EMWD Legislative Policy Principles

Introduction

Eastern Municipal Water District (EMWD) has adopted a strategic objective to “Conduct a highly productive and effective federal, state and local advocacy representation program to effectively influence legislation, regulation and funding in a manner that responds to a shifting political landscape, benefits EMWD’s customers and consistently demonstrates industry leadership.” To achieve this objective, the Public and Governmental Affairs Department builds and maintains relationships with legislative and administrative leaders, their staff, and other opinion leaders, and involves all appropriate EMWD disciplines to formulate positions on legislative and policy issues.

In order to achieve EMWD’s strategic objective for policy and community engagement, Government Affairs staff develop Legislative Policy Principles to guide these investments. These principles are consistent with EMWD’s mission statement, values and beliefs and are developed through careful consideration of EMWD’s strategic plan and other foundational planning documents.

Guided by the Legislative Policy Principles, which are adopted by the EMWD Board of Directors, and incorporate the professional opinion of EMWD’s staff, the Government Affairs Team communicates EMWD’s position and actively advocates on pertinent legislative issues. Each Policy Principle category identified below includes a policy goal that will be pursued consistent with the related objectives outlined below.

Overarching Principles

The following four principles are overarching requests of the legislature and the administration that EMWD will be actively pursuing to preserve and protect effective and high-quality water service for our ratepayers, businesses and communities we serve. The overarching principles represent the consistent messaging and requests that will be integrated into all areas of EMWD’s policy requests, and they include the following:

- Preserve and protect local control;
- Recognize and respect regional differences and diversity;
- Pursue funding to address mandates, technology innovations, and offset costs for development of projects to further diversify and improve the resilience of EMWD’s water supply portfolio; and
- Encourage and actively pursue integration and deployment of tested and reliable technologies to streamline, support, and protect District operations.
**Water System Operation**

**Policy Goal:** Ensure the safe and reliable delivery of water, wastewater, and recycled water service in an effective, transparent, economical, and affordable manner, while also preserving the ability of water service providers to attract and retain a high quality, inclusive, and reliable workforce.

**Governance**
- Support and inform the implementation of SB 200 (Monning, 2019) and advancement of the overarching Safe and Affordable Funding for Equity and Resilience (SAFER) program to ensure:
  - Adherence to the principles established in these historic efforts:
  - Promote effective deployment of technical, managerial, and financial protocols; and
  - Further safeguard the limited resources available to achieve the stated mission of delivering safe and reliable drinking water for all Californians.
- Support system consolidations and regionalization, where appropriate, for the delivery of safe and reliable drinking water, when accomplished through a public and transparent process.
- Support the utilization of allocation based tiered rates to effectively advance the State’s dual priorities of conservation and the affordable delivery of water service.
- Support consensus-based reforms to Cortese-Knox-Hertzberg that ensures thorough communication with affected entities, and results in the effective and reliable deployment of public services.
- Support the consideration of narrow reforms to Proposition 218, preserving responsible rate-setting functions, while enabling water providers to establish a local low-income water rate assistance program when non-ratepayer revenues are not available or sufficient.
- Communicate concern and propose strategies for the reconciliation of mandates and administrative actions that signal conflicting state policies or priorities.
- Oppose efforts that would result in the inability of water service providers to charge customers the full cost of service, apply connection fees, or establish standby charges.
- Oppose efforts to mis-characterize reserve funds as “cash on hand” for the purpose of prescribing the use of reserves or mandating a shift of these critical resources.

**Administration**
- Support the development of pathways for young people to enter water and wastewater service careers and support public agencies.
- Work with the legislature and regulators to ensure that policy changes or regulatory requirements related to employer responsibilities are clearly defined and lack ambiguity that jeopardize District operations and leave public agencies vulnerable to legal challenge.
• Preserve the ability of public agencies to pursue locally negotiated strategies to address employee benefits, hiring, and termination policies and agreements.
• Express concern and opposition when transparency measures jeopardize critical infrastructure, result in the disclosure of ratepayer personal data, or result in unnecessary costs to public agencies.

Technology and Security
• Support efforts that would advance EMWD’s Geographic Information System Master Plan which is geared towards supporting district operations and provides real-time field data.
• Oppose efforts that would jeopardize water and wastewater plant security or expose sensitive infrastructure.
• Oppose actions that would require a water service provider to store, secure, communicate, or track data that is not germane to core district functions.

General Obligation Bonds and Other Funding Streams

Policy Goal: Preserve the responsible and transparent use and development of general obligation bonds, revenue bonds, formation of community service districts, and other reliable funding streams as effective tools to advance projects, programs, and necessary infrastructure geared towards the sustainable delivery of public services.

• Advocate for the distribution of general obligation bond funding in a regionally equitable manner to ensure that traditionally underfunded regions have an opportunity to access these resources.
• Support application of the “beneficiary pays” principle to those capital improvements and infrastructure projects that provide a direct and measurable benefit to ratepayers.
• Support the continued and effective deployment of State Revolving Funds (SRF) that provide valuable resources to advance critical infrastructure.
• Support the use of general obligation bonds that provide broad public benefit, funds projects in disadvantaged communities, and ensures an equitable division of grant and loan opportunities.
• Support the development of general obligation bonds or other funding streams that provide flexibility to local entities to leverage funds with other state, federal, or local resources.
• Oppose policies and efforts that would jeopardize EMWD’s bond rating and standing in the municipal bond market.

Local and Imported Water Supplies

Policy Goal: Implement the co-equal goals of water supply reliability and environmental sustainability in the Sacramento-San Joaquin Bay Delta (Delta) to ensure the delivery of adequate
and reliable supplies of water to all Californians, while simultaneously aggressively pursuing the development of long lasting and robust local water supplies.

**Imported Water Supplies**
- Support a comprehensive strategy in the Sacramento-San Joaquin Delta (Delta) that includes investment in Delta Conveyance and ecosystem restoration.
- Support efforts to effectively address subsidence of critical California water conveyance systems.
- Support the development of voluntary agreements as a means to improve habitat and flows in the Delta.
- Support implementation of the 2020 Water Resilience Portfolio in a manner that recognizes the need to advance regionally appropriate solutions, while also carefully balancing the need for reliable imported water supplies.
- Support continued collaboration in the Colorado River Basin, including investments in science, and salinity management.

**Groundwater Storage and Management**
- Support reliable communication, timely plan review, and technical assistance to groundwater sustainability agencies as they seek to advance the goals of the Sustainable Groundwater Management Act (SGMA).
- Support flexibility for Sustainable Groundwater Agencies as they seek to pursue monitoring and project implementation, hold groundwater pumpers accountable, and determine involvement with other government agencies, including counties which have a key role in permit approvals.
- Support and pursue opportunities for local integrated groundwater management and provide flexibility for local water managers to seek interregional and watershed scale planning efforts.
- Support regulations and permit streamlining to help EMWD advance its indirect potable reuse and other innovative reuse and groundwater recharge programs.

**Brackish Groundwater Desalination**
- Seek opportunities to advance partnerships with universities, state and federal agencies, private business, and other institutions for the development of improved desalination and brine disposal and concentration technologies, and support innovations to address groundwater impairments.
- Support the recognition that brackish desalination plays a major role in meeting California’s future water needs.
- Oppose efforts that would reduce or eliminate the ability to utilize the brine line due to mandatory reductions in ocean water discharge.

**Wastewater**
• Support efforts to inform the public on proper disposal of materials including nonwoven disposable wipes, fats, oils, and grease to protect and support reliable sewer-system operation.
• Promote the collection of stormwater data and monitoring techniques to quantify actual costs, feasibility, and water resource benefits prior to advancing stormwater capture directives and preserve the flexibility of wastewater treatment plant operators to make these investments.
• Prioritize septic-to-sewer conversion opportunities and continue to bring awareness to the needs and impacts that exist in some of the communities within the EMWD service area.
• Support cost effective management of biosolids and oppose regulatory hurdles that unnecessarily restrict the transportation or land application of biosolids.
• Oppose efforts to designate PFAS as a hazardous substance under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), establishing a potential chain-of-liability exposure for water and wastewater providers, or provide a municipal exemption for water and wastewater agencies.

Recycled Water
• Support recycled water use goals that expand its use as a sustainable and efficient water supply.
• Support the use of recycled water for recreational use in a manner that protects public health and safety.
• Support salinity management opportunities as a strategy to improve the sustainability and reliability of recycled water resources.
• Support the completion of research that is consistent with the California Water Reuse Action Plan to complete the following:
  o Measurement and removal of contaminants at increasingly lower regulated levels;
  o Revising regulatory requirements and their application to recycled water end users;
  o Prepare and respond to climate change impacts including flood and drought;
  o Examine the effectiveness of alternative treatment trains; and
  o Advancing new and increased uses of recycled water.
• Support efforts to support and incentivize the expanded application of potable reuse projects.
• Support recycled water use for recharge in groundwater basins while ensuring water quality that protects public health.
• Require consultation and communication with public agencies that operate a centralized recycled water system when seeking to expand use of graywater or onsite recycled water systems.
• Oppose efforts advancing or mandating the application of graywater or onsite recycled water systems in areas that have invested in a dedicated centralized recycled water system, or where such decentralized systems will jeopardize current or future investments in centralized recycled water systems.
• Oppose efforts that would restrict or eliminate the ability of water or recycled water system operators to mandate the use and regular testing of backflow prevention devices.

Water Conservation and Integrated Water Management Planning
• Support measures at the state and federal level to make water conservation rebates exempt from being considered taxable income.
• Support coordination with local planning and land-use agencies to require water efficient landscaping in new development.
• Ensure that all conservation mandates consider secondary impacts to aggressive indoor water use efficiency standards on potable reuse and wastewater operations, such as greater observance of the “heat island” effect due to indiscriminate removal of irrigated landscaping.
• Oppose mandated conservation measures that circumvent a local water providers conservation objectives.

Climate Change, Resiliency, and Regulatory Compliance

Policy Goal: Deploy effective techniques and strategies to address climate change and ensure water resilience, while recognizing the unique characteristics and challenges of each region. Further ensure that all efforts to address climate change, water quality, and other regulatory mandates are grounded in science and advanced through a transparent and collaborative manner.

Climate Change and Greenhouse Gas Emissions Reduction
• Support collaboration and communication between all state and federal agencies to create opportunities for partnerships.
• Support voluntary water transfers as a means to address water supply resiliency and reduce the impacts of drought.
• Support the pursuit of voluntary methods to address and advance biodiversity, conservation, and preservation related efforts related to advancing 30 x 2030 strategies.
• Support cost-effective solutions to address state and local air quality measures and reduce greenhouse gas emissions.
• Support coordinated emergency response mechanisms to reduce vulnerability to wildfire, flood, drought, and other climate change-related events.

Environmental and Regulatory Compliance
• Support the continued availability of exemptions from air quality regulators as public agencies pursue conversion of fleet vehicles to alternative fuel and zero-emission vehicles, recognizing that some technologies are not readily available or may be cost-prohibitive.
• Support cooperative efforts between public agencies and regulators as they develop state and federal policies and regulatory requirements to address:
  o Air quality mandates;
  o Reduce thresholds for criteria and toxic pollution reporting;
  o Address constituents of emerging concern;
  o Pursue costly and time-consuming data requests;
  o Advance mandatory electrification requirements.
• Support efforts to advance a “polluter pays” principle to hold polluters accountable.
• Support control methods for the mitigation and elimination of invasive species.
• Support Public Safety Power Shutoff (PSPS) policies that would narrow the scope and duration of PSPS events and encourage more timely notification procedures.
• Support reforms to inverse condemnation laws to allow for those utilities that are negligent in their duties to still be held accountable.
• Support reasonable reforms to the California Environmental Quality Assessment (CEQA) that would establish process reliability and reduce unnecessary or unfounded legal challenges.

Energy and Renewable Energy
• Support funding opportunities for investment in back-up energy storage, and other infrastructure needs to prepare public agencies to address PSPS events, prepare for broader deployment of zero-emission fleet vehicles, and support efforts to manage energy use.
• Support an “all-of-the-above” approach as a tool to reduce energy reliance and advance a broader renewable energy portfolio.
• Support broader acknowledgement and investment in cogeneration at wastewater treatment plants as a reliable renewable fuel source.
• Support efforts to promote biosolids as an alternative, renewable fuel source and promote the use of innovate products derived from biosolids.