WORKSHOP MEETING OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
BOARD OF DIRECTORS WITH METROPOLITAN DIRECTORS
18700 Ward Street, Conference Room 101, Fountain Valley, California
September 2, 2026, 8:30 a.m.

Teleconference Sites:
17420 Walnut Street, Fountain Valley, CA 92708
25652 Paseo De La Paz, San Juan Capistrano, CA 92675

This meeting will be held in person at 18700 Ward Street, Fountain Valley, California, 92708 (Conference Room 101). As a convenience for the public, the meeting may also be accessed by Zoom Webinar and will be available by either computer or telephone audio as indicated below. Because this is an in-person meeting and the Zoom component is not required, but rather is being offered as a convenience, if there are any technical issues during the meeting, this meeting will continue and will not be suspended.

Computer Audio: You can join the Zoom meeting by clicking on the following link:
https://zoom.us/j/8828665300

Telephone Audio: **(669) 900 9128**
Webinar ID: **882 866 5300#**

AGENDA

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS
At this time members of the public will be given an opportunity to address the Board concerning items within the subject matter jurisdiction of the Board. Members of the public may also address the Board about a particular Agenda item at the time it is considered by the Board and before action is taken.

The Board requests, but does not require, that members of the public who want to address the Board complete a voluntary "Request to be Heard" form available from the Board Secretary prior to the meeting.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED
Determine need and take action to agendize item(s), which arose subsequent to the posting of the Agenda. (ROLL CALL VOTE: Adoption of this recommendation requires a two-thirds vote of the Board members present or, if less than two-thirds of the Board members are present a unanimous vote).

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO THE MEETING
Pursuant to Government Code Section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than 72 hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Website, accessible at http://www.mwdoc.com.

NEXT RESOLUTION NO. 2180

DISCUSSION ITEMS

1. LEGISLATIVE ACTIVITIES
a. Federal Legislative Report (Natural Resource Results)
b. State Legislative Report (West Coast Advisors)
c. Legal and Regulatory Report (Ackerman)

d. County Legislative Report (Whittingham)
e. MWDOC Legislative Matrix
f. Metropolitan Legislative Matrix

Recommendation: Review and discuss the information presented.

2. QUESTIONS OR INPUT ON METROPOLITAN ISSUES FROM THE MEMBER AGENCIES/METROPOLITAN DIRECTOR REPORTS REGARDING METROPOLITAN COMMITTEE PARTICIPATION

Recommendation: Receive input and discuss the information presented.

ACTION ITEM

3. PROPOSED AMENDMENTS TO THE COORDINATED OPERATING, WATER SHORTAGE, EXCHANGE AND DELIVERY AGREEMENT AMONG METROPOLITAN, MUNICIPAL WATER DISTRICT OF ORANGE COUNTY AND IRVINE RANCH WATER DISTRICT (PRESENTATION BY PAUL WEGHORST)

Recommendation: Authorize the General Manager to execute an amended Coordinated Operating, Water Storage, Exchange and Delivery Agreement among Metropolitan Water District of Southern California, Municipal Water District of Orange County, and Irvine Ranch Water District.

INFORMATION ITEMS

4. METROPOLITAN ITEMS CRITICAL TO ORANGE COUNTY
a. Metropolitan's Finances
b. Metropolitan's Water Supply Condition Update
c. Metropolitan's Water Quality Update
d. Colorado River Issues
e. Delta Conveyance Activities and State Water Project Issues

5. METROPOLITAN BOARD AGENDA DISCUSSION ITEMS
a. Summary regarding August Metropolitan Board Meeting
b. Review items of significance for the Metropolitan Board Agenda

ADJOURNMENT

Note: Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by contacting Angela Crespi, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at 18700 Ward Street, Unit B, Fountain Valley, CA 92708. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.

To: Board of Directors, *Municipal Water District of Orange County*
From: Natural Resource Results
RE: Monthly Board Report – September 2026

Colorado River Post-2026 Record of Decision Signed – California Faces 440,000 Acre-Foot Cut

On August 21, 2026, Secretary of the Interior Doug Burgum signed the Record of Decision (ROD) and 2027–2028 Operating Guidelines for future Colorado River operations. The Final Environmental Impact Statement was published on July 31, and the ROD followed three weeks later. The decision establishes a 10-year "Decision Framework" with a broad operational range governing Lake Powell and Lake Mead, while setting specific two-year operating guidelines for Water Years 2027 and 2028. The guidelines require the Lower Basin states collectively to cut water use by 1.25 million acre-feet in each of the next two years. California's mandated reduction is 440,000 acre-feet, Arizona's is 760,000 acre-feet, and Nevada's is 50,000 acre-feet.

For Lake Powell, Water Year 2027 operations are placed in the Lower Elevation Infrastructure Protection Range — meaning the reservoir is expected to begin the water year between elevations 3,510 and 3,540 feet. Annual releases from Glen Canyon Dam are set between 6.0 and 7.0 million acre-feet, with Reclamation retaining authority to adjust releases through April based on updated hydrology to maintain the critical 3,510-foot power pool threshold. The 2027 release volume will be finalized in April 2027 based on observed inflows and storage conditions. The decision drew mixed reactions across the Basin: Arizona water managers expressed concern that their share of the burden was disproportionate, while some California and environmental advocates questioned whether the cuts were adequate given current storage conditions.

California's 440,000 acre-foot obligation under the 2027–2028 guidelines will require coordinated planning with Reclamation to identify where those reductions will come from — whether through reduced Colorado River Aqueduct deliveries, increased use of stored Intentionally Created Surplus (ICS) water, or other conservation measures. The Decision Framework's 10-year horizon also signals that more restrictive guidelines will follow in 2029–2030 if reservoir conditions do not improve, making long-range supply planning a near-term priority for Southern California water agencies.

On August 24, Nevada filed a claim in federal court against the Trump Administration, stating that the operating plan illegally reduces the state's allocation of water by up to 71%.

Colorado River Reservoir Conditions – Record Combined Low Confirmed

As of mid-August 2026, Lake Powell and Lake Mead have confirmed new record-low combined storage levels not seen since before Glen Canyon Dam was completed in 1963. Lake Powell fell below the previous all-time low of 3,519.92 feet — set in April 2023 — and Lake Mead approached its record low of 1,040.58 feet set in July 2022. Researchers project that combined

storage in the two reservoirs will set new daily records continuously until at least next spring, absent significant precipitation or reduced Upper Basin consumption. Bureau of Reclamation hydrologists attribute the crisis to a historically weak 2025–2026 snowpack and spring runoff — approximately one-third of average — compounded by two decades of chronic overallocation and aridification driven by rising temperatures in the Colorado River Basin.

The proximity of Lake Powell to the minimum power pool threshold (3,490 feet) remains a focal concern: should the reservoir drop below that level, Glen Canyon Dam would cease generating hydroelectric power, affecting regional electricity transmission contracts and creating significant operational challenges. Reclamation's authority to adjust releases downward during Water Year 2027 to protect the 3,510-foot elevation floor is a direct response to this risk

State Water Resources Control Board Releases Final Draft Bay-Delta Plan

On August 20, 2026, the State Water Resources Control Board (SWRCB) released its final draft update to the Water Quality Control Plan for the San Francisco Bay/Sacramento–San Joaquin Delta Watershed — commonly known as the Bay-Delta Plan — covering the Sacramento River watershed, the Delta eastside tributaries (including the Calaveras, Cosumnes, and Mokelumne Rivers), and the Sacramento/Delta system. Written comments on the final draft are due September 18, 2026, and the full Board is scheduled to consider adoption at a public hearing on October 28–29, 2026.

The final draft establishes new percentage-of-unimpaired-flow requirements for the Sacramento River system and its tributaries, intended to protect fish and wildlife beneficial uses in the Bay-Delta watershed. The plan retains two distinct compliance pathways for water right holders: a voluntary agreement (VA) pathway, under which parties can commit to a suite of flow and habitat improvements through the state's Healthy Rivers and Landscapes (HRL) program; and a regulatory pathway applicable to water right holders who do not participate in the HRL proposal. The final draft also incorporates Water Supply Adjustment factors intended to provide some operational flexibility for rainfall-fed watersheds, and retains off-ramp provisions tied to Lake Berryessa storage and cold-water carryover regimes — modifications that water agencies have pressed for in prior iterations of the plan.

Flow requirements imposed under the Bay-Delta Plan can reduce export capacity during critically dry periods, precisely when demand for SWP water is highest. The two-pathway structure means that the degree of operational constraint will vary depending on how many water right holders elect the voluntary agreement path versus the regulatory path; a larger VA coalition generally provides greater operational flexibility for SWP and CVP exports. The outcome of this proceeding will also bear directly on the operating conditions imposed on the Delta Conveyance Project once construction commences.

West Coast Advisors
Strategic Public Affairs

August 27, 2026

To: Municipal Water District of Orange County

From: Michael Boccadoro
Beth Olhasso

RE: August Report

California enters late August and September with generally solid water supplies, but declining reservoir levels as the state moves through the dry season. Statewide reservoir storage was estimated at about 26.8 million acre-feet, or 106% of historical average, as of August 24, providing a relatively strong buffer heading into fall. Major reservoirs remain in generally good condition; Lake Oroville held about 2.17 million acre-feet as of August 20—63% of capacity and 99% of its historical average. With the water year ending September 30 and little additional precipitation expected during the remainder of the summer, attention is shifting toward how much storage can be carried into the next water year and the outlook for fall and winter precipitation.

The State Water Board's revised draft work plan identifies a broad slate of water-quality priorities for the coming years, including Bay-Delta flows and salinity, recycled water, stormwater infiltration, desalination and emerging contaminants. While many initiatives remain in the early stages, the agenda provides an important preview of potential future regulatory requirements affecting water agencies, agriculture and local governments.

The State Water Board released its final draft update to the Bay-Delta Plan on August 19, with adoption scheduled for October 28-29. The proposal would create a Healthy Rivers and Landscapes voluntary pathway alongside a regulatory pathway, with participating water users potentially meeting environmental requirements through a combination of flows and habitat restoration.

DWR and the Bureau of Reclamation have completed a five-year study examining salinity, flows and low- and null-flow conditions in the South Delta. The study does not impose new requirements, but its findings could influence how the State Water Board monitors salinity and evaluates compliance with existing Southern Delta water-quality objectives.

With the legislative session entering its final days, major water issues remain unresolved, including Delta infrastructure funding, tribal water rights, wildfire liability and Golden Mussel legislation. SB 872, which would provide $150 million annually for Delta levees and $150 million annually for restoring conveyance capacity lost to subsidence, has reached the Governor's desk, while several other water bills remain in negotiations.

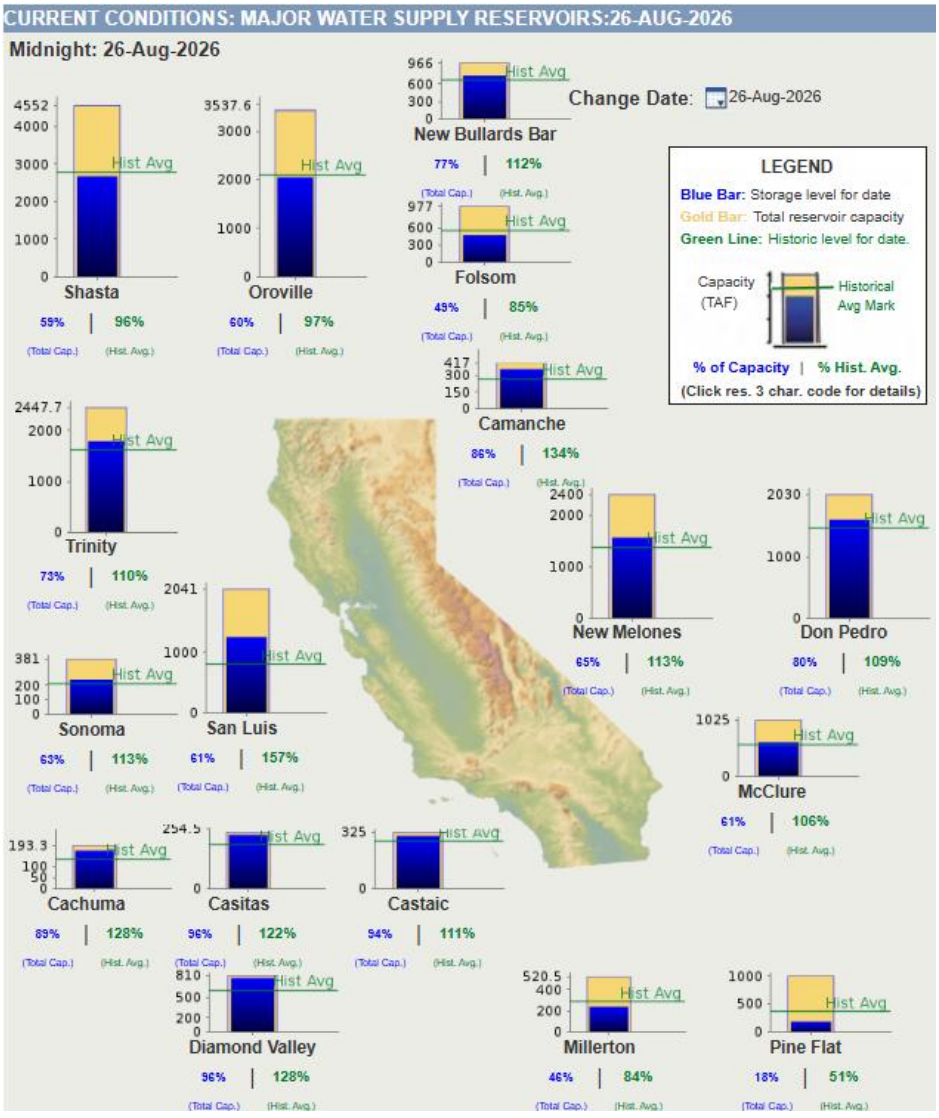
Municipal Water District of Orange County
Status Report – August 2026

Water Supply Conditions

California reservoirs have remained in good condition through the dry summer with average storage in several key reservoirs, providing a measure of water supply stability

The state's largest reservoirs remain in relatively strong condition. Lake Shasta is at 59 percent of capacity and about 96 percent of its historical average for this time of year. Lake Oroville is at 60 percent of capacity and 97 percent of historical average. San Luis Reservoir is at 61 percent capacity, 157 percent of historical average.

While the talk is all about the potential "super el niño" that may hit parts or all of California, until the rain starts, water managers remain concerned this time of year as stored supplies are tapped into to meet demand.



State Water Board lays out major water-quality regulatory agenda for next three years
The State Water Resources Control Board has released a revised draft work plan outlining a broad slate of potential water-quality changes that could shape California water policy over the next several years. The August 7 document is part of the Board's periodic review of five statewide water quality control plans and 26 state policies and identifies projects that are already underway, as well as additional policies that could be considered in the future. The review itself does not change existing regulations, but it establishes priorities for future rulemakings, which would each undergo separate public processes.

For water agencies, one of the most consequential elements is the continued emphasis on the Bay-Delta Plan. The Board lists three Bay-Delta projects as current priorities: updating flow objectives for the protection of fish and wildlife, implementing the existing Lower San Joaquin River flow and Southern Delta salinity requirements, and determining whether to incorporate the proposed Tuolumne River Voluntary Agreement.

The work plan also elevates several issues with direct implications for water supply development and local water agencies. The Board is pursuing revisions to the Recycled Water Policy that would update statewide recycled-water production goals using more than five years of newly collected wastewater and recycled-water volume data. Staff also want to harmonize requirements for monitoring constituents of emerging concern with the state's newer CEC program and drinking-water recycling regulations. The Board says the effort is intended to continue incentivizing recycled water while reducing barriers to projects and protecting public health.

Another significant project is a new statewide policy governing urban and industrial stormwater infiltration. The Board says the policy is intended to establish a consistent framework for siting, designing and managing infiltration systems while protecting groundwater quality and supporting stormwater capture. Staff have developed a risk-based approach after extensive discussions with municipalities, groundwater and stormwater experts, industry and environmental organizations, and anticipate releasing a draft policy for public comment in fall 2026.

The Board is also proposing changes that could affect desalination and other new water supplies. An Ocean Plan amendment would seek to clarify and streamline permitting for seawater desalination, including requirements involving facility sizing, sensitive habitat, mitigation, subsurface intakes, seawater intrusion and annual reporting. The Board says the changes respond partly to California's Water Supply Strategy and recommendations intended to expedite desalination permitting.

Beyond supply-related policies, the agenda contains a substantial expansion of water-quality regulation. Current projects include developing statewide objectives for harmful algal blooms and cyanotoxins, addressing nutrients that contribute to coastal ocean acidification and harmful algal blooms, and developing site- and permit-specific approaches for copper and zinc. The future work plan also contemplates changes involving human-health and aquatic-life criteria, stormwater mercury requirements, cadmium, chlorine, trash provisions and other pollutants.

Importantly, many of the proposals remain early-stage policy priorities rather than imminent regulations. The Board explicitly says projects identified for future consideration are generally unlikely to be formally initiated during the next three years. Even current projects will require separate rulemakings, environmental review, economic analysis, Tribal consultation and public participation before new requirements can take effect.

For local governments, water agencies and agricultural water users, the work plan is therefore best viewed as an early warning of where the Water Board's regulatory attention is headed. The combination of Bay-Delta flow and salinity requirements, recycled-water goals, stormwater infiltration standards, desalination permitting and new water-quality criteria could affect the cost, design and permitting of future water-supply and infrastructure projects. The State Water Board plans to take public comments on the draft, revise it as appropriate and ultimately consider adoption of a final work plan at a future public meeting.

State Water Board releases final draft of long-awaited Bay-Delta Plan update

The State Water Resources Control Board has released its final draft update to the Bay-Delta Plan, putting California's long-running effort to establish new protections for fish and wildlife in the Sacramento River and Bay-Delta on track for a major decision this fall. The Board released the final draft plan, final staff report and supporting scientific analysis on August 19, and plans to consider adoption on October 28-29. Written comments are due September 18.

The proposal is built around a significant change in how the state would implement environmental-flow requirements. Rather than relying exclusively on a traditional regulatory approach, the plan would establish two pathways: a Healthy Rivers and Landscapes (HRL) voluntary-agreement pathway for participating water-right holders and a regulatory pathway for other water rights. Both would have regulatory effect once the plan is adopted. Under the HRL approach, participating water users could meet their obligations through a combination of river flows and habitat restoration rather than relying solely on increased flows.

That structure represents an attempt to balance two competing objectives that have made the Bay-Delta Plan controversial for years: increasing protections for declining fish populations while limiting the effects on water supplies for farms, cities and other water users. The State Water Board says the proposal would provide greater flexibility during dry conditions and lessen periods of reduced water supply for municipalities and water districts while maintaining environmental protections. At the same time, the regulatory pathway would provide an enforceable backstop if water users do not participate in the HRL program or if the voluntary approach is discontinued.

The scale of the Healthy Rivers and Landscapes program is substantial. The State Water Board says the proposal could facilitate approximately $2.9 billion in restoration and related actions, including restoration of more than 27,000 acres of aquatic habitat. The Board would also establish annual reporting, triennial reviews and a dedicated scientific program to evaluate whether the combination of flows and habitat restoration is actually producing improved ecological conditions.

The final plan is intended to provide a mechanism for participating water-right holders to satisfy requirements through a combination of flow and habitat commitments. But water users that are outside the HRL pathway could ultimately face requirements established through the regulatory pathway. The Board says it will begin developing the methodology for protecting flows under both pathways after adoption of the plan.

The final draft also makes an important change concerning Tribal water uses. If adopted, the plan would formally recognize “Tribal Tradition and Culture” as a protected beneficial use of water. The Board says the designation reflects the connection between tribes, rivers and native fish, including salmon, and would incorporate Tribal beneficial uses into the updated Bay-Delta framework.

The latest version follows a lengthy series of drafts and public hearings. The Board held a three-day hearing in January 2026 on the December 2025 revised draft, which already contained the two-pathway structure, Tribal beneficial uses and updated flow and habitat accounting. The August draft represents the Board's next step after reviewing comments and making changes to the proposal and supporting staff report.

The next few months will therefore be important for water agencies, agricultural interests, environmental organizations and other Bay-Delta stakeholders. Comments on the final draft are due September 18, but commenters are being asked to focus on changes made since the December 2025 draft. The State Water Board is scheduled to consider adoption October 28-29. If adopted, the plan would launch a new implementation phase in which the Board would establish the detailed mechanisms for both the HRL and regulatory pathways.

New South Delta study provides clearer picture of salinity and water flows

The California Department of Water Resources and U.S. Bureau of Reclamation have completed a major study of water flows and salinity in the South Delta, providing new information that could influence how the State Water Resources Control Board manages the region’s water-quality requirements. The Monitoring Special Study (MSS) was submitted to the Water Board in May 2026 after five years of data collection, modeling and coordination with water agencies and other stakeholders. The study was required under the 2018 Bay-Delta Plan and was designed to better understand how water levels, flows, salinity and low- or null-flow conditions interact in the South Delta.

The study is particularly important because the South Delta is where water quality, agricultural water supplies and State Water Project and Central Valley Project operations intersect. The MSS combines new field measurements—including high-speed salinity mapping, point-source sampling and drone imagery—with sophisticated hydrodynamic and water-quality modeling. DWR and Reclamation say the work is intended to improve understanding of the sources and movement of salinity and provide a scientific foundation for a future long-term monitoring and reporting program.

One of the report's central findings is that South Delta salinity is influenced by multiple factors rather than a single source or operation. The study examines the relative effects of San Joaquin River inflows and salinity, State and federal project pumping, tides, temporary agricultural

barriers, channel characteristics, in-Delta diversions and local discharges. The modeling and data-collection effort is intended to provide a more refined understanding of how those factors interact, particularly during periods of low or reversing flows.

The study also provides new information about low- and null-flow conditions, which occur when portions of the South Delta experience very limited net movement of water. These conditions can affect the transport and concentration of salinity and are an important consideration for agricultural water quality. DWR added a new appendix specifically addressing low-water metrics and incorporated additional analysis of the factors contributing to the formation and movement of null zones.

For water agencies and agricultural water users, an important takeaway is that the report does not itself establish new salinity requirements or change existing water-right obligations. Instead, it is intended to provide information that the State Water Board can use in implementing the 2018 Bay-Delta Plan, developing compliance approaches and designing a long-term monitoring program. The MSS was specifically commissioned because the Board determined that additional information was needed to better understand Southern Delta salinity dynamics.

The report could nevertheless have significant implications for future regulation. The 2018 Bay-Delta Plan established revised Southern Delta salinity objectives and required DWR and Reclamation to conduct the special study as part of developing a comprehensive approach to implementation. The new information could help the Water Board determine how and where salinity should be monitored, how compliance should be evaluated and how different water-management actions affect conditions experienced by agricultural users.

The MSS also highlights the importance—and limitations—of computer modeling in managing the South Delta. DWR used both the three-dimensional SCHISM model and DSM2, combined with observed data through data-assimilation techniques. Earlier work found that incorporating observed data improved the model's representation of the South Delta salinity field and its predictive capabilities, although additional data are needed to validate some of the approaches.

Overall, the study gives the State Water Board a substantially larger body of data for addressing one of California's most contentious water-quality issues. The next step will be developing a Long-Term Monitoring and Reporting Plan, which will translate the study's findings into an ongoing monitoring framework. For agricultural and urban water agencies, that process will be worth watching closely because the eventual monitoring and compliance framework could affect how Southern Delta salinity requirements are implemented and how the impacts of water-project operations are evaluated.

Legislative Update

The Legislature is in the final days of the 2025-2026 Legislative Session. Members have until 11:59 PM on August 31 to send legislation to the Governor. With just five days remaining, the most controversial bills are still pending while deals are being made and arms are being twisted.

There is still no resolution on Proposition 4 spending, Greenhouse Gas Reduction Fund spending, tribal rights bills, IOU wildfire liability reform and a handful of other issues that will attempt to move through in the final days of the session.

State Water Contractors Sponsored Legislation:
SB 872 (McNerney) has been amended into a major climate and water infrastructure funding bill.

Under the revised language, SB 872 would create the Delta Levees and Canal Subsidence Fund that would fund toward critical water system upgrades over the next two decades — beginning in the 2026–27 fiscal year through 2046–47.
Key provisions include:

- $150 million annually to the California Department of Water Resources for capital improvements aimed at restoring original conveyance capacity in state water facilities affected by land subsidence — a growing problem as pumping lowers groundwater levels and damages canals.
- $150 million annually to the Sacramento-San Joaquin Delta Conservancy for levee repairs and related projects in the Delta, strengthening flood protection and habitat conditions.

The bill was amended to take out a specific funding source, which will lead to more discussions on the concept during the budget process.

The bill also includes a restriction that these funds cannot be used for the design, construction, operation, mitigation, or maintenance of new Delta conveyance facilities beyond existing infrastructure.

The bill has received bipartisan support throughout the process and is on the Governor's desk.

Funding for at least one year of Delta levee and conveyance subsidence repair is being discussed in the final budget negotiations.

AB 2215 (Calderon): moves a portion of the DCP Trailer Bill from 2025 into a policy bill. AB 2215 would adjust the beneficial use timeline for the completion of construction work for specific water right permits held by the Department of Water Resources for the operation of the State Water Project be December 31, 2045. The bill passed out of the Assembly Water, Parks and Wildlife Committee 11-0 and the Appropriations Committee and was approved by the full Assembly 57-1. ACWA recently took a support position on the bill. The bill was pulled from hearing the Senate Natural Resources and Water Committee on July 1 due to a lack of support from committee members and unfortunately will not move forward in 2026.

CASA & WateReuse CA:
CASA and WateReuse CA's co-sponsored legislation, AB 2777, to add more capacity to the Clean Water State Revolving Fund and make it easier for agencies to get larger loans or reduce burdensome requirements passed through the process with no no votes. The bill is on the Governor's Desk.

Other significant legislation:

- **AB 1881 (Ramos)** and **AB 2218 (Kalra)** on tribal water rights. Both bills give tribes significant powers over infrastructure projects. Stakeholders have been working with the authors and sponsors to work out mutually aggregable language, but those talks stalled in recent weeks. AB 2218 has passed to the Governor's Desk, but AB 1881 is facing more concentrated opposition and is looking to find a path forward.

- Golden Mussels Bills

    - **AB 2032 (Ransom)**: specifies specific actions for the state to undertake to research and provide best management practices for eradication. The bill has an urgency clause, but passed off the Assembly Floor well ahead of the 2/3 vote threshold with 78 "aye" votes. The bill has moved through the Senate fairly easily, but is still awaiting action on the Senate Floor.

    - **AB 1772 (Papan):** creates a standardized boat inspection program for all reservoir operators. The bill was held in the Senate Appropriations Committee

    - **AB 1894 (Rubio):** Addresses some agencies forbidding SWP water from entering a local system. The bill has been amended to address some concerns of other water users, including MWD. The bill is on the Governor's Desk

- **Advanced Clean Fleets:** AB 1436 (Avila Farias) was a late "gut and amend" intended to address the lates 15-day changes from CARB on the State and Local Government rules in the ACF program. The bill proposed to prohibit CARB from regulating private fleets through requirements on public agency contracts. The bill was heard in the Senate Environmental Quality Committee but was one vote short of passing out of the committee. The Chair of the committee committed to bringing parties together to discuss the issue.

Legal and Regulatory

September 2, 2026

1. **Toxic Blooms Worsen:** The Sacramento-San Joaquin Delta areas are experiencing more and worse algae blooms which date back to 2020. Actually prior to 2000, these blooms were very rare. The research is funded by NOAA using DWR, UC Santa Cruz, Cal Poly Maritime and other partners. The decomposition takes the oxygen from the water and make toxins which are dangerous to humans, animals, fish and birds. The blooms like warm temperatures and lots of nutrients. In 2022, a large bloom developed very quickly and the lack of oxygen kills lots of fish. The researchers are using remote sensors and constant testing to identify the blooms and track their growth and movement. Hopefully, this information will aid in prevention and control of future blooms.
2. **Wildfires and Fish**: Scientists have been studying the 2022 McKinney Fire, subsequent rainfall and runoff and impact on water life on the Klamath River. The intensity of the fire created debris and fire related material such as ash, charcoal and sediment. When rain events occur thereafter, the runoff is substantial, dumping all this material into the water. This created a condition known as anoxia where the oxygen level in the water is near 0 and this lasts for many hours. This kills fish very quickly. Continuous sensors are used to monitor turbidity, oxygen level, pH and temperature to study the result and be better prepared the next time such an event occurs. While it is difficult to mitigate these conditions, knowledge of what and when things are happening can be useful for water managers.
3. **More Rain, More Dry:** A study done by Dartmouth College and the University of Montreal shows that more rain can actually cause drier conditions. The new trend is less storms which tend to be more intense and wetter. That means the soil can not absorb the water and it tends to pool and create more evaporation. This combined with longer dry periods will create an overall drier landscape. While we may receive the same or more rainfall in a given season, we will end up with drier conditions. The two hotspots for these conditions are the Amazon and the Wyoming/Colorado area. This is a primary reason we are experiencing drought conditions in the Colorado Basin area. This is also a reason many of these areas will experience flood conditions during the heavy rains.
4. **Global Groundwater Conditions:** As we have seen, there are many studies being done on the state of global groundwater. Here is another. This one tracked almost 43,000 wells in 47 countries for 20 years. Researchers in Delft, Netherlands found that one third of groundwater is declining, while 18% are rising. Results are mixed for various areas: South American-some serious decline but some minor decline to holding, Middle East- most have minor decline, but India, particularly is farm areas, is serious, Europe-some serious and some modest, US Midwest-80% of wells in decline. Areas with rising water: Thailand-90% wells on increase, Taiwan-increase levels, Denmark-increase levels. Many of the increase areas are creating problems infrastructure and flooding. Many areas , Africa, East Asia and parts of South American lack monitoring so we do not have real data. However, we can guess that they are or will be experiencing problems in the future.
5. **Water From Air:** Better mousetraps are being developed all the time. This one is the size of a 20 foot storage container and can produce 1000 liters of water per day. It uses ambient heat instead of motors and electricity. The necessary temperature gap is 13 degress F. Porous crystals placed into cartridges pull water from passing

air. It has been tested at Death Valley. Filters remove dirt and small stuff and germs are killed with disinfectants. It is being tested for scaling up.

6. **Caspian Sea Shrinking:** Did you know the Caspian Sea is the largest inland body of water on the globe? Levels in the Sea have gone up and down over the years. However, now the trend is definitely down. In the last 30 years, it has lost a ground area equivalent to Sicily. The main reason is manmade causes including dams, river diversions and agricultural uses, even though overall water inflow in the area has increased. The countries surrounding the Sea include Iran, Russia, Turkmenistan, Azerbaijan and Kazakhstan. There is currently no agreement between these countries regarding water rights and shared usage. The Sea is critical for local shipping, fishing, wetlands, migratory birds and most of the world's caviar. The future of the Sea is in danger due to the political issues in the area. It could be lost and seriously damaged if action is not commenced soon.
7. **China Water:** China's largest cities have 74 times less fresh water than the average person in the US. China controls a number of the biggest rivers in Asia, receives heavy rain fall each year and has numerous glaciers in the West. But the cities in the Northeast, Beijing and Tianjin suffer droughts. They are currently in the process of moving rivers thousands of miles and building the largest dam in the world. They have no CEQA and don't care about people's rights and homes. Projects will get built. More to come.
8. **Data Centers:** I have combined two articles here describing water and energy use. One report downplayed the numbers saying they were greatly exaggerated. Opposing data centers is the new cause of the day. Activists from various backgrounds are inspired to demonstrate against these projects. Energy use and water use numbers are 3-5 times actual use. An Oxford University study says the many of the estimates are not based on facts and is small compared to water used by golf courses or agricultural demands. Another report from Ceres, a think tank in Boston, says that water use combined with water used to make electricity is quite large. Their estimate says that industry wide demand for data centers exceed water use for LA, Phoenix and Washington DC combined. The difference is that water used to produce electricity (hydropower) is not lost. It is taken out of the system and then put right back in. Consumptive use differs in the water is used and lost. That use in the industry is much smaller. It generally depends on where you are in the US. If you are in Phoenix and Las Vegas, evaporation and system loss is much greater. However, even in those areas, mitigation measures are being implemented.
9. **PFAS Testing:** Currently most PFAS testing is done in a lab and can take up to 10 days to complete. The University of Tasmania (Australia) has developed a portable lab which can do the job in less than 6 hours. It is designed for rapid screening, not a detailed analysis. This is much more useful for regulators and water managers. PFAS is not always evenly distributed in a specific area. This mobile unit can determine more quickly where to put your resources.
10. **Lithium Valley:** A few years ago, there was great promise for a "lithium valley" in the Salton Sea area. The current estimate is over 4.5 tons of lithium with a value of $320 billion in 2022. Todays value is $80 billion. Lithium is used in batteries and electric vehicles. The EV market has changed significantly in recent years but lithium is still considered a crucial mineral. Environmentalist and activist have been raising questions about the "valley". CEQA, pollution, benefits and other issues have been advanced. IID is not supporting the project due to water concerns. All of these factors have combined to put this project and others like it on hold. Some groups are still supportive and want to proceed but financial backers are not that sure.
11. **The Roadless Rule:** Most Americans (90%) depend on public water systems for their water supply. A large portion of that water comes from forest lands. Water policy can impact supply and movement of that water. In 2001, the Clinton administration implemented the Roadless Area Conservation Rule, setting aside 60 million acres of national forest from development and limiting timber harvest. The plan was controversial with much

support and opposition. The Trump administration rescinded it last summer. The US Forest Service is currently reviewing public comments and intends to issue new guidelines this year. Supporters of the old rule claim that roadless areas in the forest protect water systems from contamination and protect the water sources for millions of folks. The old rule did allow certain energy projects, transmission lines and limited development. Opponents of the old rule say there needs to be a better balance of development and forest protection. Stay tuned.

12. **Hidden Cost of Food Waste:** A Texas A&M study has looked at the energy and water cost of our wasted food. The Department of Agriculture says that 30-40% of our entire food supply goes to waste. This waste they argue is wasted time and money in water world, energy production and health needs. One of their goal is to educate the public to do better shopping and meal planning, don't buy more than you need, use leftovers and engage in composting. They want to plan for the future in Texas as their growth pattern show going from their current 30 million to 50 million residents in 2060. The demand for food, energy and water will follow that growth.

WHITTINGHAM
PUBLIC AFFAIRS ADVISORS

TO: MWDOC Board of Directors

FROM: Whittingham Public Affairs Advisors

DATE: September 2, 2026

SUBJECT: September 2026 Local Legislative Report

Following is a few of the more notable developments and issues that have transpired in Orange County over the last several weeks:

- Residents and business owners across six cities who were impacted by mandatory evacuations over Memorial Day weekend may soon be reimbursed for expenses they incurred. District Attorney Todd Spitzer announced that Garden Grove's GKN Aerospace has committed to a compensation programs of up to $100 million, with details and timing anticipated over the next several weeks. The DA's press release indicated that while no criminal charges would be filed against GKN, the office is "negotiating terms of a settlement agreement as part of a civil disposition with GKN to include a comprehensive safety plan and ongoing independent monitoring to ensure the safe operation of the Garden Grove plant." Between 13,000 and 17,000 households were required to evacuate, and those individuals may be compensated by this fund for hotel stays, loss of use, and per diem compensation for meals, transportation, and loss of wages. One day after the announcement, the Board of Supervisors voted in closed session to sue GKN for reimbursement of $4 million in costs incurred by the County for its response to the incident.

- Residents within Irvine Ranch Water District's Division 1 have until Monday, August 31 at 5pm to submit resumes to be considered for potential appointment the IRWD Board of Directors. Division 1 Director John Withers, who had served on the IRWD Board since 1989, announced his resignation in early August. The Board will hold a workshop and forum on September 17 to interview potential candidates and is expected to announce an appointment at that meeting.

- Work is nearly complete on the U.S. Army Corps of Engineers' Breakwater project in Dana Point Harbor. Over the past month, as much as 70,000 cubic yards of sand has been dredged from the Harbor channel and placed just off Doheny State Beach to replenish beaches in South Orange County.

- In other Dana Point Harbor news, the Board of Supervisors again deferred action on two new 66-year land leases the developer of two proposed hotels is seeking in order

to secure financing. Approval of the leases has been held up by a lack of unanimity regarding protections for employees at the longtime Harbor hotel, the Marina Inn, as well as those at the two proposed hotels. The developer has stated that the repeated delays have eliminated any possibility of having the new hotels ready for the LA 2028 Olympics, which is holding the surfing competition at nearby Lower Trestles, south of San Clemente.

- The Orange County Sanitation District Board of Directors recently authorized staff to begin the preliminary work to annex a portion of Irvine Ranch Water District's (IRWD) service area that formerly made up the Los Alisos Water District. IRWD currently has sole authority to provide wastewater collection, transmission, and treatment of the "Los Alisos Area" via their operation of the Los Alisos Water Recycling Plant. OC San and IRWD's November 2025 Flow Exchange Agreement committed the two agencies to jointly apply to OC LAFCO to potentially and ultimately provide OC San's wastewater treatment capability to IRWD's service of that area. Recent approvals of a new Flow Exchange Agreement and Green Acres Project ("GAP") Flows Agreement provide IRWD the potential to build greater efficiency and economies into its wastewater treatment services.

- Several Orange County cities are considering official actions regarding the use of herbicides in parks and other public spaces in response to the debate in Ladera Ranch regarding potential health impacts related to the use of such chemicals in two South County creeks. The City of Newport Beach has stopped using synthetic herbicides to control weeds on city-maintained athletic fields, relying instead on organic treatments, mechanical weed removal, and periodic replacement of the grass. The City's new Athletic Field Sod Management Program calls for athletic fields to be stripped, leveled, and covered with new sod approximately every three to five years, depending on their condition and amount of use.

- In mid-August, Superior Court Judge Julianne Bancroft found that the City of Newport Beach must allow four initiatives to move forward to voters after the City unsuccessfully challenged the various measures over the manner in which the measures were noticed and signatures were gathered. The Newport Beach Stewardship Association submitted the initiatives, which included substantive revisions to the City's Charter, establishing new term limits on Council members, requiring City Council elections to be determined by-district as opposed to citywide voting, and a fourth initiative called the Responsible Housing Initiative, which would require the city to replace its existing state-approved housing plan and adopt one that zones for fewer new homes. HOWEVER, at its August 25 meeting, the City Council voted 5-2 to defer the first three initiatives to the November, 2028 ballot, which Judge Bancroft ruled was permissible if the City provided written justification for such action. The Responsible Housing Initiative will appear on this November's ballot.

- Moulton Niguel Water District's Board of Directors officially named longtime Assistant General Manager Matt Collings to succeed Joone Kim-Lopez as the agency's next General Manager at its August 13 meeting.

- The South Coast Air Quality Management District (SCAQMD) has delayed consideration of proposed Rule 1110.4, which targets emissions from emergency standby generators, until late Q1 or early Q2 of 2027. Much of the discussion centered on replacing older diesel units, which account for roughly 30% of the NOx reductions the District is seeking through the rule. District staff are focusing first on facilities with large amounts (>2.5MW) of installed generator capacity, such as data centers, but the many aging generators that water and wastewater agencies rely on at lift stations and other critical facilities remain a longstanding concern. The proposed rule is expected to reach the AQMD Governing Board in the fourth quarter, and many MWDOC member agencies are closely following the its progress to ensure potential concerns of the District and similar agencies are clearly communicated to AQMD staff and Board members.

Whittingham Public Affairs Advisors continues to monitor the agendas of the 26 city and water district MWDOC members to identify items of relevance to MWDOC, as well as activities at the SCAQMD and Orange County Water District. It is a pleasure to work with you and to represent the Municipal Water District of Orange County.

Sincerely,



Peter Whittingham

Municipal Water District of Orange County Legislative Matrix

Updated 8/27/26

Measure	Author	Topic	Status	Brief Summary	Position
AB 2215	***Calderon, D***	*Water rights: permits: State Water Project.*	*Pulled from committee consideration by author.*	*This bill would require that the time periods for the application of water to beneficial use and for the completion of construction work for specific water right permits held by the Department of Water Resources for the operation of the State Water Project be December 31, 2046. (Based on 04/16/2026 text)*	*Support*
AB 1436	***Avila-Farias, D***	*State Air Resources Board: air pollution regulations: private fleets: exception*	*Failed in Senate Env. Quality Committee*	*This bill would prohibit the State Air Resources Board from enforcing any regulation that directly or indirectly compels compliance by private fleets, as provided, until the state has obtained a required waiver or authorization under the federal Clean Air Act.*	*Support*
AB 2739	**Soria, D**	Water: affordability and system stabilization	Senate Floor	This bill would establish in the State Treasury the Water Affordability and System Stabilization Fund for holding the principal and income of the Water Affordability and System Stabilization Trust, which the bill would create.	Support (Sponsored by IRWD and Rancho Water)
SB 872	**McNerney, D**	Delta Levees and Canal Subsidence Fund.	Governor's Desk	This bill would establish the Delta Levees and Canal Subsidence Fund in the State Treasury and, upon appropriation, would make the moneys in the fund available to the Secretary of the Natural Resources Agency for expenditure consistent with the allocations described below. The bill would authorize the secretary to seek out, and the fund to accept, state moneys from, among other sources, any bond funds, the General Fund, or the Greenhouse Gas Reduction Fund. The bill would authorize the fund to accept moneys from nonstate sources, including federal and private moneys, and would continuously appropriate those moneys without regard to fiscal year, for allocation as described, thereby making an appropriation.	Support
SB 952	**Laird, D**	State Water Project: renewable energy resources and zero-carbon resources	Governor's Desk	The bill would authorize, on and after January 1, 2036, excess procurement, as defined, of eligible SWP renewable energy resources and zero-carbon resources in one year to be applied to any subsequent year's obligation, as provided.	Support
SB 1048	**Becker, D**	State Seal of Climate Literacy	Senate Floor	This bill would establish the State Seal of Climate Literacy for the purpose of giving high school pupils personal agency to help them and their communities understand and adapt to the effects of climate change.	Support
SB 1125	**Menjivar, D**	Water Rate Assistance Program	Governor's Desk	Would establish the Water Rate Assistance Fund in the State Treasury, available upon appropriation by the Legislature, to provide water affordability assistance for residential water services to low-income residential ratepayers, as specified.	Support
AB 1603	**Schultz, D**	Perfluoroalkyl and polyfluoroalkyl substances (PFAS): Department of Pesticide Regulation.	Governor's Desk	This bill would, commencing January 1, 2030, prohibit a person from using or marketing for agricultural use a pesticide, and from manufacturing, selling, delivering, holding, or offering for sale in commerce a pesticide registered for agricultural use, that contains specified PFAS pesticide ingredients and prohibit the registration for agricultural use of any pesticides containing these specified PFAS pesticide ingredients.	

Measure	Author	Topic	Status	Brief Summary	Position
AB 1752	***Lackey, R***	*Eminent domain: appraisals.*	*Held in Senate Appropriations Committee*	*This bill would require a public entity that offers to purchase property under a threat of eminent domain related to specified purposes to pay the full reasonable costs of an independent appraisal ordered by the owner, not to exceed $8,000. (Based on 05/18/2026 text)*	
AB 1772	***Papan, D***	*Fish and wildlife: invasive mussels.*	*Held in Senate Appropriations Committee*	*Existing law, until January 1, 2030, generally prohibits a person from possessing, importing, shipping, or transporting in the state, or from placing, planting, or causing to be placed or planted in any water in the state, invasive mussels, and authorizes the Director of Fish and Wildlife or the director's designee to engage in various enforcement activities, including ordering the areas in conveyance that contain water be drained, dried, or decontaminated, as provided. This bill would prohibit a conveyance from being launched until a specified drying period has completed, as provided. By expanding the scope of a crime, this bill would impose a state-mandated local program. The bill would require the department to require water supply system operators to update their plans to address all invasive mussel species present in the operator's water system as of January 1, 2026, as provided. (Based on 04/27/2026 text)*	
AB 1821	**Pacheco, D**	California Public Records Act: agency response time.	Governor's Desk	The California Public Records Act requires each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, to make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable, except with respect to public records exempt from disclosure by express provisions of law. Existing law requires each agency, within 10 days of a request for a copy of records, to determine whether the request seeks copies of disclosable public records in possession of the agency and to promptly notify the person of the determination and the reasons therefor. Existing law authorizes that time limit to be extended by no more than 14 days under unusual circumstances, as defined. This bill would instead require each agency to determine whether the request seeks copies of disclosable public records in possession of the agency and to promptly notify the person as described above within 10 business days of a request for a copy of records. (Based on 04/06/2026 text)	
AB 1881	**Ramos, D**	California Indian Freedom Act of 2026.	Senate Floor	This bill, the California Indian Freedom Act of 2026, would prohibit a governmental agency from substantially burdening a California Indian or California Native American tribe's exercise of religious beliefs or spiritual practices on state lands, including their access to and use of sacred sites and objects, and their ability to perform religious ceremonies and rites, even if the burden results from a rule of general applicability, unless the governmental agency demonstrates that application of the burden is in furtherance of a compelling governmental interest and is in the least restrictive means of furthering that interest. (Based on 05/19/2026 text)	

Measure	Author	Topic	Status	Brief Summary	Position
AB 1893	***Gallagher, R***	*Wildfire prevention: local assistance grant program: eligible activities.*	*05/14/2026 - Failed Deadline pursuant to Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 4/22/2026)*	*This bill would expand eligible activities under the local assistance grant program to include projects undertaken by a local governmental entity involving the acquisition or installation of mobile rigid dip tanks or similar mobile and permanent infrastructure that is capable of providing helicopter-accessible water supplies for firefighting response or suppression purposes in very high fire and high fire hazard severity zones, as provided. (Based on 02/12/2026 text)*	
AB 1894	**Rubio, Blanca, D**	Fish and wildlife: invasive mussels: imported water.	Governor's Desk	This bill would prohibit a public agency from prohibiting imported water deliveries, as defined, for groundwater replenishment due to invasive mussels unless there is substantial, documented evidence of a proven health and safety risk as a result of the invasive mussels. (Based on 04/16/2026 text)	
AB 2013	***Bennett, D***	*High and very high fire risk areas: community water systems: preparedness and resiliency.*	*04/23/2026 - Failed Deadline pursuant to Rule 61(b)(5). (Last location was EMERGENCY MANAGEMENT on 4/7/2026)*	*Existing law requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. This bill would require a community water system that services more than 100 customers that are located in a high or very high fire risk area, as defined, to include an annex to its disaster preparedness plans, as provided, that includes information regarding system preparedness and resiliency during a wildfire. The bill would require the annex to contain several things, including, among others, an assessment that identifies the minimum number of and type of water pumps that are necessary to maintain average daily capacity, including, but not limited to, the operation of fire hydrant systems at the rated capacity. (Based on 04/06/2026 text)*	
AB 2032	**Ransom, D**	Fish and wildlife: golden mussels.	Senate Floor	This bill would exempt from the requirement to obtain a restricted species permit for golden mussels a public or private agency that operates a water supply system and has submitted a control plan to the department for maintenance and operational activities to control the spread of golden mussels in the water supply system, as specified. (Based on 05/18/2026 text)	
AB 2045	**Connolly, D**	Habitat Restoration and Enhancement Act.	Governor's Desk	The Habitat Restoration and Enhancement Act authorizes a project proponent to submit a habitat restoration or enhancement project to the Director of Fish and Wildlife for approval. The act makes moneys in the Habitat Restoration and Enhancement Account available to the department, upon appropriation by the Legislature, for the purposes of administering and implementing the act. Existing law repeals the act on January 1, 2027. This bill would extend the operation of the act until January 1, 2032, and would require the department to submit a report on the implementation of the act to the Legislature no later than December 31, 2029. (Based on 04/16/2026 text)	
AB 2218	**Kalra, D**	Water policy: California Native American tribes.	Governor's Desk	Would require the state government to support California Native Americans to maintain cultural and linguistic traditions, practice ecosystem stewardship, and engage in good faith government-to-government consultations with all California Native American tribes regarding policies that may affect tribal communities. (Based on 04/16/2026 text)	

Measure	Author	Topic	Status	Brief Summary	Position
AB 2381	***Johnson, R***	*Local Agency Public Construction Act: municipal water districts: sanitation districts: lowest responsible bidder.*	*04/23/2026 - Failed Deadline pursuant to Rule 61(b)(5). (Last location was L. GOV. on 3/9/2026)*	*The Local Agency Public Construction Act sets forth the requirements for competitive bidding on various types of contracts awarded by local agencies. Under current law, a municipal water district and a sanitation district, when letting a contract for $35,000 or more, is required to let the contract to the lowest responsible bidder. This bill would increase that threshold dollar amount to $220,000. The bill would require the Controller, commencing January 1, 2028, to adjust that amount annually to reflect the percentage change, as specified, and publish the adjusted amount on its internet website. (Based on 02/20/2026 text)*	
AB 2568	**Johnson, R**	Water district directors: compensation.	Governor's Desk	Existing law authorizes a water district, as defined, to adopt an ordinance that provides compensation to members of the governing board, as specified. Existing law prohibits a water district from adopting an ordinance that compensates members of the governing board for more than a total of 10 days in any calendar month. This bill would, until January 1, 2032, authorize a water district that has at least 90,000 residents within its jurisdiction to adopt an ordinance that compensates members of the governing board for up to a total of 15 days in any calendar month, but would require the members of the governing board of a water district that compensates its members for more than 10 days in a calendar month to annually adopt a written policy describing, based on a finding supported by substantial evidence, why providing compensation for more than 10 days per calendar month is necessary for the effective operation of the water district. (Based on 04/27/2026 text)	
AB 2619	**Papan, D**	Water resources: data centers.	Assembly Floor	Existing law authorizes the legislative body of an incorporated city and the county board of supervisors to license businesses carried on within their respective jurisdictions and to set license fees, as specified. This bill would require a person who owns or operates a data center, prior to applying to a city or a county for an initial business license, equivalent instrument, or permit, to provide its water supplier, under penalty of perjury, an estimate of the expected water use, the anticipated source of water, and the data center's projected water use volume for the maximum day, maximum month, and average year. When applying to a city or county for an initial business license, the bill would require a person who owns or operates a data center to report, under penalty of perjury, on the application, an estimate of the expected water use, the anticipated source of water, and the data center's projected water use volume for the maximum day, maximum month, and average year. When applying to a city or county for a renewal of a business license, equivalent instrument, or permit, the bill would require a person who owns or operates a data center to report, under penalty of perjury, on the application, the data center's annual water use for the preceding calendar year, including total water use, direct water use, and indirect water use, as prescribed. (Based on 04/08/2026 text)	

Measure	Author	Topic	Status	Brief Summary	Position
AB 2630	***Bennett, D***	*Water diversion and use: adoption of regulations.*	*04/23/2026 - Failed Deadline pursuant to Rule 61(b)(5). (Last location was NAT. RES. on 3/24/2026)*	*Existing law authorizes the State Water Resources Control Board to adopt regulations requiring measurement and reporting of water diversion and use by persons, including, among others, those authorized to appropriate water under a permit, a license, a registration for small domestic, small irrigation, or livestock stockpond use, or a certificate for livestock stockpond use. For the initial regulations, existing law requires that they be adopted as emergency regulations and provides that the emergency regulations remain in effect until revised by the state board. Existing law also exempts the initial regulations from the California Environmental Quality Act. This bill would require, until January 1, 2032, that all further regulations adopted by the state board pursuant to these provisions be adopted as emergency regulations and remain in effect until revised by the state board, and would exempt them from the California Environmental Quality Act. (Based on 03/26/2026 text)*	
SB 986	***Seyarto, R***	*Major regulations.*	*05/14/2026 - Failed Deadline pursuant to Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 4/27/2026)*	*harm to the public peace, health, safety, or general welfare. This bill would prohibit a major regulation from taking effect until submission to, and expiration of a 60-day review period by, the Legislature, except as provided for emergency regulations. The bill would, prior to the expiration of the 60-day review period, require the Legislature to hold an informational hearing on the major regulation. (Based on 04/15/2026 text)*	
SB 994	**Cabaldon, D**	Local agencies: nondisclosure agreements.	Governor's Desk	This bill would prohibit a local agency official, as defined, acting in their official capacity from entering into, or requesting that another individual enter into, a nondisclosure agreement relating to public business that precludes their ability to share information with fellow local agency officials serving on the same council, board, commission, district, or agency. The bill would require a local agency official in violation of that provision to, among other things, disclose the existence of the nondisclosure agreement, as specified, and would provide that these requirements imposed on a local agency official also apply to a local agency official acting in their official capacity who entered into, or requested that another individual enter into, a nondisclosure agreement described above before January 1, 2027. (Based on 04/23/2026 text)	
SB 1001	***Archuleta, D***	*Local agency, public utility, or mutual water company: personnel access: Personal Identity Verification-Interoperable.*	*05/14/2026 - Failed Deadline pursuant to Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 4/27/2026)*	*Existing law authorizes officers of the Department of the This bill would, beginning on July 1, 2028, require the Office of Emergency Services, upon request, to issue a local agency, public utility, or mutual water company responsible for public works and critical infrastructure with specified credentialing to facilitate personnel access to an area during or following a natural disaster, act of terrorism, or other man-made disaster. The bill would specify that the credentialing, a Personal Identity Verification-Interoperable (PIV-I), would conform with the federal Personal Identity Verification standards pursuant to federal National Incident Management System guidelines. (Based on 04/21/2026 text)*	

Measure	Author	Topic	Status	Brief Summary	Position
SB 1085	**Durazo, D**	Water supply planning: housing developments.	Senate Floor	Existing law requires a city or county that determines a certain type of project is subject to the requirements of CEQA to identify any public water system that may supply water for the project and to request those public water systems to prepare a specified water supply assessment, as provided. This bill, among other things, would instead require a city or county, upon receipt of a preliminary application for a housing development project that meets certain conditions, or upon a development application for certain projects being determined as complete or deemed complete, to make that identification of public water systems. The bill would require a city or county, within 15 days of receiving an application that meets either of the above-mentioned criteria, to request each identified public water system to determine whether the projected water demand associated with the proposed project was included in the most recently adopted urban water management plan. (Based on 04/23/2026 text)	
SB 1123	***Wiener, D***	*Administrative Procedure Act: major regulations.*	*Did not get hearing in Assm*	*This bill would require an agency, in estimating the economic impact of adopting, amending, or repealing a regulation, to identify and calculate any offsetting benefits, impacts, or savings that might result directly or indirectly from that adoption, amendment, or repeal and factor those benefits, impacts, or savings into its economic impact estimate. (Based on 02/17/2026 text)*	
SB 1153	**Caballero, D**	Disaster preparedness: urban retail water suppliers and public water systems: wildfire.	Assembly Floor	This bill, beginning January 1, 2028, would require all urban retail water suppliers, as defined, serving a high or very high fire hazard severity zone to include incident-specific response procedures for wildfires as part of their disaster preparedness plans, including any applicable emergency response plan as required by federal law. The bill would require these plans to include, among other things, mitigation actions, including actions, procedures, and equipment, that can obviate or significantly lessen the impact of a wildfire on the water system and the supply of drinking water provided by the water supplier. Because violation of these requirements by certain urban retail water suppliers would constitute a misdemeanor, the bill would expand the scope of a crime, thereby imposing a state-mandated local program. (Based on 04/28/2026 text)	
SB 1187	**Durazo, D**	Open meetings: majority.	Governor's Desk	Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. Existing law defines "meetings" for these purposes to mean any congregation of a majority of the members of a legislative body at the same time and location, as specified, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body. This bill would define "majority" for purposes of the act to mean the number of members of the legislative body equaling more than half of the total number of seats on the legislative body. The bill would specify that if a seat on the legislative body is vacant, that seat is to still be counted as a seat on the legislative body. This bill contains other related provisions and other existing laws. (Based on 02/19/2026 text)	

The Metropolitan Water District of Southern California
State Legislative Matrix: Second Year of Legislative Session
August 3, 2026

Bill Number and Author	Amended Date and Location	Title – Summary	Metropolitan Position	Effects on Metropolitan
AB 35 **D. Alvarez** **(D – San Diego)** **Sponsor:** San Diego County	Chaptered Signed by the Governor, Chapter 89, Statutes of 2026	**Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024: Administrative Procedure Act: exemption: program guidelines and selection criteria.** This bill exempts the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 (Proposition 4) from the Administrative Procedure Act (APA), which establishes rulemaking procedures and standards for state agencies in California, to expedite funding allocations.	**Support** Based on 2026 Legislative Priorities and Principles.	AB 35 would streamline the funding process for Proposition 4 projects and allow Metropolitan, its member agencies, and partner agencies to access funds more quickly and accelerate project timelines. Proposition 4 funding includes multiple critical areas for Metropolitan, including funding for groundwater management, water recycling, Delta levees, and repairs to regional conveyance.
AB 259 **B. Rubio** **(D – Baldwin Park)** **Sponsors:** California Special Districts Association, Three Valleys Municipal Water District	Amended 4/21/2025 Two-Year Bill	**Open meetings: local agencies: teleconferences.** This bill eliminates the sunset on provisions added to the Brown Act by AB 2449, a bill that provided additional flexibility with Brown Act meeting procedures in the event of a board member's physical absence in connection with a "just cause" or "emergency circumstances," allowing those members to participate in the meeting remotely consistent with the process detailed in the bill.	**Support** Based on 2026 Legislative Priorities and Principles.	By removing the sunset on the Brown Act provisions, AB 259 preserves flexibility for Metropolitan and member agency board members to meet remotely and continue providing the public with essential services.

The Metropolitan Water District of Southern California
State Legislative Matrix: Second Year of Legislative Session
August 3, 2026

Bill Number and Author	Amended Date and Location	Title – Summary	Metropolitan Position	Effects on Metropolitan
AB 794 **J. Gabriel** **(D – Encino)** **Sponsors:** Clean Water Action, Environmental Working Group	Amended 4/10/2025 Two-Year Bill Dead	**California Safe Drinking Water Act: emergency regulations** This bill would authorize the State Water Resources Control Board (SWRCB) to adopt an emergency regulation for water quality based on federal regulations in effect on January 19, 2025, regardless of whether the requirements were repealed or amended to be less stringent. The bill would prohibit an emergency regulation adopted pursuant to these provisions from implementing less stringent drinking water standards, as provided, and would authorize the regulation to include requirements that are more stringent than the requirements of the federal regulation. The bill would require, on or before January 1, 2026, the SWRCB to adopt an emergency regulation and to initiate a primary drinking water standard for perfluoroalkyl and polyfluoroalkyl substances (PFAS).	**Oppose Unless Amended** Based on 2026 Legislative Priorities and Principles.	While AB 794 aims to protect public health, its approach circumvents the established regulatory process for setting Maximum Contaminant Levels (MCLs). Metropolitan's Legislative Priorities and Principles call for using the best available science to protect public health and improve water quality when setting MCLs. The broad scope of this bill, which would allow the SWRCB to set through emergency action primary and secondary MCLs for any chemical with a federal MCL, sets a dangerous precedent and fails to align with well-established regulatory principles.
AB 1881 **J. Ramos** **(D – Highland)** **Sponsor:** Indigenous Justice	Amended 05/19/2026 Senate Appropriations Committee	**California Indian Freedom Act of 2026** This bill requires all state governmental agencies to allow California Native American tribes to access sacred sites located on state lands for Native American activities, except where public safety or resource protection makes access impossible. The bill would also require state governmental agencies to obtain prior, informed consent of a California Native American tribe before undertaking a project on state land that may pose a risk to tribal sacred sites. The bill would also prohibit state agencies from substantially burdening a tribe's spiritual practices on state lands unless the governmental agency demonstrates that application of the burden is both: (1) in furtherance of a compelling governmental	**Watch and Amend** Based on 2026 Legislative Priorities and Principles.	While AB 1881 would expand protections for California tribes engaging in religious practices on state land, its broad language would likely result in indirect impacts to Metropolitan's priority projects and programs. The prior consent provisions of the bill provide California tribes with the discretion to withhold consent for actions that may risk altering sacred sites, which could impact critical water projects and programs. The private right of action created to enforce the bill's prohibition on substantially burdening a tribe's right to religious practice on state land could be utilized in any court or administrative hearing, likely leading to increased litigation and administrative proceedings.

The Metropolitan Water District of Southern California
State Legislative Matrix: Second Year of Legislative Session
August 3, 2026

		interest; and (2) the least restrictive means of furthering that interest. The bill would hold government actions that infringe upon religious exercise to a strict scrutiny standard. California tribes, and their individual members, would also have standing in any court or administrative proceeding to enforce the prohibition.		Metropolitan staff have requested amendments to refine the scope of the bill to a more practical approach that includes clear definitions and timelines. Among other things, these amendments would define what qualifies as public infrastructure and public service under the bill's exemption language.
AB 1894 **B. Rubio** **(D - City of Industry)** **Sponsors:** Upper San Gabriel Valley Municipal Water District, San Gabriel Valley Municipal Water District	Amended 5/28/2026 Senate Floor	**Fish and wildlife: invasive mussels: imported water** This bill would prevent a public agency from prohibiting imported water deliveries for groundwater replenishment, as defined, due to invasive mussels if the importation complies with a specified invasive mussel control plan and unless there is substantial, documented evidence of a proven health and safety risk as a result of the invasive mussels.	**Support** Based on July 2026 Board Action.	AB 1894 seeks to respond to member agency challenges with a current LA County prohibition on receiving imported water due to concerns around the spread of invasive mussels. This proposal seeks to balance the importance of controlling the spread of invasive species while continuing to allow for deliveries of critically needed groundwater replenishment supplies.
AB 2218 **A. Kalra** **(D – San Jose)** **Sponsors:** Shingle Springs Band of Miwok Indians, Karuk Tribe.	Amended 07/02/2026 Senate Appropriations Committee	**Water policy: California Native American tribes.** This bill would establish a statewide policy addressing historic inequities in California Native American tribes' access to and control over water through financial assistance, consultation on water projects, plans, and policies, protection of tribal water uses, and incorporation of indigenous knowledge to restore and protect ecosystems. AB 2218 would require state agencies to implement this policy when revising, establishing, or adopting permits, regulations, policies, and grant criteria to address identified inequities, as well as identify and offer financial assistance to the tribes. It also requires the State Water Resources Control Board to consult with California Native American	**Watch and Amend** Based on 2026 Legislative Priorities and Principles.	Under the existing CEQA process, Metropolitan engages in cooperative and productive consultations with California tribes to limit impacts of drinking water infrastructure projects and engage in mitigation when impacts do occur. AB 2218 would create an additional tribal consultation process for every state entity that issues a permit for a water-related project. This duplication risks confusion, delay, and increased costs for critical Metropolitan and State Water Project permits or projects. The bill is also silent on how it will fund the required financial assistance for California Native American tribes.

The Metropolitan Water District of Southern California
State Legislative Matrix: Second Year of Legislative Session
August 3, 2026

		tribes when investigating water rights on tribal ancestral lands.		Metropolitan staff have requested amendments to attempt to bring further clarity to the wide-ranging obligations the bill would place on water permitting and policy. The proposed amendments would require state agencies to consider implementing the bill's policies instead of mandating they implement the bill. The amendments additionally clarify that the bill's financial assistance requirement would not be imposed on state and local agencies and would ensure the bill does not result in impacts to existing water rights or permits.
AB 2215 **L. Calderon** **(D – Whittier)** **Sponsor:** State Water Contractors	Amended 4/16/2026 Senate Natural Resources and Water Committee	**Water rights: permits: State Water Project.** This bill would extend the timeline for the full development of the State Water Project water right permits to December 31, 2046, the same term as existing, validated contracts for the State Water Project water supply.	**Support** Based on 2026 Legislative Priorities and Principles.	AB 2215 would grant a necessary time extension to more fully modernize the State Water Project infrastructure in response to climate change. This bill is consistent with the Governor's Executive Order N-16-15 (CA EO), January 31, 2025, which ordered the minimization of administrative obstacles to maximize water supplies. This legislative proposal implements this order without weakening environmental protections and while protecting existing due process protections.

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Bill Number and Author	Amended Date and Location	Title – Summary	Metropolitan Position	Effects on Metropolitan
AB 2739 **E. Soria** **(D – Merced)** **Sponsors**: Irvine Ranch Water District, Rancho California Water District	Amended 07/02/2026 Senate Appropriations Committee	**Water: affordability and system stabilization.** This bill would require the Department of Water Resources (DWR), upon appropriation, to develop the Community Water Affordability Program and would establish the Community Water Affordability Assistance Fund within the State Treasury. The program would provide funding in the form of grants to local water suppliers for water system repairs, rehabilitation and enhancements, water safety and quality, and other local water system infrastructure projects, for the purpose of reducing the amount of local ratepayer funding required for those projects.	**Support** Based on 2026 Legislative Priorities and Principles.	AB 2739 aims to establish a durable statewide funding framework to address water affordability by targeting key cost drivers and by creating a sustainable funding source for a Low-Income Rate Assistance (LIRA) program and a system stabilization fund. This bill would support ratepayer affordability for our member agency retailers and also includes a fund that supports local infrastructure projects, which could be used to support upgrades to Metropolitan's water supply system and reductions in energy costs.
SB 601 **B. Allen** **(D – Santa Monica)** **Sponsors:** California Coastkeeper Alliance, Defenders of Wildlife	Amended 7/10/2025 Two-Year Bill	**Water: waste discharge** The intent of this bill is to restore Clean Water Act protections in California that were removed per the U.S. Supreme Court's 2023 Sackett v. Environmental Protection Agency (EPA) decision. However, the bill goes beyond restoring the statute and includes several provisions that expand regulatory requirements without the benefit of scientific analysis.	**Oppose** Based on 2026 Legislative Priorities and Principles.	Currently, SB 601 poses risks to Metropolitan and its member agencies by: increasing costs of waste discharge requirements (WDRs) permits for discharges of water when dewatering or operating water supply infrastructure, potentially requiring all such water to be recycled regardless of cost to comply; exposing Metropolitan and its Member Agencies to citizen suits in state court, and, for certain nexus waters, both state and federal court; and creating uncertainty in discharge permitting as the bill's ambiguous provisions and implications are likely to be litigated.

The Metropolitan Water District of Southern California
State Legislative Matrix: Second Year of Legislative Session
August 3, 2026

Bill Number and Author	Amended Date and Location	Title – Summary	Metropolitan Position	Effects on Metropolitan
SB 872 **J. McNerney** **(D – Pleasanton)**	Amended 07/02/2026 Assembly Appropriations Committee	**Delta Levees and Canal Subsidence Fund.** This bill would establish the Delta Levees and Canal Subsidence Fund in the State Treasury and require funds to be appropriated to the Department of Water Resources (DWR) to support capital improvements to restore water conveyance capacity for state water conveyance systems affected by subsidence. Additionally, this bill would require funds to be appropriated to the Sacramento-San Joaquin Delta Conservancy for levee improvements that would improve the sustainability of local or state water supplies, and projects that improve instream, riparian, flood plain, and wetland habitat.	**Support** Based on 2026 Legislative Priorities and Principles.	The proposed appropriations to fund capital costs of subsidence repairs could reduce State Water Project charges to contractors. The total cost of SWP subsidence repairs is estimated at $3 billion, meaning this proposal could result in substantial savings for Metropolitan ratepayers. Subsidence in the Central Valley has been caused by decades of overpumping of groundwater and was not caused by Metropolitan or the State Water Contractors. However, in the absence of state and federal funding, the costs for these critical repairs will be shifted to our agencies. The proposed allocations for improvements to levees within the Delta and other actions to improve the sustainability of local or state water supplies and projects that improve instream, riparian, floodplain, and wetland habitat would directly benefit Metropolitan by providing additional funding streams for levee improvements and indirectly through improvements within the Delta region.
SB 935 **S. Choi** **(R – Irvine)**	Chaptered. Signed by the Governor, Chapter 102, Statutes of 2026	**Local agency design-build projects: authorization.** This bill would repeal the sunset date of January 1, 2031, authorizing local agencies to use the design-build procurement process for public works construction projects more than $1,000,000 indefinitely.	**Support** Based on 2026 Legislative Priorities and Principles.	Repealing the sunset date for alternative project delivery processes is aligned with Metropolitan's policy to streamline procurement of public works construction contracts.

The Metropolitan Water District of Southern California
State Legislative Matrix: Second Year of Legislative Session
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Bill Number and Author	Amended Date and Location	Title – Summary	Metropolitan Position	Effects on Metropolitan
SB 952 **J. Laird** **(D – Santa Cruz)** **Sponsor:** State Water Contractors	Amended 5/18/2026 Assembly Appropriations Committee	**State Water Project: renewable energy resources and zero-carbon resources.** Existing law mandates that the Department of Water Resources (DWR) achieve a power portfolio that consists of 100% of renewable and zero-carbon energy by 2035. This bill would require DWR to also consider portfolio diversity, resource type, location, and hours of typical peak operation when procuring eligible resources to satisfy state agency obligations imposed on the State Water Project; and allow DWR to shift energy credits from one year to the next if DWR procures more energy than necessary in a given year.	**Support** Based on 2026 Legislative Priorities and Principles.	SB 952 is an important affordability measure for the 27 million customers within the SWP service area, as it would clarify generation attributes DWR may consider for procurement and create certainty for DWR by allowing excess energy procured in low water years be applied to years when SWP energy needs are high. Metropolitan pays a significant portion of the State Water Project's energy cost. This proposal provides a continued commitment to environmental sustainability while adding flexibility that maintains affordability.
SB 1125 **C. Menjivar** **(D – San Fernando Valley)** **Sponsors:** Clean Water Action, Community Water Center, Leadership Council for Justice and Accountability.	Amended 06/09/2026 Assembly Appropriations Committee	**Water Rate Assistance Program.** This bill would establish the Water Rate Assistance Program and Fund, upon appropriation by the Legislature, administered by the State Water Resources Control Board (State Board) to help provide water affordability assistance for drinking water to low-income residential ratepayers. This bill would authorize the State Board to provide for the deposit of the following moneys into the Fund: federal or state funding; voluntary contributions, including gifts, grants, or bequests; and returned funds.	**Support** Based on 2026 Legislative Priorities and Principles.	SB 1125 proposes a viable, reasonable path forward for Low-Income Rate Assistance that protects existing programs and limits the administrative burden on water suppliers. This bill is intended to be a companion measure to AB 2739 and would guide the State Board's implementation of a low-income water rate assistance program. Water rate assistance would provide needed relief at the local retail level, leading to improved revenue stability for local water systems.

The Metropolitan Water District of Southern California
State Legislative Matrix: Second Year of Legislative Session
August 3, 2026

Bill Number and Author	Amended Date and Location	Title – Summary	Metropolitan Position	Effects on Metropolitan
SB 1326 **A. Wahab** **(D – Hayward)** **Sponsors:** Federated Indians Graton Rancheria, United Auburn Indian Community, Habematolel Pomo of Upper Lake, Picayune Rancheria of the Chukchansi Indians.	Amended 06/11/2026 Assembly Appropriations Committee	**California Environmental Quality Act: tribal cultural resources: mitigation measures** This bill would revise the existing AB 52 (Gatto, 2014) tribal consultation requirements under CEQA to expand the definition of a tribal cultural resource to include: anything listed in a local tribal register and provided to the lead agency, included or eligible for inclusion in the California Register of Historical Resources or National Register of Historic Places, included in a local register of historical resources, or locations identified by the Native American Heritage Commission as a sacred place, including tribal cemeteries or burial areas. The bill would also require, when requested by a tribe, a lead agency to consider avoidance and preservation of a tribal cultural resource in place. If avoidance and preservation of the resource in place are not possible, the bill would require the lead agency to document the basis for that determination with substantial evidence and, when feasible, to adopt mitigation measures to avoid or minimize significant adverse impacts and incorporate culturally appropriate mitigation in consultation with the tribe.	**Watch and Amend** Based on 2026 Legislative Priorities and Principles.	In its consultation with tribes, Metropolitan works to ensure tribal voices are heard in the CEQA consultation process. By adding resources identified in a local tribal register to the definition of tribal cultural resources in CEQA, without specifying standard criteria for identification or a definition of local tribal register, SB 1326 could greatly increase the number of resources subject to AB 52's heightened requirement to avoid and minimize significant adverse impacts to the resource, when feasible. Without defined eligibility criteria for a tribal culture resource in law, lead agencies and the public would not have the opportunity to understand the nature of the resource. Metropolitan staff have requested amendments to include eligibility requirements for designating cultural landscapes and sites and objects included in a local tribal register as tribal cultural resources under CEQA.

Item No. 3

ACTION ITEM
September 2, 2026

TO: **Board of Directors**

FROM: **Harvey De La Torre, General Manager**

Staff Contact: Heather Baez, Director of Government Affairs
Jared Dawson, Water Resources Analyst

SUBJECT: **PROPOSED AMENDMENTS TO THE COORDINATED OPERATING, WATER STORAGE, EXCHANGE AND DELIVERY AGREEMENT AMONG METROPOLITAN, MUNICIPAL WATER DISTRICT OF ORANGE COUNTY AND IRVINE RANCH WATER DISTRICT (PRESENTATION BY PAUL WEGHORST)**

STAFF RECOMMENDATION

Staff recommends the Board of Directors authorize the General Manager to execute an amended Coordinated Operating, Water Storage, Exchange and Delivery Agreement among Metropolitan Water District of Southern California, Municipal Water District of Orange County, and Irvine Ranch Water District.

REPORT

Purpose

This item requests the Municipal Water District of Orange County (MWDOC or District) Board of Directors (Board) to authorize the General Manager to execute an amended Coordinated Operating, Water Storage, Exchange and Delivery Agreement (COA) among Metropolitan Water District of Southern California (Metropolitan), MWDOC, and Irvine Ranch Water District (IRWD).

Summary

Metropolitan, MWDOC, and IRWD entered into the original COA in 2011. The COA allows IRWD to secure State Water Project (SWP) water supplies from other State Water Contractors (SWCs) with Metropolitan's consent and facilitates the delivery of those supplies to and from IRWD's Strand Ranch Water Bank located in Kern County.

The proposed amendments to the COA would clarify that the use of IRWD's facilities at Stockdale Ranch and the Kern Fan Project is allowed. Additional amendments would update provisions related to the source of water, financial responsibility, and repayment of borrowed water. The amended COA would also allow for water secured under IRWD's banking programs (Program Water) to be transferred to another Metropolitan Member Agency.

Background

In 2011, Metropolitan, MWDOC, and IRWD entered into the COA. The purpose of the COA is to provide joint benefits of increased water supply reliability and diversification to Metropolitan and IRWD. Through the COA, IRWD acquires SWP supplies through exchanges with other SWCs and banks the supplies in its Strand Ranch groundwater bank located within Rosedale-Rio Bravo Water Storage District's (RRBWSD) groundwater bank within the Kern County Water Agency service area. IRWD retains a share of the exchanged water and can request delivery of its share into its service area. Through its role as a SWC, Metropolitan facilitates the delivery and recovery of IRWD's exchanges using Metropolitan's capacity in the California Aqueduct and through coordination with the Department of Water Resources (DWR). When Metropolitan declares a Water Supply Allocation, IRWD may request delivery of its banked supplies into its service area as an Extraordinary Supply, while paying Metropolitan the full-service water rate for all delivered supplies. Under the COA, Metropolitan can also borrow IRWD's banked supplies by taking delivery of the supplies into Metropolitan's service area and returning the supplies to IRWD's bank.

Under the existing COA, IRWD acquires SWP supplies through exchanges with other SWC, or Exchange Partners. For exchanges to be delivered through the California Aqueduct, Metropolitan enters into agreements with the DWR and the Exchange Partners whereby DWR delivers the exchanged water from the Exchange Partner to Metropolitan at IRWD's groundwater bank or directly to Metropolitan's service area. Exchanged water is placed under the right and authority of Metropolitan and becomes Program Water under the COA. A share of the Program Water is obligated for return to the Exchange Partner, and the other share is held for IRWD's future use. Metropolitan holds the Program Water on behalf of the Exchange Partner and IRWD until either party requests delivery.

When an Exchange Partner requests the delivery of its water, stored water in IRWD's groundwater bank is either pumped and delivered to the Exchange Partner, or Metropolitan delivers its own SWP supplies to the Exchange Partner and accepts delivery of the banked water into its service area. IRWD can request the recovery of its share of the Program Water as an Extraordinary Supply during a Metropolitan Water Supply Allocation, provided that IRWD's Program Water is managed consistent with Metropolitan's Board Policy Principles on Determining the Status of an Extraordinary Supply. Upon delivery to a MWDOC service connection, IRWD pays Metropolitan's full-service water rate for the requested Program Water. Metropolitan can also borrow IRWD's share of Program Water and is obligated to return an equal amount of water back to IRWD in the future.

To date, IRWD has secured approximately 75,000 acre-feet (AF) of Program Water through nine different exchange agreements. There are approximately 30,000 AF of Program Water stored in IRWD's groundwater bank under Metropolitan's ownership, of which 25,000 AF is held on behalf of IRWD for its future use. Metropolitan borrowed approximately 12,000 AF during periods of shortages, including 8,000 AF during the 2022 drought, to deliver to its Member Agencies where Metropolitan could only deliver SWP supplies. Metropolitan is currently in the process of returning approximately 4,000 AF of borrowed water to IRWD's groundwater bank.

Discussion

Metropolitan, MWDOC, and IRWD propose to amend the existing COA with the following changes and clarifications:

Addition of Stockdale Ranch. IRWD's groundwater bank includes Strand Ranch. Since 2017, IRWD has also stored Program Water in its Stockdale Ranch banking facility, which is adjacent to, and operated in conjunction with, Strand Ranch. The amendment proposes to clarify that Stockdale Ranch is included as a storage facility under the COA.

Kern Fan Project Facilities. IRWD is constructing the Kern Fan Project in partnership with RRBWSD. Both IRWD and RRBWSD will each have access to 50 percent of the Kern Fan Project's storage capacity. The Kern Fan Project is adjacent and hydraulically connected to Strand Ranch. The proposed changes include adding the Kern Fan Project as a storage facility under the COA.

Source of Program Water. IRWD primarily obtains Program Water through unbalanced exchanges. IRWD has also participated in one-for-one exchanges and wishes to purchase SWP transfer supplies as Program Water. The amendment proposes to clarify that SWP water obtained through purchases and/or any exchange ratio is eligible to become Program Water.

DWR Fees Associated with Delivery of Program Water. The existing COA requires IRWD to pay DWR for SWP variable costs associated with the delivery of Program Water. However, in practice DWR has historically billed Metropolitan directly for these charges. The proposed amendment will clarify that Metropolitan will directly pay the DWR charges moving forward.

Repayment of Borrowed Water. The existing COA requires Metropolitan to return water it borrows to IRWD's groundwater bank or incur a future obligation to deliver an equal amount of water to a MWDOC service connection when requested by IRWD. However, during a Metropolitan Water Supply Allocation, only water stored consistent with Metropolitan's Board Policy Principles on Determining the Status of Extraordinary Supply may qualify as an Extraordinary Supply. If IRWD requests delivery of borrowed water to MWDOC during a Water Supply Allocation, the delivered water would not qualify as an Extraordinary

Supply because it is not held in storage by IRWD. Additionally, Metropolitan may not always be able to deliver to MWDOC upon IRWD's request.

The proposed clarification to the COA would remove the option for Metropolitan to incur a future debt to deliver water to MWDOC. Instead, Metropolitan would be required to return all borrowed water to IRWD's groundwater bank within three years, unless otherwise approved by the Parties. IRWD would continue to maintain the reliability of Program Water by physically storing it in its bank, which qualifies as an Extraordinary Supply if maintained consistent with Metropolitan's Board Policy Principles on Determining the Status of Extraordinary Supply.

Transfers of Program Water. A new modification would be added allowing Program Water under the COA to be transferred to another Metropolitan Member Agency. Any transfer of Program Water would require Metropolitan's consent, continued compliance with the COA, compliance with Metropolitan's Administrative Code, and compliance with Metropolitan's Extraordinary Supply principles if Extraordinary Supplies are requested.

Fiscal Impact. The proposed amendments would not result in a financial impact on Metropolitan. With the amendment, Metropolitan would continue to pay the DWR fees for exchanged water under the COA to be delivered to, and recovered from, IRWD's groundwater bank. When exchange water is returned to the Exchange Partners, Metropolitan is compensated through a DWR credit for the prior delivery of the Exchange Partner's share of exchange water to IRWD's groundwater bank. When IRWD's share of exchange water is delivered to MWDOC's service area, MWDOC pays Metropolitan's full-service water rate for the delivered water, which compensates Metropolitan for the prior delivery of IRWD's share of exchange water to IRWD's groundwater bank.

Next Steps

Staff recommends the Board of Directors select Option #1 to authorize the General Manager to execute an amended COA among Metropolitan, MWDOC, and IRWD.

Metropolitan and IRWD will also agendize the COA for consideration and approval by their respective Boards at their September meetings.

ALIGNMENT WITH BOARD STRATEGIC PRIORITIES

- ☐ *Clarifying MWDOC's mission and role; defining functions and actions.*
- ☒ *Balance support for Metropolitan's regional mission and OC values and interests.*
- ☐ *Strengthen communication and coordination of messaging.*
- ☒ *Work with Member Agencies to develop water supply and demand objectives.*
- ☐ *Solicit input and feedback from Member Agencies.*
- ☐ *Invest in workforce development and succession planning.*

BOARD OPTIONS

Option #1: Authorize the General Manager to execute an amended COA among Metropolitan, MWDOC, and IRWD.

Fiscal Impact: None.

Option #2: Do not authorize the General Manager to execute an amended COA among Metropolitan, MWDOC, and IRWD.

Fiscal Impact: None.

Budgeted: ☐ Yes ☐ No ☒ N/A		Budgeted amount:
Core: ☐	Choice: ☐	Movement between Cost Centers: ☐ Yes ☐ No
Action item amount:		

Attachments/Links:
Link 1: Metropolitan One Water and Adaptation Committee presentation on proposed changes to the COA - https://mwdh2o.legistar.com/View.ashx?M=F&ID=15762318&GUID=73DDE8DC-D64F-441E-B064-4F9642D86187

Item No. 4

INFORMATION ITEM
September 2, 2026

TO: **Board of Directors**

FROM: **Harvey De La Torre, General Manager**

Staff Contact: Melissa Baum-Haley, Assistant General Manager
Kevin Hostert, Senior Water Resources Analyst
Jared Dawson, Water Resources Policy Analyst

SUBJECT: **METROPOLITAN ITEMS CRITICAL TO ORANGE COUNTY**

STAFF RECOMMENDATION

Staff recommends the Board of Directors receive and file the information.

REPORT

This report provides a brief update on the status of the following key Metropolitan Water District of Southern California (Metropolitan) issues that may affect Orange County:

a. Metropolitan's Finances
b. Metropolitan's Water Supply Condition Update
c. Metropolitan's Water Quality Update
d. Colorado River Issues
e. Delta Conveyance Activities and State Water Project Issues

ALIGNMENT WITH BOARD STRATEGIC PRIORITIES

☒ *Clarifying MWDOC's mission and role; defining functions and actions.*
☒ *Balance support for Metropolitan's regional mission and OC values and interests.*
☐ *Strengthen communication and coordination of messaging.*
☐ *Work with member agencies to develop water supply and demand objectives.*
☐ *Solicit input and feedback from Member Agencies.*
☐ *Invest in workforce development and succession planning.*

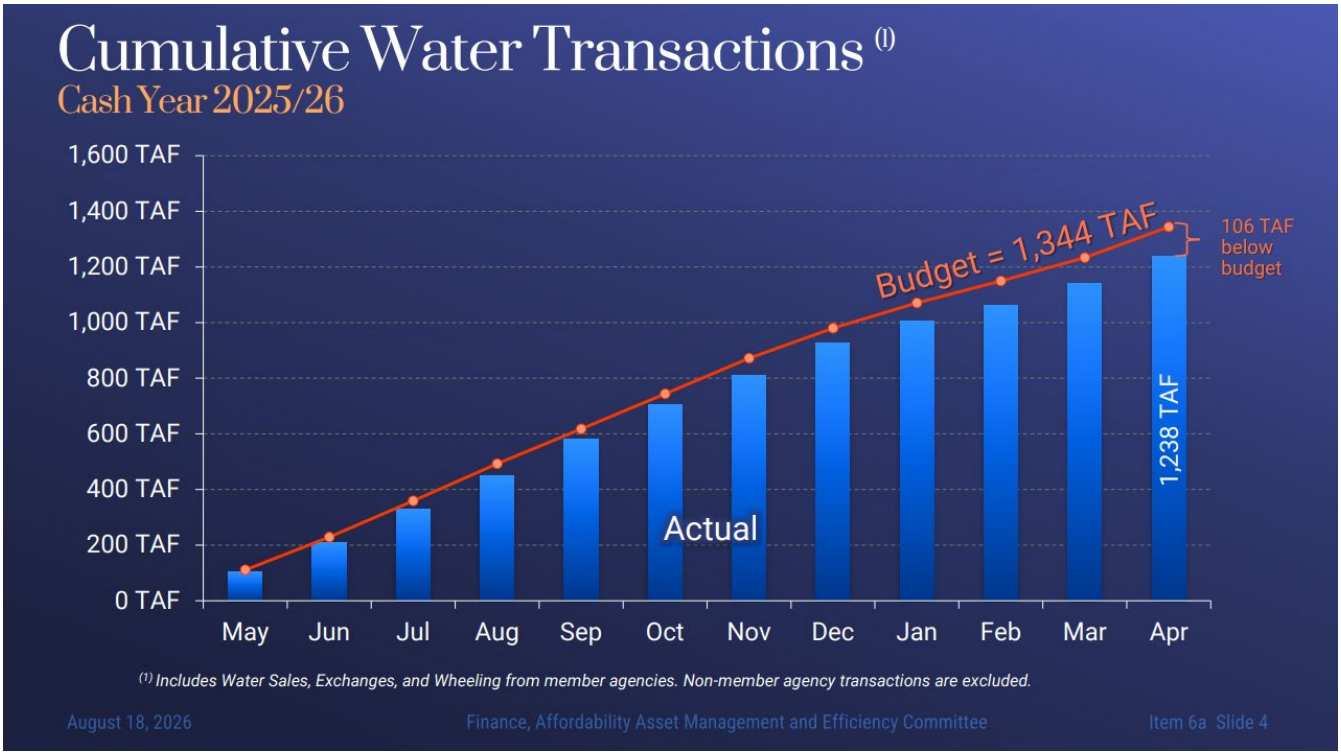
Attachments/Links:
Attachment 1: Issue Briefs A-E
Link 1: https://go.mwdoc.com/monthlywaterusageandwatersupply

Issue Brief A

SUBJECT: Metropolitan Finances

RECENT ACTIVITY

At Metropolitan's Finance, Affordability, Asset Management, and Efficiency Committee meeting in August, Metropolitan staff presented unaudited, cash-basis financial results for Fiscal Year 2025-26, covering July 2025 through June 2026. The report compares year-end results with the adopted budget and summarizes the main factors driving significant revenue and expenditure variances.



FY 2025/26 Year-End Financial Results

in millions	Rev. Budget	Prelim. Actual	Change	
Water Transactions	1,530.2	1,416.4	(113.8)	
RTS Charge & Capacity Charge	229.4	228.7	(0.7)	
Taxes	333.8	421.3	87.5	
Interest Income	45.4	53.2	7.8	
IRA Bucket 1 Funding	47.3	46.0	(1.3)	
Other	99.9	74.5	(25.4)	
Total Revenues	**2,286.0**	**2,240.2**	**(45.9)**	**A**
State Water Contract[1]	703.9	562.2	(141.7)	
Delta Conveyance Project	25.7	25.7	0.0	
Departmental O&M & Operating Eq[2][3]	682.8	675.2	(7.6)	
CRA Power (Net)	83.5	46.4	(37.1)	
Supply Programs	135.0	74.3	(60.7)	
Demand Management	80.3	49.3	(31.0)	
Debt Service	353.5	351.9	(1.7)	
PAYGO[4]	205.0	205.0	0.0	
Total Expenditures	**2,269.6**	**1,989.9**	**(279.8)**	**B**
Increase in Required Reserves	31.8	36.4	4.6	
AVEK Debt Funded	(44.1)	(1.4)	42.7	
Conservation Debt Funded	(19.2)	(11.6)	7.6	
PWSC Partner Contribution Reimb.		15.2	15.2	
Total Fund Deposits/(Withdraws)	**(31.5)**	**38.6**	**70.1**	**C**
Change in Unrestricted Reserves*	**47.8**	**211.6**	**163.8**	**= A-B-C**

- $212M increase in unrestricted reserves
  - Total revenues were $46M below budget, despite higher property tax revenues and $71M in one-time outside water sales
  - Total expenditures were $280M below budget, led by lower SWC power costs, $75M SWP credit, and reduced expenditures in CRA Power, Supply Programs, and Demand Management compared to budget
  - Increase in unrestricted reserve driven by expenditure savings and one-time revenues

Footnotes:

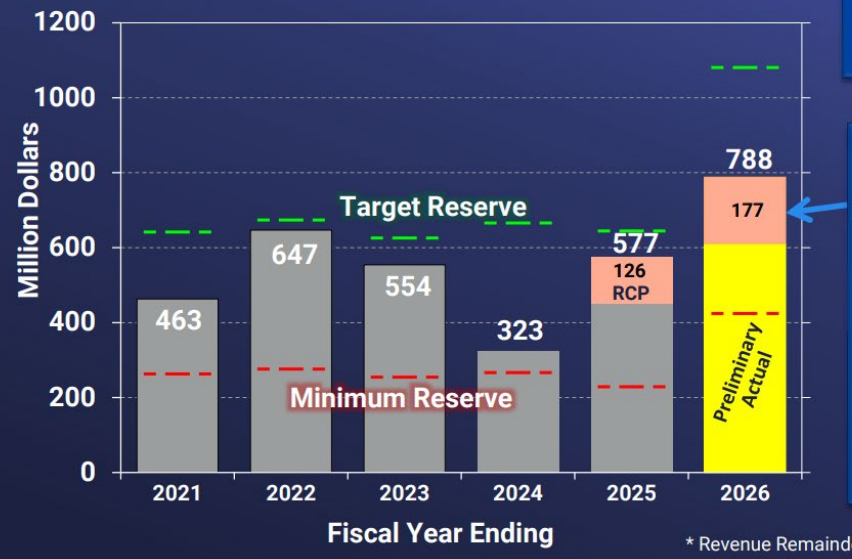
1) $75M credit received in 2025
2) Revenue budget includes full $18M expenditure reduction and $1M approved expenses for additional position and equipment
3) Net of PWSC expenses funded from SWRCB $80M State Fund
4) Actuals include $28M deposit to R&R Fund

* Revenue Remainder and Water Rate Stabilization Funds

Revenues and expenditures are net of reimbursements.

Unrestricted Reserves*

End-of-Year Balances



June 30, 2026, Unrestricted Reserves are $788M

- **Revised Reserve Policy**
  - $293M below target reserve
  - $364M above min reserve

$177M Outstanding Obligation Against Unrestricted Reserves:

- $91M for remaining RCP obligations *(72 TAF of future deliveries)*
- $58M for PWSC costs in FY 2026/27 & 2027/28 Budget funded by unrestricted reserves *(subject to future Board authorization)*
- $28M planned use of unrestricted reserves in FY 2026/27 Budget

* Revenue Remainder and Water Rate Stabilization Funds

ISSUE BRIEF B

SUBJECT: Metropolitan's Supply Condition Update

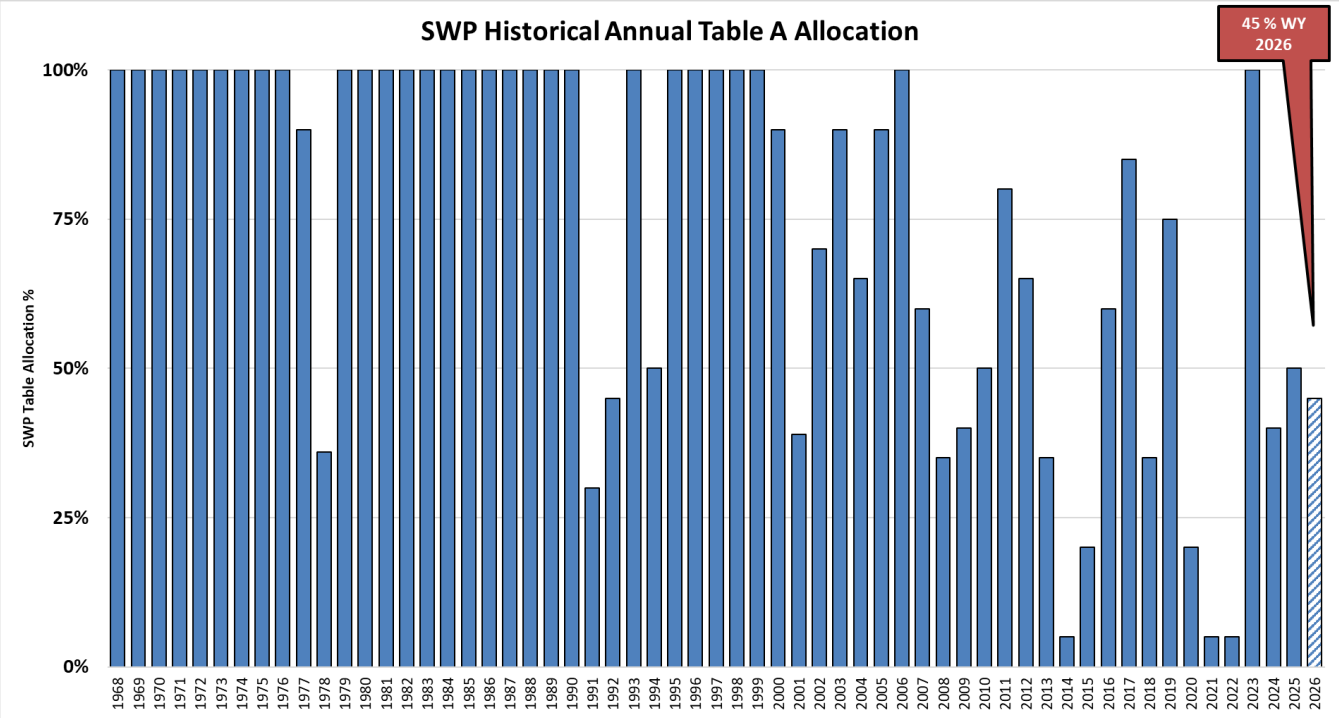
RECENT ACTIVITY

The 2025-26 Water Year (WY) officially started on October 1, 2025. Thus far, Northern California accumulated precipitation (8-Station Index) reported ***50.8 inches or 103% of normal as of August 19.*** The Northern Sierra Snow Water Equivalent peaked at ***11.9 inches on February 24***, which is ***49% of normal*** for that day. The Department of Water Resources (DWR) has increased the initial State Water Project (SWP) ***"Table A" allocation for WY 2025-26 to 45%.***

The Upper Colorado River Basin has accumulated precipitation of ***22 inches, or 83% of normal, as of August 19***. Snowpack is measured across four states in the Upper Colorado River Basin, encompassing the Colorado River system. The Upper Colorado River Basin Snow Water Equivalent peaked at ***9.37 inches as of March 9***, which is ***69% of normal*** for that day. Due to below-average inflows into Lake Powell over the past several years, the U.S. Bureau of Reclamation **declared a shortage at Lake Mead that has been ongoing since January 1, 2022 (below the 1,075-foot storage level)**. As of the writing of this report, the 5-year Probabilistic Projections for Lake Mead have not been published for August 2026. As of July 2026, **there is a 93% chance of the shortage continuing in Calendar Year (CY) 2027, a 97% chance in CY 2028, and a 90% chance in CY 2029. Additionally, there is a 13% chance of a California shortage (below a 1,045-foot storage level) in 2028.**

As of August 24, Lake Oroville storage is at ***61% of total capacity and 98% of normal.*** Additionally, as of August 24, San Luis Reservoir is at ***61% of its total capacity and is 155% of normal.***

With CY 2026 estimated total demands and losses of 1.493 million acre-feet (MAF) and a 45% SWP Table A Allocation, Metropolitan projects that supply will exceed demand in CY 2026. Based on this, the estimated total dry-year storage for Metropolitan at the end of ***CY 2026 will be approximately 4.0 MAF.*** A projected dry-year storage supply of ***4.0 MAF would be approximately 3.0 MAF above the typical level where Metropolitan enters Water Supply Allocations.*** A significant factor in maintaining high water storage levels is lower-than-expected water demands***.*** Regional water demand is at a 40-year low. **However, *with the majority of Metropolitan's water supplies stored in Lake Mead, which still projects a five-year shortage, considerable uncertainty remains about future supply balances. As of August 21, the Department of the Interior released a 10-year management framework that includes 880,000 acre-feet (AF) of cutbacks to California over the next 2 years. On August 24, the State of Nevada became the first state to sue the Department of the Interior over the new Colorado River operating rules.***


SWP Historical Annual Table A Allocation
45 % WY 2026
SWP Table Allocation %
100%
75%
50%
25%
0%
1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026

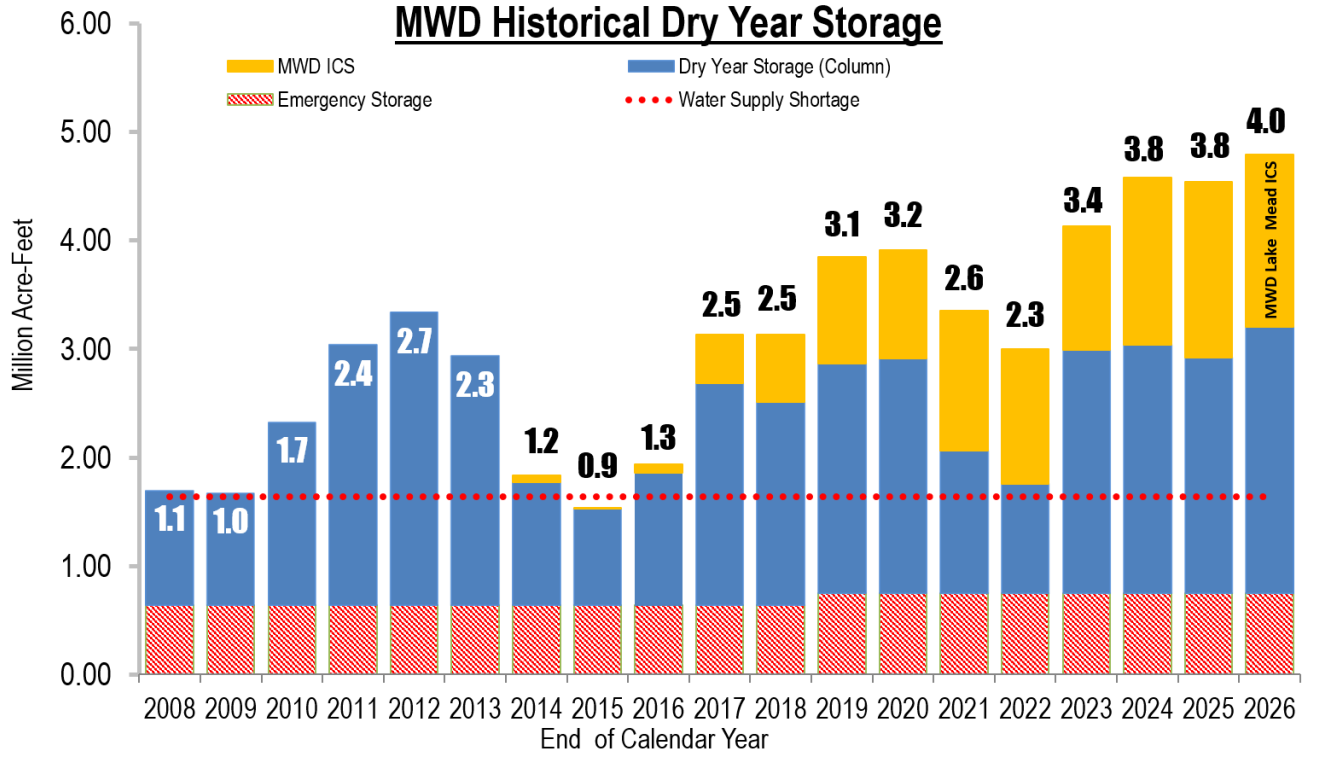

MWD Historical Dry Year Storage
MWD ICS
Dry Year Storage (Column)
Emergency Storage
Water Supply Shortage
Million Acre-Feet
6.00
5.00
4.00
3.00
2.00
1.00
0.00
1.1
1.0
1.7
2.4
2.7
2.3
1.2
0.9
1.3
2.5
2.5
3.1
3.2
2.6
2.3
3.4
3.8
3.8
4.0
MWD Lake Mead ICS
2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026
End of Calendar Year

Table 4 shows WSDM Storage Detail as of 4/15/2026.

Table 4: WSDM Storage Detail

WSDM Storage	1/1/2026 Estimated Storage Levels[1]	CY 2026 Put Capacity [2]	CY 2026 Take Capacity [2]	2026 Total Storage Capacity
Colorado River Aqueduct Delivery System	**1,622,000**	**0**	**131,000**	**1,622,000**
Lake Mead ICS	1,622,000 [3]	0	131,000 [4]	1,622,000 [3]
State Water Project System	**1,265,000**	**356,000**	**768,000**	**2,430,000**
MWD and DWCV SWP Carryover	473,000 [5]	149,000	473,000	621,000 [6]
MWD Articles 14(b) and 12(e)	0	0	0	0
Castaic and Perris DWR Flex Storage	219,000	0	219,000	219,000
Arvin-Edison Storage Program	100,000	0 [7]	0	350,000
Semitropic Storage Program	237,000	92,000	45,000	350,000
Kern Delta Storage Program	142,000	45,000	32,000	250,000
Mojave Storage Program	19,000	0	0	330,000
AVEK Storage Program	30,000	0	0	30,000
AVEK High Desert Water Bank Program	45,000	70,000	0	280,000
In-Region Supplies & WSDM Actions	**1,042,000**	**71,000**	**633,000**	**1,151,000**
Diamond Valley Lake	760,000	50,000	503,000	810,000
Lake Mathews and Lake Skinner	204,000	22,000	92,000	226,000
Conjunctive Use Programs	77,000	0	38,000	115,000
Other Programs	**684,000**	**118,000**	**93,000**	**1,181,000**
Other Emergency Storage	381,000	0	0	381,000
DWCV Advanced Delivery Account	303,000	118,000	93,000	800,000
Total	**4,613,000**	**545,000**	**1,626,000**	**6,384,000**
Emergency	750,000	0	0	750,000
Total WSDM Storage (AF) [8]	**3,863,000**	**545,000**	**1,626,000**	**5,634,000**

[1] Preliminary start of year balances, subject to DWR adjustments and USBR final accounting in May 2026.

[2] Put and Take capacity assumed under a 30 percent SWP Table A Allocation. Storage program losses were included where applicable.

[3] This amount is net of the water Metropolitan stored for IID in Lake Mead in an ICS sub-account.

[4] Take capacity is based on planned maintenance activities and the current CRA supply estimate.

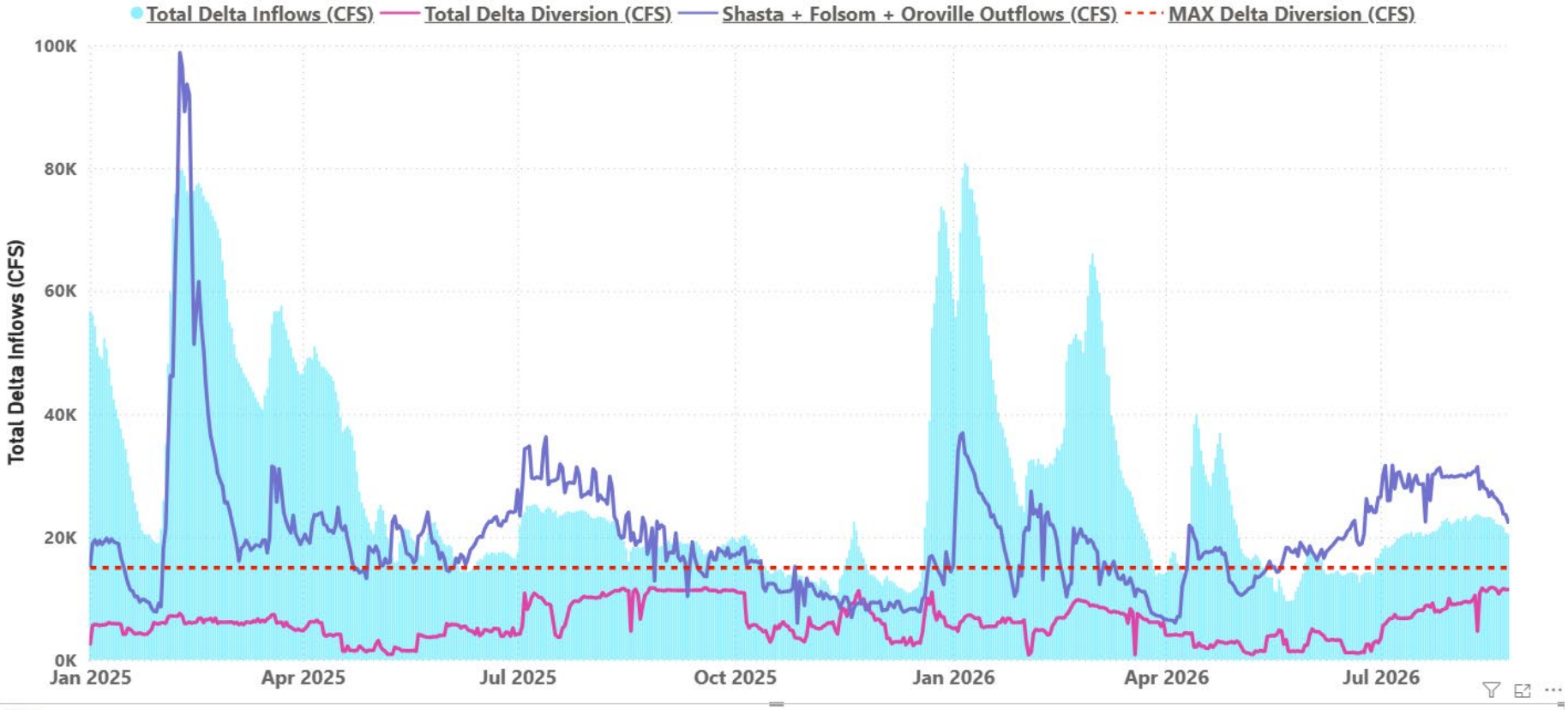
[5] The carryover beginning balance is subject to change based on actual December 2025 conditions.

[6] Total storage capacity varies year-to-year as the contractual annual storage limit, based on the current SWP Table A allocation of 30 percent, is combined with the remaining balance from the previous year. There is a potential risk that Metropolitan's stored water may be converted to SWP contractor water if the San Luis Reservoir approaches full capacity. Metropolitan is actively monitoring the storage in San Luis Reservoir and has plans to manage carryover supply should the reservoir fill.

[7] Puts are limited due to water quality considerations.

[8] Total WSDM Storage level subject to change based on accounting adjustments. Total may not sum due to rounding.

Bay Delta Daily Historical Water Operations



DATE

1/1/2025 8/24/2026

ISSUE BRIEF C

SUBJECT: Metropolitan's Water Quality Update

RECENT ACTIVITY

Water System Operations

The SWP target blend entering the Weymouth and Diemer plants decreased from 35% to 20% in late July, with a target of 0% by mid-August 2026, to support system optimization and an invasive mussel pilot test for the Rialto Pipeline. The SWP target blend entering Lake Skinner remained at 35% in July, with a target increase to 50% by August. Flow-weighted running annual averages for total dissolved solids from June 2025 through May 2026 for Metropolitan's treatment plants capable of receiving a blend of supplies from the SWP and the Colorado River Aqueduct (CRA) were 461 milligram per liter (mg/L), 460 mg/L, and 480 mg/L for the Weymouth, Diemer, and Skinner plants, respectively.

The Metropolitan Water District of Southern California

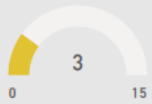
Weekly Operations Plan

For additional information. please contact Miluska Propersi at MPropersi@mwdh2o.com

08/20/2026 - 08/27/2026

Colorado River Aqueduct:
6-pump flow

Hydroelectric Generation:
8.7 MW
3 plant(s) in operation



Total Member Agency Demands

4,280 AF/Day

Change in Member Agency Demands*

▼ -60 AF/Day

Forecast
August
Deliveries to Member Agencies

126 TAF

East Branch SPW Imports

Rialto Pipeline	260 AF/day	▶
Santa Ana Valley Pipeline	220 AF/day	▶
Inland Feeder	950 AF/day	▼

West Branch SPW Imports

Castaic Lake	870 AF/day	▶
SCVWA (formerly CLWA)	120 AF/day	▶

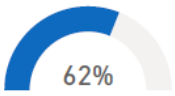
Water Quality

Plant Name	Targeted Blend (% SPW) As of 8/19/2026	TDS (mg/L) As of 8/19/2026	TTHMs (µg/L) As of 8/3/2026
Weymouth	5	592	25
Diemer	5	594	23*
Skinner	50	476	22
Jensen	100	309	16*
Mills	100	205	26

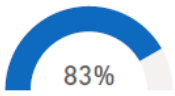
Terminal Reservoirs

as of 8/20/2026

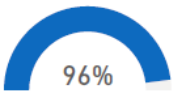
Lake Mathews
113,100 AF
▼ -5,160 AF*



Lake Skinner
36,700 AF
▲ 580 AF*



Diamond Valley Lake
777,600 AF
▼ -730 AF*



** = data from 8/13/2026*

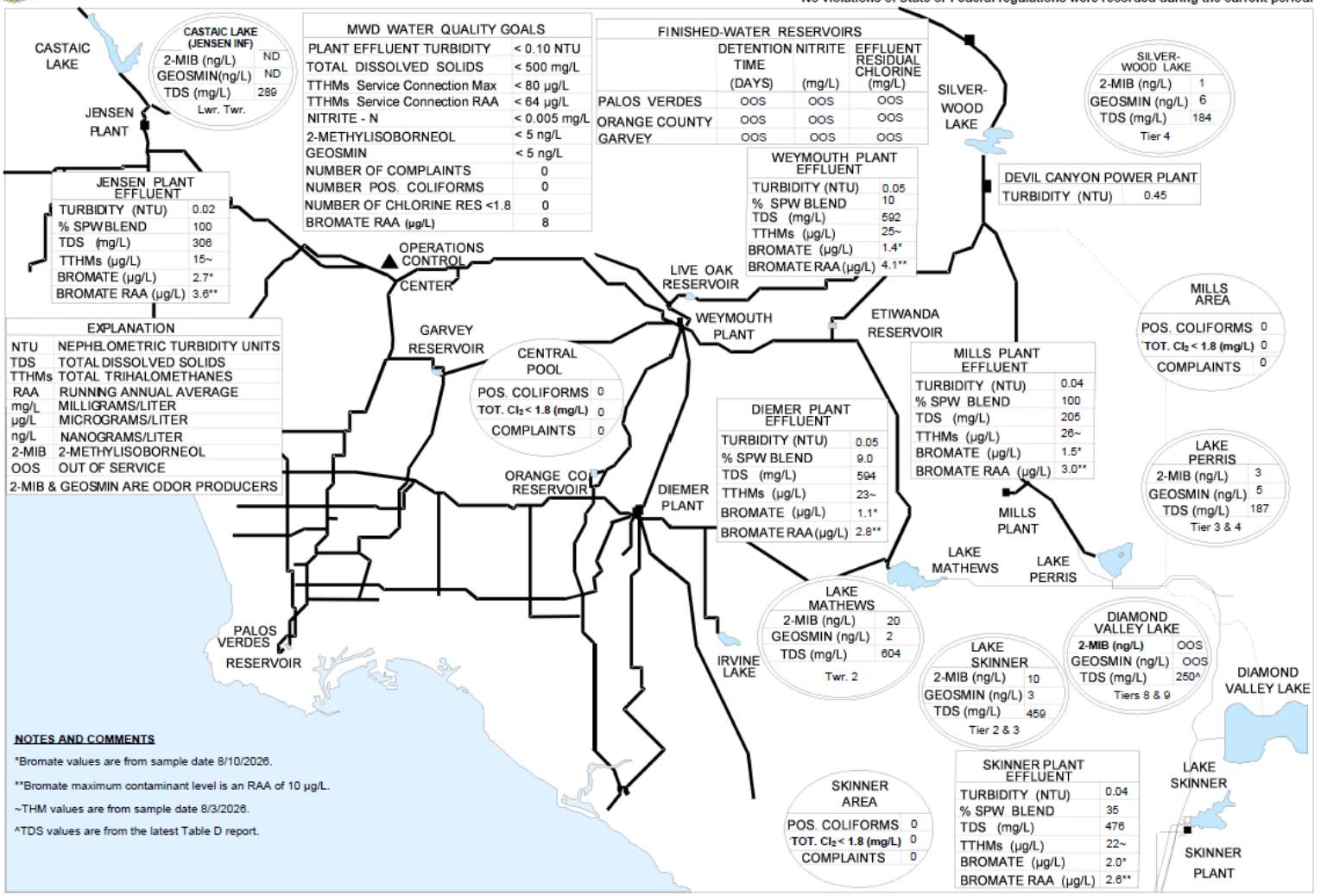
Weekly Water Quality System Status

Wednesday, August 19, 2026

Generated On:8/19/2026 12:23:46 PM

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

No violations of State or Federal regulations were recorded during the current period.



CASTAIC LAKE (JENSEN INF)	
2-MIB (ng/L)	ND
GEOSMIN(ng/L)	ND
TDS (mg/L)	289
Lwr. Twr.	

MWD WATER QUALITY GOALS	
PLANT EFFLUENT TURBIDITY	< 0.10 NTU
TOTAL DISSOLVED SOLIDS	< 500 mg/L
TTHMs Service Connection Max	< 80 µg/L
TTHMs Service Connection RAA	< 64 µg/L
NITRITE - N	< 0.005 mg/L
2-METHYLISOBORNEOL	< 5 ng/L
GEOSMIN	< 5 ng/L
NUMBER OF COMPLAINTS	0
NUMBER POS. COLIFORMS	0
NUMBER OF CHLORINE RES <1.8	0
BROMATE RAA (µg/L)	8

FINISHED-WATER RESERVOIRS	DETENTION TIME (DAYS)	NITRITE (mg/L)	EFFLUENT RESIDUAL CHLORINE (mg/L)
PALOS VERDES	OOS	OOS	OOS
ORANGE COUNTY	OOS	OOS	OOS
GARVEY	OOS	OOS	OOS

JENSEN PLANT EFFLUENT	
TURBIDITY (NTU)	0.02
% SPW BLEND	100
TDS (mg/L)	306
TTHMs (µg/L)	15~
BROMATE (µg/L)	2.7*
BROMATE RAA (µg/L)	3.6**

WEYMOUTH PLANT EFFLUENT	
TURBIDITY (NTU)	0.05
% SPW BLEND	10
TDS (mg/L)	592
TTHMs (µg/L)	25~
BROMATE (µg/L)	1.4*
BROMATE RAA (µg/L)	4.1**

DEVIL CANYON POWER PLANT	
TURBIDITY (NTU)	0.45

SILVER-WOOD LAKE	
2-MIB (ng/L)	1
GEOSMIN (ng/L)	6
TDS (mg/L)	184
Tier 4	

MILLS AREA	
POS. COLIFORMS	0
TOT. Cl_2 < 1.8 (mg/L)	0
COMPLAINTS	0

MILLS PLANT EFFLUENT	
TURBIDITY (NTU)	0.04
% SPW BLEND	100
TDS (mg/L)	205
TTHMs (µg/L)	26~
BROMATE (µg/L)	1.5*
BROMATE RAA (µg/L)	3.0**

CENTRAL POOL	
POS. COLIFORMS	0
TOT. Cl_2 < 1.8 (mg/L)	0
COMPLAINTS	0

DIEMER PLANT EFFLUENT	
TURBIDITY (NTU)	0.05
% SPW BLEND	9.0
TDS (mg/L)	594
TTHMs (µg/L)	23~
BROMATE (µg/L)	1.1*
BROMATE RAA (µg/L)	2.8**

LAKE PERRIS	
2-MIB (ng/L)	3
GEOSMIN (ng/L)	5
TDS (mg/L)	187
Tier 3 & 4	

LAKE MATHEWS	
2-MIB (ng/L)	20
GEOSMIN (ng/L)	2
TDS (mg/L)	604
Twr. 2	

LAKE SKINNER	
2-MIB (ng/L)	10
GEOSMIN (ng/L)	3
TDS (mg/L)	459
Tier 2 & 3	

DIAMOND VALLEY LAKE	
2-MIB (ng/L)	OOS
GEOSMIN (ng/L)	OOS
TDS (mg/L)	250^
Tiers 8 & 9	

SKINNER AREA	
POS. COLIFORMS	0
TOT. Cl_2 < 1.8 (mg/L)	0
COMPLAINTS	0

SKINNER PLANT EFFLUENT	
TURBIDITY (NTU)	0.04
% SPW BLEND	35
TDS (mg/L)	476
TTHMs (µg/L)	22~
BROMATE (µg/L)	2.0*
BROMATE RAA (µg/L)	2.6**

EXPLANATION	
NTU	NEPHELOMETRIC TURBIDITY UNITS
TDS	TOTAL DISSOLVED SOLIDS
TTHMs	TOTAL TRIHALOMETHANES
RAA	RUNNING ANNUAL AVERAGE
mg/L	MILLIGRAMS/LITER
µg/L	MICROGRAMS/LITER
ng/L	NANOGRAMS/LITER
2-MIB	2-METHYLISOBORNEOL
OOS	OUT OF SERVICE
2-MIB & GEOSMIN ARE ODOR PRODUCERS	

NOTES AND COMMENTS

*Bromate values are from sample date 8/10/2026.

**Bromate maximum contaminant level is an RAA of 10 µg/L.

~THM values are from sample date 8/3/2026.

^TDS values are from the latest Table D report.

WATER QUALITY INFORMATION LINE: (800) 354-4420
VISIT MWD ON THE WEB AT http://www.mwdh2o.com

ISSUE BRIEF D

SUBJECT: Colorado River Issues

RECENT ACTIVITY

Develop Post-2026 Guidelines and Negotiate Implementation Agreements: Provide Input that Shapes Reclamation's Selected Alternative

During July, Metropolitan continued to prepare for issuance of the federal decision documents governing near-term operations of Lake Powell and Lake Mead and the implementation work that will follow.

The Department of the Interior released the Final Environmental Impact Statement for the Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead on July 31. The Record of Decision and the 2027-2028 Operating Guidelines are expected soon. The Record of Decision is expected to establish a 10-Year Framework of principles and operational sideboards defining the range of actions that may be selected through successive two-year operating guidelines, beginning with the 2027–2028 Operating Guidelines.

The 2027–2028 Operating Guidelines are expected to require a final Lower Basin implementation agreement for Lake Mead operations. Those operations are expected to include 1.25 MAF of annual Lower Basin reductions and an allocation of 3.96 million AF for delivery to California, reflecting the Colorado River Board of California's agreement to a 440,000 AF annual reduction in 2027 and 2028. The operations of Lake Mead in the 2027-2028 Operating Guidelines are expected to be contingent on the adoption of a Lower Basin implementation agreement that defines the Lower Basin states' obligations to make 1.25 million AF of annual reductions, includes provisions for storage, evaporation charges, and delivery of Intentionally Created Surplus, and other matters. Once the federal documents are issued, Metropolitan will participate directly in negotiating the Lower Basin implementation agreement. In the federal process, Interior negotiated primarily with the seven Basin State principals, while water-user representatives, including Metropolitan staff, participated in only portions of the process. By contrast, the Lower Basin implementation agreement will be executed by the Lower Basin States and Colorado River contractors, requiring Metropolitan's direct involvement in its development.

California contractors will also negotiate an intra-California agreement allocating responsibility for the 440,000 AF annual reduction. Metropolitan will be central in developing the agreement that will establish the California contractors' obligations to meet the 440,000 AF of reductions in 2027 and 2028.

The Basin States and federal agencies will also shift to development of the 2027 Annual Operating Plan, which will establish the specific operating determinations for the Colorado River system under the new federal framework.

ISSUE BRIEF E

SUBJECT: Delta Conveyance Activities and State Water Project Issues

RECENT ACTIVITY

Delta Conveyance Project

The U.S. Army Corps of Engineers (USACE), Sacramento District, finalized its Record of Decision for the proposed Delta Conveyance Project (DCP), completing the agency's programmatic environmental review under the National Environmental Policy Act. The decision concludes one phase of the federal review process and allows USACE to begin evaluating future permit applications for project components within its jurisdiction.

On July 13, 2026, the DWR posted a draft revised certification of consistency with the Delta Plan for a 10-day public review period. The revised certification addresses the two issues the Delta Stewardship Council (Council) remanded to DWR this spring after hearing ten appeals of the original certification. Comments on the draft revised certification were due July 23. On July 24, DWR submitted the revised certification of consistency to the Council. Any appeals must be filed by August, and the Council must decide them by mid-December.

Delta Conveyance-related Joint Powers Authorities

At its June 15, meeting, the Delta Conveyance Design and Construction Authority (DCA) board adopted a resolution approving the California Environmental Quality Act Responsible Agency Findings related to the First Addendum and Second Addendum to the Final Environmental Impact Report for the DCP.

The DCA Board approved the FY 2026-27 final budget of $65 million, including a $1.06 million unallocated reserve. An additional $3.5 million contingency is included for geotechnical work and executive support.

The DCA Board adopted a resolution recognizing and thanking Director Jacquelyn McMillian for her service to the board.

Sites Reservoir

At the June 26, Sites Reservoir Committee and Authority Board meeting, the Reservoir Committee and Authority board approved storage capacity reassignments with Colusa County, Glenn Colusa Irrigation District, Reclamation District 108, and various Zone 3 agencies voluntarily reassigning 98,274 acre feet of storage allocation to the U.S. Bureau of Reclamation to be consummated upon the execution of the partnership agreement and benefits and obligations contracts.

The Reservoir Committee and Authority Board approved the tentatively agreed partnership agreement terms with Reclamation and authorized the Executive Director to

execute the agreement following final coordination with the Benefits and Obligations Contract, including language specifying Reclamation's reassignment authority of up to 16 percent storage capacity.

Advance Science and Multi-Benefit Solutions That Improve the Sustainability of the Delta and Inform Regulation

Metropolitan's Board of Directors awarded the Webb Tract Wetland Restoration Project construction contract to Wood Bros, Inc. on July 14. At the Delta Conservancy's July 22 Board meeting, an additional approximately $13.0 million in funding was released to Metropolitan for the Webb Tract Wetland Restoration Project—bringing the total funding released to Metropolitan by the Delta Conservancy for this project to $20.9 million. Final negotiations for the Webb Tract Rice Conversion Project lease were completed in mid-July. Grading for the rice lease is expected to begin August 1. The first rice crop is expected to be planted in spring 2027.

Metropolitan staff hosted a table at the Delta Plan Interagency Implementation Committee's Delta Restoration Forum.

Metropolitan staff completed the 2025 Scientific Achievements Report. Milestones highlighted were the Delta Smelt and Native Species Preservation Project, Pesticide Risk Model, Structured Decision Making for Delta Smelt, Landscape Management of Webb Tract, and Forest Health Pilot Studies. The report highlights Metropolitan staff's implementation of Board Policies regarding management, relevant science, and collaborations while being innovative.

Metropolitan staff published a manuscript with researchers at Southern Illinois University and University of California, Davis on Chinook Salmon contaminant tissue burden during the outmigration of the Sacramento San Joaquin Delta. Results showed elevated tissue burden of contaminants at toxic levels over time and identified hot spots such as the Feather River and San Joaquin River. Results suggest that additional management of contaminants in those rivers, as well as shorter migration times, would improve outmigration survival.

Summary Report for
The Metropolitan Water District of Southern California
Board Meeting
August 18, 2026

CONSENT CALENDAR OTHER ITEMS - ACTION

Approved Commendatory Resolution for Director Thai Phan representing the City of Santa Ana. **(Agenda Item 6A)**

CONSENT CALENDAR ITEMS – ACTION

Authorized an increase of $25,000 in change order authority to an existing procurement contract with B&K Valves and Equipment Inc. to furnish two valves for the Lake Skinner outlet tower. **(Agenda Item 7-1)**

Adopted CEQA determination that the proposed action was previously addressed in the 2024 Mitigated Negative Declaration adopted by the City of Fontana for the Fontana Fire Station No. 80 and Training Center Project, and authorized the General Manager to execute a new license agreement with the City of Fontana for a base term of 15 years, with three 10-year options and one five-year option to extend the license for a maximum combined term of 50 years to support a new Fire Station and Training Facility with supplemental parking on Metropolitan fee-owned property in the City of Fontana, identified as San Bernardino County Assessor Parcel No. 0228-021-26. **(Agenda Item 7-2)**

Authorized increase of $200,000, to a maximum amount payable of $800,000, for existing General Counsel contract with Olson Remcho LLP to provide general government law advice related to the Political Reform Act, the Fair Political Practices Commission regulations, conflict of interest law and other legislative and ethics matters regulated by state law. **(Agenda Item 7-3)**

Approved the Metropolitan Water District of Southern California's salary schedules pursuant to CalPERS regulations. **(Agenda Item 7-4)**

Awarded a $5,164,432 contract to Bigfoot Homes Inc. to furnish and install up to twenty-one manufactured houses at four Colorado River Aqueduct pumping plants. **(Agenda Item 7-5)**

Authorized an agreement with Nokia of America Corporation in an amount not to exceed $6.831 million for equipment procurement and design support to upgrade the Western Region wide-area network. **(Agenda Item 7-6)**

OTHER BOARD ITEMS - ACTION

a. Authorized a $29,214,000 agreement with PCL Construction West Coast Inc. for Phase 1 progressive design-build services for the Lake Mathews Pressure Control Structure and Electrical System Upgrades Project; and b. Authorized an increase of $3.1 million to an existing agreement with Carollo Engineers Inc. for a new not-to-exceed amount of $4.4 million to serve as the owner's advisor for the Phase 1 design-build agreement. **(Agenda Item 8-1)**

a. Adopted the resolution establishing the ad valorem property tax rate for fiscal year 2026/27 at 0.0085 percent; and b. Directed staff to transmit that resolution to the county auditor-controllers, or equivalent, for the levy and collection of the ad valorem property tax. **(Agenda Item 8-2)**

THIS INFORMATION SHOULD NOT BE CONSIDERED THE OFFICIAL MINUTES OF THE MEETING.

All current month materials, and materials after July 1, 2021 are available on the public website here: https://mwdh2o.legistar.com/Calendar.aspx

This database contains archives from the year 1928 to June 30, 2021: https://bda.mwdh2o.com/Pages/Default.aspx

The Metropolitan Water District of Southern California

Agenda

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

Board of Directors - Final

September 15, 2026

2:00 PM

Tuesday, September 15, 2026 Meeting Schedule
08:30 a.m. FAAME 10:00 a.m. LC 11:30 a.m. OPE 01:00 p.m. ETHICS 01:30 p.m. BREAK 02:00 p.m. BOD

To livestream the meetings on the internet: click here.

Members of the public may present their comments to the Board and Committees on matters within their jurisdiction in real-time during the public comment section of the meeting by teleconference and in-person. To attend remotely or to provide public comment dial 1-877-853-5257 and enter meeting ID: 891 1613 4145 or to join through the internet click here.

Written public comments sent to BoardPublicComment@mwdh2o.com and received by 3:00 p.m. the business day before the meeting is scheduled are sent to the Board and will be posted under the Submitted Items and Responses tab available here: https://mwdh2o.legistar.com/Legislation.aspx. Written comments not received on time will not be included in the record for that meeting. Comments within the subject matter jurisdiction will be sent after the meeting for the record of the next meeting.

Disclaimer: Written and oral public comments are received in compliance with the Ralph M. Brown Act. Please note that Metropolitan does not endorse or ensure the accuracy or reliability of the information provided as public comment or by third parties.

MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012
Teleconference Locations:
3008 W. 82nd Place • Inglewood, CA 90305
Fullerton City Hall • 303 W. Commonwealth Avenue, Chambers • Fullerton, CA 92832

Boardroom

* 09152026 Board of Directors Translated Agendas **21599**

Attachments: 09152026 BOD Agenda - Armenian
09152026 BOD Agenda - Chinese Mandarin
09152026 BOD Agenda - Spanish

Agendas are translated by a digital translation service. Metropolitan does not guarantee accuracy of any translation.

1. Call to Order

a. Invocation: TBD

b. Pledge of Allegiance

2. Roll Call

3. Determination of a Quorum

4. Opportunity for members of the public to address the Board on matters within the Board's jurisdiction. (As required by Gov. Code §54954.3(a))

5. OTHER MATTERS AND REPORTS

A. Report on Director's Metropolitan Expenses **21-6163**

B. Chair's Monthly Activity Report **21-6164**

Guest Speaker: Chair Nick Serrano, San Diego County Water Authority **21-6187**

C. General Manager's summary of activities **21-6165**

D. General Counsel's summary of activities **21-6166**

E. General Auditor's summary of activities **21-6167**

F. Ethics Officer's summary of activities **21-6168**

G. Presentation of 10-Year Service Pin to Director Gloria Cordero, City of Long Beach **21-6188**

**** CONSENT CALENDAR ****

6. BOARD CONSENT ITEMS

A. Approve the Minutes of the Board of Directors held on July 14, 2026 and August 18, 2026, the Special Joint Meeting of the Executive Committee and the Board of Directors held on August 25, 2026, and the Board of Directors Workshop on Engineering, Operations, and Technology held on July 28, 2026 **21-6123**

B. Approve Committee Assignments **21-6124**

7. BOARD LETTERS CONSENT

7-1 Award a $782,917 procurement contract to Ross Valve Manufacturing Company for an 18-inch conical plug valve for Service Connection B-01; the General Manager has determined that the proposed action is exempt or not subject to CEQA (EOT) **21-6125**

Attachments: 09152026 EOT 7-1 B-L

7-2 Authorize the General Manager to amend the Project Labor Agreement to add one new project and approve the amended Project Labor Agreement's use as a bid condition for the newly added project; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) **21-6126**

7-3 Review and consider the Lead Agency's approved Negative Declaration and take related CEQA actions, and adopt a resolution for 118th Fringe Area Annexation concurrently to Eastern Municipal Water District and Metropolitan (FAAME) **21-6127**

7-4 Authorize an increase in the maximum amount payable under contract with Thompson Coburn LLP for legal advice on state and federal energy regulatory and contractual matters by $400,000 to a maximum amount payable of $1,000,000; the General Manager has determined that this proposed action is exempt or otherwise not subject to CEQA (LC) **21-6128**

7-5 Authorize the General Manager to enter into a funding agreement with the California Department of Water Resources for an invasive mussel mitigation pilot treatment at the Rialto Pipeline; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWA) **21-6129**

7-6 Authorize proposed changes to the Coordinated Operating, Water Storage, Exchange and Delivery Agreement between the Metropolitan Water District, the Municipal Water District of Orange County, and Irvine Ranch Water District; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWA) **21-6137**

**** END OF CONSENT CALENDAR ****

8. BOARD LETTERS ACTION

8-1 Award a $42,710,530.01 construction contract to Mountain Cascade Inc. to rehabilitate the circulating water and sump discharge piping systems at the Colorado River Aqueduct pumping plants; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) **21-6133**

Attachments: 09152026 EOT 8-1 B-L

8-2 Authorize (1) an increase of $172,849,771 to an existing design-build agreement with J.F. Shea Construction Inc. for a new not-to-exceed amount of $276,209,771 to authorize Phase 2B of the Sepulveda Pump Stations project; (2) an increase of $1.59 million to an existing agreement with Carollo Engineers Inc. for a new not-to-exceed amount of $4.89 million to serve as the owner's advisor; and (3) an increase of $857,000 to an existing agreement with Parametrix Inc. for a new not-to-exceed amount of $1.402 million for cost estimating and scheduling services; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) **21-6134**

8-3 Amend the Metropolitan Water District Administrative Code concerning review of matters for the naming of facilities, and amend the criteria, policies and procedures for the naming of facilities; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (LEG) **21-6135**

8-4 Amend the Metropolitan Water District Administrative Code to incorporate Board direction on Climate Action and Adaptation; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWA) **21-6136**

8-5 Consider and take no position on Proposition 45: Building an Affordable California Initiative (LEG) **21-6140**

8-6 Approve a limited waiver of the Brown Act closed session privilege regarding the closed session meeting of the Organization, Personnel, and Effectiveness Committee on October 14, 2025 for the limited purpose of disclosing pertinent ethics investigation information and materials 1) in a Board letter and its attachments for the Executive Committee's consideration of action pursuant to Administrative Code sections 7416(d) and 7432(b)(1); 2) during the September 2026 Executive Committee meeting to discuss and consider taking action on the item pursuant to Administrative Code section 7432(b)(1); and 3) in connection with a mandatory referral to the California Fair Political Practices Commission (FPPC) pursuant to Administrative Code sections 7416(d) and 7433 and as also may be requested by the FPPC in addressing the matter, with the understanding that Metropolitan directors and staff may disclose information from the closed session to the FPPC and the FPPC may use and disclose information and materials publicly in accordance with its procedures; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-6206**

8-7 PLACEHOLDER: Admin Code Update - Board Executive Officer **21-6212**

8-8 Request funds (closed session) (LC) **21-6197**

9. BOARD INFORMATION ITEMS

9-1 Introduction of Ordinance No. 153—Determining that the interests of Metropolitan require the use of Revenue Bonds in the aggregate principal amount of $500 million to finance a portion of Capital Expenditures (FAAME) **21-6141**

9-2 Overview of Proposition 43: Assembly Constitutional Amendment Number 22 on Local Taxes: Limitation (LEG) **21-6142**

9-3 Equal Employment Opportunities activities **21-6143**

Attachments: 09152026 BOD 9-3 Equal Employment Opportunities activities

9-4 Diversity, Equity, and Inclusion activities **21-6144**

10. OTHER MATTERS

10-1 Bond Disclosure: Appendix A Training **21-6189**

11. FOLLOW-UP ITEMS

NONE

12. FUTURE AGENDA ITEMS

13. ADJOURNMENT

NOTE: Each agenda item with a committee designation will be considered and a recommendation may be made by one or more committees prior to consideration and final action by the full Board of Directors. The committee designation appears in parenthesis at the end of the description of the agenda item, e.g. (EOT). Board agendas may be obtained on Metropolitan's Web site https://mwdh2o.legistar.com/Calendar.aspx

Writings relating to open session agenda items distributed to Directors less than 72 hours prior to a regular meeting are available for public inspection at Metropolitan's Headquarters Building and on Metropolitan's Web site https://mwdh2o.legistar.com/Calendar.aspx.

Requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.