzberg, proposes changes to the enforcement of water quality standards to address impaired waters in the State of California. The bill essentially requires compliance with water quality standards at the end of pipe and takes away State and Regional Board discretion for alternative compliance programs and long-term compliance schedules. The bill prohibits the State and Regional Boards from adopting permits that utilize an alternative compliance pathway.

This bill could jeopardize the use of offsets and other alternative compliance methodologies utilized in the Santa Ana region to show compliance with various water quality standards.

CASA, ACWA, CSDA, League of Cities, California Municipal Utilities Association, and the California Stormwater Quality Association have taken an oppose position.

Attached is a proposed letter opposing the legislation. Staff is working to get approval by each of SAWPA's members agencies to add their signatures to the letter.

### RESOURCE IMPACTS

None.

Attachments:

1. Proposed OPPOSE letter
2. AB 377 text (Amended in Assembly March 22)



April x, 2021

The Honorable Bill Quirk, Chair  
Assembly Environmental Safety and Toxic Materials Committee  
Legislative Office Building, Room 171  
Sacramento, CA 95814

**RE: AB 377 (Rivas): Water Quality: Impaired Waters: Oppose**

Dear Assembly Member Quirk:

The Santa Ana Watershed Project Authority (SAWPA) and its member agencies, Eastern Municipal Water District, Inland Empire Utilities Agency, Orange County Water District, San Bernardino Valley Municipal Water District and Western Municipal Water District, are writing to respectfully oppose AB 377 (Rivas), which would detrimentally alter the State of California's existing water quality programs without providing any solutions that will result in the attainment of water quality objectives. This bill would circumvent the local regulatory authority of the Regional Water Boards and instead legislate the rewriting of existing permitting policies, without regard to local conditions, existing agreements, or other priorities of the state.

SAWPA is a Joint Powers Authority formed in 1968 to focus on a broad range of water resource issues, including water supply reliability, water quality improvement, recycled water, wastewater treatment, groundwater management, brine disposal, and integrated regional planning. The mission of SAWPA is to develop and maintain regional plans, programs, and projects that will protect the Santa Ana River basin water resources to maximize beneficial uses with the watershed in an economically and environmentally responsible manner.

The approach outlined in AB 377 is foundationally flawed in that it is based on the notion that existing state and regional NPDES, WDR and MS4 programs are so problematic and ineffective that they need to be completely overhauled and replaced. The bill proposes a new prescriptive enforcement program with statutorily defined time limits that eliminate State and Regional Water Board discretionary authority for permitting and enforcement of water quality objectives. Under the hallmark Porter-Cologne Act which predates the federal Clean Water Act, local discretionary authority for permitting is tantamount to the design and structure of state and regional board oversight and regulation of water quality in the State of California. To instead have the Legislature set prescriptive permitting terms and compliance requirements for every single discharge permit throughout the State, as this bill does, would be a significant policy departure with severe adverse consequences and contrary to the goals of the State and these programs.

AB 377 seemingly presumes the reason that water quality standards are not met in some instances, and various total maximum daily loads (TMDLs) have not been developed and implemented, is because

there are no hard statutory deadlines in place. This presumption is false. There are many reasons for prolonged timeframes for remediating impaired bodies of water. The regional boards, in cooperation with permitted entities, consider a multitude of dynamic local factors for meeting water quality objectives through very detailed and rigorous processes. Given the complexities involved with multiple point source and non-point source inputs that must be considered, coupled with constantly evolving limits for new and emerging constituents of concern, long-term management and compliance periods are appropriate in many cases. As our members are public agencies and stewards of the public trust, we must ensure that infrastructure and other programmatic investments are fiscally responsible and scientifically sound. Not only do extended water quality compliance schedules provide for scientific certainty and oversight – a hallmark of science-based policy – they also ensure that public funds are being expended for proven treatment and control projects that will meet compliance objectives as they are intended.

The proposed requirements also would dictate how the regional water quality control boards can issue permits, which tools and considerations are relevant in those decisions and also how the permit limits must be enforced. Under current practice, these decisions are made at the local level because the local conditions, challenges, and needs vary drastically across the state. If enacted, these new requirements will significantly interfere with existing Santa Ana Regional Water Quality Control Board's program schedules for MS4, NPDES and WDR permits and could invalidate existing programs and consensus approaches that were negotiated with broad and diverse groups of stakeholders over many years, such as the Lake Elsinore and Canyon Lake Nutrient TMDL Task Force, the Middle Santa Ana Pathogen TMDL Task Force and the Basin Monitoring Program Task Force administered by SAWPA. . Additionally, the proposed new permitting approach would limit the regional water boards to only providing for extended compliance schedules for physical construction. This is inappropriate and does not allow for necessary scientific review and evaluation as a factor for extended compliance. This would prohibit a permit compliance schedule for other relevant, and perhaps more effective, control factors like source control programs, new industrial permits or enforcement of industrial limits.

SAWPA, its member agencies and the entire watershed have worked collaboratively for decades with the Santa Ana Regional Water Quality Control Board to responsively and adaptively manage water, wastewater, recycled water, and groundwater in the region. The local understanding and trust developed among the local Regional Board and the regulated community has allowed the watershed to effectively manage the watershed and protect the environment while providing enough water to serve the rapidly growing region. Further, the SAWPA multi-agency task forces, which include the regular participation of the local Regional Board staff, have ensured communication and collaboration progress with the regulated community and in turn significantly reduced litigation and associated delays in enforcement seen in many other regions.

Thank you for your consideration of our concerns. We respectfully request that AB 377 not move forward when it is heard in the Environmental Safety and Toxic Materials Committee. Please contact Jeff Mosher, General Manager of SAWPA, at [jmosher@sawpa.org](mailto:jmosher@sawpa.org) if you have any questions.

Sincerely,

Jeffrey J. Mosher  
General Manager  
Santa Ana Watershed Project Authority

cc: Asm. Thurston Smith, Vice Chair, Assembly Environmental Safety and Toxic Materials Committee  
Members, Assembly Environmental Safety and Toxic Materials Committee  
Josh Tooker, Chief Consultant, Assembly Environmental Safety and Toxic Materials Committee  
Greg Melkonian, Republican Consultant, Assembly Environmental Safety and Toxic Materials  
Committee  
Asm. Robert Rivas

AMENDED IN ASSEMBLY MARCH 22, 2021

AMENDED IN ASSEMBLY MARCH 8, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 377**

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**Introduced by Assembly Member Robert Rivas**

(Principal coauthor: Senator Hertzberg)

~~(Coauthor: Assembly Member Lee)~~

*(Coauthors: Assembly Members Bloom and Lee)*

February 1, 2021

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An act to add Article 3.5 (commencing with Section 13150) to Chapter 3 of Division 7 of the Water Code, relating to water quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 377, as amended, Robert Rivas. Water quality: impaired waters.

(1) Under existing law, the State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality and prescribe waste discharge requirements in accordance with the federal national pollutant discharge elimination system (NPDES) permit program established by the federal Clean Water Act and the Porter-Cologne Water Quality Control Act. Existing law requires each regional board to formulate and adopt water quality control plans for all areas within the region, as provided.

This bill would require all California surface waters to ~~be fishable, swimmable, and drinkable~~ *attain applicable beneficial uses* by January 1, 2050, ~~as prescribed.~~ 2050. The bill would ~~prohibit~~ *require* the state board and regional ~~boards from authorizing~~ *boards, when issuing* an NPDES ~~discharge, or permit, a waste discharge requirement or requirement, or a waiver of a waste discharge requirement for a~~

~~discharge, requirement, to require that the discharge to surface water that causes or contributes does not cause or contribute to an exceedance of an applicable water quality standard in receiving waters, or from authorizing and to not authorize the use of a best management practice permit term to authorize a discharge to surface water that causes or contributes to an exceedance of an applicable water quality standard in receiving waters.~~ The bill would prohibit, on or after January 1, 2030, a regional water quality control plan from including a schedule for implementation for achieving a water quality standard *for a surface water of the state* that was adopted as of January 1, 2021, and would prohibit a regional water quality control plan from including a schedule for implementation of a water quality standard *for a surface water of the state* that is adopted after January 1, 2021, unless specified conditions are met. The bill would prohibit an NPDES permit, waste discharge requirement, or waiver of a waste discharge requirement *to discharge to a surface water of the state* from being renewed, reissued, or modified to contain effluent limitations or conditions ~~that that, among other things,~~ are less stringent than those in the previous permit, requirement, or waiver, except as specified.

(2) Existing law authorizes the imposition of civil penalties for violations of certain waste discharge requirements and requires that penalties imposed pursuant to these provisions be deposited into the Waste Discharge Permit Fund, to be expended by the state board, upon appropriation by the Legislature, for specified purposes related to water quality. For violations of certain other waste discharge requirements, including the violation of a waste discharge requirement effluent limitation, existing law imposes specified civil penalties, the proceeds of which are deposited into the continuously appropriated State Water Pollution Cleanup and Abatement Account, which is established in the State Water Quality Control Fund.

This bill would require, by January 1, 2030, the state board and regional boards to develop an Impaired Waterways Enforcement Program to enforce all remaining water quality standard violations that are causing or contributing to an exceedance of a water quality ~~standard.~~ *standard in a surface water of the state.* To ensure any water segments impaired by ongoing pollutants are brought into attainment with water quality standards, the bill would require the state board and regional boards, by January 1, 2040, to evaluate the state's remaining impaired *state surface* waters using a specified report. The bill would require, by January 1, 2040, the state board and regional boards to report to the



Legislature a plan to bring the final impaired water segments into attainment by January 1, 2050. The bill would create the Waterway Attainment Account in the Waste Discharge Permit Fund and would make moneys in the Waterway Attainment Account available for the state board to expend, upon appropriation by the Legislature, to bring remaining impaired water segments into attainment in accordance with the plan. The bill would create in the Waterway Attainment Account the Waterway Attainment Penalty Subaccount, composed of penalties obtained pursuant to the Impaired Waterways Enforcement Program, and would make moneys in the subaccount available for the state board to expend, upon appropriation by the Legislature, for purposes of the program. The bill would require, by January 1, 2040, and subject to a future legislative act, 50% of the annual proceeds of the State Water Pollution Cleanup and Abatement Account to be annually transferred to the Waterway Attainment Account. The bill would require the state board, upon appropriation by the Legislature, to expend 5% of the annual proceeds of the State Water Pollution Cleanup and Abatement Account to fund a specified state board program.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. (a) The Legislature finds and declares all of the  
2 following:  
3 (1) Water is a necessity of human life, and every Californian  
4 deserves access to clean and safe water. Yet climate change  
5 jeopardizes the quality and safety of our water. Climate change is  
6 impacting the state’s hydrology to create water resource  
7 vulnerabilities that include, but are not limited to, changes to water  
8 supplies, subsidence, increased amounts of water pollution, erosion,  
9 flooding, and related risks to water and wastewater infrastructure  
10 and operations, degradation of watersheds, alteration of aquatic  
11 ecosystems and loss of habitat, multiple impacts in coastal areas,  
12 and ocean acidification.  
13 (2) Many aspects of climate change and associated impacts will  
14 continue for centuries, even if anthropogenic emissions of  
15 greenhouse gases are reduced or stopped. Given the magnitude of  
16 climate change impacts on California’s hydrology and water  
17 systems, the state’s climate change response should include

1 attainment of water quality standards to allow the state's  
2 watersheds to resiliently adapt to forthcoming and inevitable  
3 climate change stressors.

4 (3) The federal Clean Water Act (33 U.S.C. Sec. 1251 et seq.)  
5 was enacted on October 18, 1972, to establish the basic structure  
6 for regulating discharges of pollutants into the waters of the United  
7 States and regulating quality standards for surface waters. The  
8 objective of the federal Clean Water Act is to restore and maintain  
9 the chemical, physical, and biological integrity of the nation's  
10 waters. To achieve that objective, Congress declared a national  
11 goal that the discharge of pollutants into navigable waters be  
12 eliminated by 1985.

13 (4) California has long been a national and international leader  
14 on environmental stewardship efforts, including the areas of air  
15 quality protections, energy efficiency requirements, renewable  
16 energy standards, and greenhouse gas emission standards for  
17 passenger vehicles. The program established by this act will  
18 continue this tradition of environmental leadership by placing  
19 California at the forefront of achieving the nation's goal of making  
20 all waterways swimmable, fishable, and drinkable.

21 (5) The State Water Resources Control Board, along with the  
22 nine California regional water quality control boards, protect and  
23 enhance the quality of California's water resources through  
24 implementing the federal Clean Water Act, as amended, and  
25 California's Porter-Cologne Water Quality Control Act (Division  
26 7 (commencing with Section 13000) of the Water Code).

27 (6) The State Water Resources Control Board's mission is to  
28 "preserve, enhance, and restore the quality of California's water  
29 resources and drinking water for the protection of the environment,  
30 public health, and all beneficial uses, and to ensure proper water  
31 resource allocation and efficient use, for the benefit of present and  
32 future generations."

33 (7) Under Section 303(d) of the federal Clean Water Act (33  
34 U.S.C. Sec. 1313(d)), California is required to review, make  
35 changes as necessary, and submit to the United States  
36 Environmental Protection Agency a list identifying water bodies  
37 not meeting water quality standards (303(d) list). California is  
38 required to include a priority ranking of those waters, taking into  
39 account the severity of the pollution and the uses to be made of

1 those waters, including waters targeted for the development of  
2 total maximum daily loads (TMDLs).

3 (8) As of the most recent 2018 303(d) list, nearly 95 percent of  
4 all fresh waters assessed in California, and over 1,400 water bodies,  
5 are listed as impaired, with only 114 TMDLs having been approved  
6 since 2009 in California. Of 164,741 assessed miles of rivers and  
7 streams, 82 percent were impaired. Of 929,318 assessed acres of  
8 lakes, reservoirs, and ponds, 93 percent were impaired. Of 575,000  
9 assessed acres of bays, harbors, and estuaries, 99 percent were  
10 impaired. Of 2,180 assessed miles of coastal shoreline, 93 percent  
11 were impaired. Of 130,084 assessed acres of wetlands, 99 percent  
12 were impaired.

13 (b) (1) In honor of the federal Clean Water Act’s 50-year  
14 anniversary, it is the intent of the Legislature in enacting this act  
15 to recommit California to achieve the national goal to restore and  
16 maintain the chemical, physical, and biological integrity of the  
17 state’s waters by eliminating the discharge of pollutants into  
18 impaired waterways.

19 (2) It is further the intent of the Legislature in enacting this act  
20 to require that the State Water Resources Control Board and the  
21 California regional water quality control boards meet the national  
22 goal of ~~achieving swimmable, fishable, and drinkable waters~~  
23 *restoring applicable beneficial uses in surface water* by no later  
24 than January 1, 2050.

25 SEC. 2. Article 3.5 (commencing with Section 13150) is added  
26 to Chapter 3 of Division 7 of the Water Code, to read:

27  
28 Article 3.5. State Waters Impairment

29  
30 13150. All California surface waters shall ~~be fishable,~~  
31 ~~swimmable, and drinkable~~ *attain applicable beneficial uses* by  
32 January 1, 2050. To bring all water segments into attainment with  
33 this requirement, the state board and regional boards shall comply  
34 with the requirements of this article.

35 13151. (a) (1) The state board and regional ~~boards shall not~~  
36 ~~do either~~ *boards, when issuing an NPDES permit, shall comply*  
37 *with both* of the following:

38 (A) ~~Authorize an NPDES~~ *Shall require that the* discharge to a  
39 surface water of the United States ~~that causes or contributes~~ *does*

1 *not cause or contribute* to an exceedance of an applicable water  
 2 quality standard in receiving waters.

3 ~~(B) Authorize an NPDES permit that uses~~ *Shall not authorize*  
 4 *the use of* an alternative compliance determination, safe harbor  
 5 “deemed in compliance” term, or any other best management  
 6 practice permit term to authorize a discharge to a surface water of  
 7 the United States that causes or contributes to an exceedance of  
 8 an applicable water quality standard in receiving waters.

9 (2) (A) Paragraph (1) does not prohibit enhanced watershed  
 10 management programs or watershed management programs from  
 11 being used as a planning tool for achieving compliance with  
 12 applicable water quality standards in receiving waters.

13 (B) Paragraph (1) does not prevent NPDES permittees from  
 14 using best management practices to meet applicable water quality  
 15 standards in receiving waters.

16 (C) Paragraph (1) does not apply to salt and nutrient  
 17 management ~~plans~~ *plans, including the program of implementation,*  
 18 approved as of January 1, 2021, that include alternative compliance  
 19 options.

20 (b) The state board and regional boards shall not do either of  
 21 the following:

22 (1) Authorize a permit that does not include monitoring  
 23 sufficient to demonstrate compliance with water quality standards  
 24 and, unless infeasible, that does not include end-of-discharge pipe  
 25 monitoring.

26 (2) Authorize a permit unless it establishes criteria for, and  
 27 requires, monitoring to evaluate compliance with water quality  
 28 standards.

29 (c) (1) ~~The state board and regional boards shall not do either~~  
 30 *boards, when issuing a waste discharge requirement or waiver of*  
 31 *a waste discharge requirement, shall comply with both of the*  
 32 following:

33 ~~(A) Authorize a waste discharge requirement or waiver of a~~  
 34 ~~waste discharge requirement for a~~ *Shall require that the discharge*  
 35 ~~to a surface water of the state that causes or contributes~~ *does not*  
 36 ~~cause or contribute~~ to an exceedance of an applicable water quality  
 37 standard in receiving waters.

38 ~~(B) Authorize a waste discharge requirement or waiver of a~~  
 39 ~~waste discharge requirement that uses~~ *Shall not authorize the use*  
 40 *of* an alternative compliance determination, safe harbor “deemed

1 in compliance” term, or any other best management practice permit  
2 term to authorize a discharge to a surface water of the state that  
3 causes or contributes to an exceedance of an applicable water  
4 quality standard in receiving waters.

5 (2) (A) Paragraph (1) does not prevent a waste discharge  
6 requirement or waiver of a waste discharge requirement from using  
7 best management practices to meet applicable water quality  
8 standards in receiving waters.

9 (B) Paragraph (1) does not apply to salt and nutrient  
10 management ~~plans~~ *plans, including the program of implementation,*  
11 approved as of January 1, 2021, that include alternative compliance  
12 options.

13 13152. (a) (1) Notwithstanding Section 13242, on and after  
14 January 1, 2030, a regional water quality control plan, including  
15 the program of implementation, shall not include a schedule for  
16 implementation for achieving a water quality standard *for a surface*  
17 *water of the state* that was adopted in an approved regional water  
18 quality control plan as of January 1, 2021. It is the intent of the  
19 Legislature in enacting this requirement to ensure that all water  
20 quality standards in effect as of January 1, 2021, are fully  
21 implemented and achieved by January 1, 2030.

22 (2) Paragraph (1) does not apply to salt and nutrient management  
23 ~~plans~~ *plans, including the program of implementation,* approved  
24 as of January 1, 2021, that include a time schedule for compliance.

25 (b) The state board and regional boards shall only include in a  
26 regional water quality control plan a schedule for implementation  
27 of a water quality standard *for a surface water of the state* that is  
28 adopted after January 1, 2021, if all of the following conditions  
29 are met:

30 (1) The schedule for implementation of the water quality  
31 standard is the shortest time necessary, and in no instance exceeds  
32 five years.

33 (2) The schedule for implementation is necessary for the  
34 permittee to undertake physical construction that is necessary to  
35 achieve compliance with the water quality standard.

36 (3) The water quality standard is not substantially similar to a  
37 water quality standard that was in effect as of January 1, 2021.

38 (c) (1) An NPDES permit, waste discharge requirement, or  
39 waiver of a waste discharge requirement *to discharge to a surface*  
40 *water of the state* shall not be renewed, reissued, or modified to

1 contain effluent limitations or conditions that ~~are~~ *satisfy any of the*  
2 *following:*

3 (A) ~~Are less stringent than the comparable effluent limitations~~  
4 ~~or conditions in the previous permit, requirement, or waiver,~~  
5 ~~including, but not limited to, if the implementation of the less~~  
6 ~~stringent effluent limitation or condition would result in a violation~~  
7 ~~of an applicable water quality standard in receiving waters. waiver.~~

8 (2) ~~Notwithstanding paragraph (1), an NPDES permit, waste~~  
9 ~~discharge requirement, or waiver of a waste discharge requirement~~  
10 ~~may be renewed, reissued, or modified to contain a less stringent~~  
11 ~~effluent limitation or condition applicable to a pollutant if any of~~  
12 ~~the following apply:~~

13 (B) *Are less stringent than required by effluent limitation*  
14 *guidelines promulgated under Section 304(b) of the federal Clean*  
15 *Water Act (33 U.S.C. Sec. 1314(b)) in effect at the time the permit*  
16 *is renewed, reissued, or modified.*

17 (C) *The implementation of the limitation or condition would*  
18 *result in a violation of a water quality standard under Section 303*  
19 *of the federal Clean Water Act (33 U.S.C. Sec. 1313) to those*  
20 *waters.*

21 (2) *A permit with respect to which paragraph (1) applies may*  
22 *be renewed, reissued, or modified to contain a less stringent*  
23 *effluent limitation or condition applicable to a pollutant if any of*  
24 *the following apply:*

25 (A) *Material and substantial alterations or additions to the*  
26 *permitted facility occurred after permit issuance that justify the*  
27 *application of the less stringent effluent limitation or condition.*

28 (B) *Information, other than revised regulations, guidance, or*  
29 *test methods, is available that was not available at the time of*  
30 *permit issuance that would have justified the application of the*  
31 *less stringent effluent limitation or condition at the time of permit*  
32 *issuance.*

33 (C) *The permit issuer determines that technical mistakes or*  
34 *mistaken interpretations of law were made in issuing the permit*  
35 *in accordance with Section 402(a)(1)(B) of the federal Clean Water*  
36 *Act (33 U.S.C. Sec. 1342(a)(1)(B)).*

37 (D) *The less stringent effluent limitation or condition is*  
38 *necessary because of events over which the permittee has no*  
39 *control and for which there is no reasonably available remedy.*

1 (E) The permittee has received a permit modification pursuant  
2 to Section 301(c), 301(g), 301(h), 301(i), 301(k), 301(n), or 316(a)  
3 of the federal Clean Water Act (33 U.S.C. Secs. 1311(c), 1311(g),  
4 1311(h), 1311(i), 1311(k), 1311(n), and 1326(a)).

5 (F) The permittee has installed the treatment facilities required  
6 to meet the effluent limitations or conditions in the previous permit  
7 and has properly operated and maintained the facilities but has  
8 nevertheless been unable to achieve the previous effluent  
9 limitations or conditions, in which case the limitations or conditions  
10 in the renewed, reissued, or modified permit may reflect the level  
11 of pollutant control actually achieved, but shall not be less stringent  
12 than required by effluent limitation guidelines promulgated under  
13 Section 304(b) of the federal Clean Water Act (33 U.S.C. Sec.  
14 1314(b)) in effect at the time of permit renewal, reissuance, or  
15 modification.

16 (3) Subparagraphs (B) and (C) of paragraph (2) do not apply to  
17 a revised waste load allocation or an alternative grounds for  
18 translating water quality standards into effluent limitations or  
19 conditions unless both of the following are satisfied:

20 (A) The cumulative effect of the revised allocation or alternative  
21 grounds results in a decrease in the amount of pollutants discharged  
22 into receiving waters.

23 (B) The revised allocation or alternative grounds is not the result  
24 of a discharger eliminating or substantially reducing its discharge  
25 of pollutants due to complying with the requirements of the federal  
26 Clean Water Act (33 U.S.C. Sec. 1251 et seq.) or for reasons  
27 otherwise unrelated to water quality.

28 (d) The state board and regional boards shall not authorize an  
29 NPDES permit, waste discharge requirement, or waiver of a waste  
30 discharge requirement that does not include a complete  
31 antidegradation analysis as set out in State Water Resources  
32 Control Board Resolution No. 68-16 and Administrative Procedures  
33 Update 90-004.

34 13153. (a) (1) By January 1, 2030, the state board and regional  
35 boards shall develop an Impaired Waterways Enforcement Program  
36 to enforce all remaining water quality standard violations pursuant  
37 to Chapter 12 (commencing with Section 1825) of Part 2 of  
38 Division 2 and Article 1 (commencing with Section 13300) of  
39 Chapter 5 that are causing or contributing to an exceedance of a  
40 water quality ~~standard~~. *standard in a surface water of the state.*

1 (2) An enforcement action taken pursuant to the program shall  
 2 result in sufficient penalties, conditions, and orders to ensure the  
 3 person subject to the enforcement action is no longer causing or  
 4 contributing to an exceedance of a water quality ~~standard~~. *standard*  
 5 *in a surface water of the state.*

6 (3) A discharger shall remain liable for a violation of a water  
 7 quality standard until sampling ~~at the point of discharge~~  
 8 demonstrates that the discharge is no longer causing or contributing  
 9 to the ~~exceedance~~. *exceedance in a surface water of the state.*

10 (4) *A discharger shall not be responsible for natural sources*  
 11 *of pollution in surface waters of the state if the discharger can*  
 12 *demonstrate all of the following:*

13 (A) *Natural sources are not caused or mobilized by*  
 14 *anthropogenic activity contributing to a water quality standard*  
 15 *exceedance in receiving waters.*

16 (B) *Anthropogenic sources to a surface water of the state are*  
 17 *controlled and do not cause or contribute to an exceedance of an*  
 18 *applicable water quality standard in receiving waters.*

19 (C) *The discharge is consistent with any applicable waste load*  
 20 *allocation assigned through a total maximum daily load.*

21 ~~(4)~~

22 (5) Penalties obtained pursuant to the program shall be deposited  
 23 into the Waterway Attainment Penalty Subaccount, which is hereby  
 24 created in the Waterway Attainment Account. Moneys in the  
 25 subaccount shall be available for the state board to expend, upon  
 26 appropriation by the Legislature, for purposes of the program.

27 ~~(5)~~

28 (6) The state board and regional boards may issue an  
 29 enforcement order pursuant to Chapter 12 (commencing with  
 30 Section 1825) of Part 2 of Division 2 or Article 1 (commencing  
 31 with Section 13300) of Chapter 5 that includes a compliance  
 32 schedule deadline that extends beyond January 1, 2030, to a  
 33 discharger for a discharge that is causing or contributing to an  
 34 exceedance of a water quality standard.

35 (b) (1) By January 1, 2040, to ensure any water segments  
 36 impaired by ongoing legacy pollutants and nonpoint source  
 37 pollution are brought into attainment with water quality standards,  
 38 the state board and regional boards shall evaluate the state's  
 39 remaining impaired *state surface* waters using the most current  
 40 integrated report.



1 (2) The state board and regional boards shall, by January 1,  
2 2040, report to the Legislature in compliance with Section 9795  
3 of the Government Code a plan to bring the final impaired water  
4 segments into attainment by January 1, 2050.

5 (3) The requirement for submitting a report imposed under  
6 paragraph (2) is inoperative on January 1, 2044, pursuant to Section  
7 10231.5 of the Government Code.

8 (c) (1) The Waterway Attainment Account is hereby created  
9 in the Waste Discharge Permit Fund. Moneys in the Waterway  
10 Attainment Account shall be available for the state board to expend,  
11 upon appropriation by the Legislature, to bring remaining impaired  
12 water segments into attainment in accordance with the plan  
13 submitted pursuant to paragraph (2) of subdivision (b), subject to  
14 subdivision (d).

15 (2) (A) By January 1, 2040, subject to a future legislative act,  
16 50 percent of the annual proceeds of the State Water Pollution  
17 Cleanup and Abatement Account shall be annually transferred to  
18 the Waterway Attainment Account.

19 (B) This paragraph shall become inoperative January 1, 2051,  
20 or when all water segments are in attainment with water quality  
21 standards, whichever comes first.

22 (d) Moneys in the Waterway Attainment Account shall be  
23 expended by the state board, upon appropriation by the Legislature,  
24 to bring impaired waterways into attainment with water quality  
25 standards to the maximum extent possible. Moneys expended from  
26 the account shall address or prevent water quality impairments or  
27 address total maximum daily loads under the federal Clean Water  
28 Act (33 U.S.C. Sec. 1251 et seq.). Moneys in the account shall  
29 only be expended on the following:

30 (1) Restoration projects, including supplemental environmental  
31 projects, that improve water quality.

32 (2) Best management practice research innovation and incentives  
33 to encourage innovative best management practice implementation.

34 (3) Source control programs.

35 (4) Identifying nonfilers.

36 (5) Source identification of unknown sources of impairment.

37 (6) Enforcement actions that recover at least the amount of  
38 funding originally expended, which shall be deposited into the  
39 Waterway Attainment Account.

1 (7) Competitive grants to fund projects and programs for  
 2 municipal separate storm sewer system permit compliance  
 3 requirements that would prevent or remediate pollutants, including  
 4 zinc, caused by tires in the state. Priority shall be given to  
 5 applicants that discharge to receiving waters with zinc levels that  
 6 exceed the established total maximum daily loads and to projects  
 7 that provide multiple benefits.

8 (e) The state board shall, upon appropriation by the Legislature,  
 9 expend 5 percent of the annual proceeds of the State Water  
 10 Pollution Cleanup and Abatement Account to fund the state board's  
 11 SWAMP - Clean Water Team Citizen Monitoring Program in  
 12 order to inform the integrated report.

13 13154. For purposes of this article, the following definitions  
 14 apply:

15 (a) "Best management practice" means a practice or set of  
 16 practices determined by the state board or a regional board for a  
 17 designated area to be the most effective feasible means of  
 18 preventing or reducing the generation of a specific type of nonpoint  
 19 source pollution, given technological, institutional, environmental,  
 20 and economic constraints.

21 ~~(b) "Drinkable" applies to waters subject to a regional water~~  
 22 ~~quality control plan and means that the waters are drinkable to the~~  
 23 ~~extent required by the regional water quality control plan.~~

24 ~~(e)~~

25 (b) "Integrated report" means the state report that includes the  
 26 list of impaired waters required pursuant to Section 303(d) of the  
 27 federal Clean Water Act (33 U.S.C. Sec. 1313(d)) and the water  
 28 quality assessment required pursuant to Section 305(b) of the  
 29 federal Clean Water Act (33 U.S.C. Sec. 1315(b)).

30 ~~(d)~~

31 (c) "NPDES" means the national pollutant discharge elimination  
 32 system established in the federal Clean Water Act (33 U.S.C. Sec.  
 33 1251 et seq.).

34 ~~(e)~~

35 (d) "Regional board" means a California regional water quality  
 36 control board.

37 ~~(f)~~

38 (e) "Regional water quality control plan" means a water quality  
 39 control plan developed pursuant to Section 13240.

40 ~~(g)~~

1 (f) “State board” means the State Water Resources Control  
2 Board.

3 ~~(h)~~

4 (g) “State Water Pollution Cleanup and Abatement Account”  
5 means the State Water Pollution Cleanup and Abatement Account  
6 created pursuant to Section 13440.

7 ~~(i)~~

8 (h) “Supplemental environmental project” means an  
9 environmentally beneficial project that a person subject to an  
10 enforcement action voluntarily agrees to undertake in settlement  
11 of the action and to offset a portion of a civil penalty.

12 ~~(j)~~

13 (i) “Waste Discharge Permit Fund” means the Waste Discharge  
14 Permit Fund created pursuant to Section 13260.

15 ~~(k)~~

16 (j) “Waterway Attainment Account” means the Waterway  
17 Attainment Account created pursuant to paragraph (1) of  
18 subdivision (c) of Section 13153.

19 ~~(l)~~

20 (k) “Waterway Attainment Penalty Subaccount” means the  
21 Waterway Attainment Penalty Subaccount created pursuant to  
22 paragraph ~~(4)~~ (5) of subdivision (a) of Section 13153.

O