

**LAS VIRGENES - TRIUNFO  
JOINT POWERS AUTHORITY  
AGENDA**

**4232 Las Virgenes Road, Calabasas, CA 91302**

**December 6, 2021, 5:00 PM**

Public Participation for Meetings of Las Virgenes - Triunfo Joint Powers Authority in Response to COVID- 19

Pursuant to AB-361 (Government Code Section 54953(e)), the Las Virgenes - Triunfo Joint Powers Authority Board of Directors finds health concerns dictate offering the public and directors the opportunity to attend board meetings via teleconferencing.

**PUBLIC PARTICIPATION:** Pursuant to AB-361 and given the current health concerns, this meeting is being conducted via Zoom Webinar and all attendees are muted by default. To join via computer, please use the following Zoom Webinar ID:

Webinar ID:<https://us06web.zoom.us/j/84167590999>

To join by telephone, please dial (669) 900-6833 or (346) 248-7799 and enter Webinar ID: 841 6759 0999

For members of the public wishing to address the Board during Public Comment or during a specific agenda item, please press "Raise Hand" if you are joining via computer, or press \*9 if you are joining via phone.

Members of the public can also access and request to speak at meetings live on-line, with audio and limited video, at [www.LVMWD.com/JPALiveStream](http://www.LVMWD.com/JPALiveStream). In addition, members of the public can submit written comments electronically for consideration at [www.LVMWD.com/JPALiveStream](http://www.LVMWD.com/JPALiveStream). To ensure distribution to the members of the Las Virgenes - Triunfo Joint Powers Authority Board of Directors prior to consideration of the agenda, please submit comments 24 hours prior to the day of the meeting. Those comments, as well as any comments received after 5:00 P.M., will be distributed to the members of the Board of Directors and will be made part of the official public record of the meeting. Contact Josie Guzman, Executive Assistant/Clerk of the Board at (818) 251-2123 or [jguzman@lvmwd.com](mailto:jguzman@lvmwd.com) with any questions.

**ACCESSIBILITY:** If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid, or service by contacting the Executive Assistant/Clerk of the Board by telephone at (818) 251-2123 or via email to [jguzman@lvmwd.com](mailto:jguzman@lvmwd.com) no later than 8:00 AM on the day of the scheduled meeting.

Members of the public wishing to address the Las Virgenes-Triunfo Joint Powers Authority (JPA) Board of Directors are advised that a statement of Public Comment Protocols is available from the Clerk of the Board. Prior to speaking, each speaker is asked to review these protocols, complete a speakers' card, and hand it to the Clerk of the Board. Speakers will be recognized in the order the cards are received.

The Public Comments agenda item is presented to allow the public to address the Board on matters not on the agenda. The public may also present comments on matters on the agenda; speakers for agendized items will be recognized at the time the item is called up for discussion.

Materials prepared by the JPA in connection with the subject matter on the agenda are available for public inspection at 4232 Las Virgenes Road, Calabasas, CA 91302. Materials prepared by the JPA and distributed to the Board during this meeting are available for public inspection at the meeting or as soon thereafter as possible. Materials presented to the Board by the public will be maintained as part of the records of these proceedings and are available upon request to the Clerk of the Board.

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## PLEDGE OF ALLEGIANCE

### 1 CALL TO ORDER AND ROLL CALL

### 2 APPROVAL OF AGENDA AND ADOPTION OF RESOLUTION NO. 14 (AB 361)

#### A **Approval of Agenda and Reauthorization of Revised Use of Teleconferencing for Public Meetings (Pg. 5)**

Approve the agenda and pass, approve and adopt proposed Resolution No. 14, reauthorizing the revised use of teleconferencing for public meetings pursuant to the Brown Act provisions enacted by Assembly Bill 361.

#### **RESOLUTION NO. 14**

#### **A RESOLUTION OF THE GOVERNING BOARD OF THE LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY REAUTHORIZING THE REVISED USE OF TELECONFERENCING FOR PUBLIC MEETINGS**

(Reference is hereby made to Resolution No. 14 on file in the JPA's Resolution Book and by this reference the same is incorporated herein.)

### 3 PUBLIC COMMENTS

Members of the public may now address the Board of Directors **ON MATTERS NOT APPEARING ON THE AGENDA**, but within the jurisdiction of the Board. No action shall be taken on any matter not appearing on the agenda unless authorized by Subdivision (b) of Government Code Section 54954.2

### 4 CONSENT CALENDAR

Matters listed under the Consent Calendar are considered to be routine, non-controversial and normally approved with one motion. If discussion is requested by a member of the Board on any Consent Calendar item, or if a member of the public wishes to comment on an item, that item will be removed from the Consent Calendar for separate action.

**A Minutes: Regular Meeting of November 1, 2021 (Pg. 11)**

Approve.

**B Financial Review: First Quarter of Fiscal Year 2021-22 (Pg. 18)**

Receive and file the financial review for the first quarter of Fiscal Year 2021-22.

**C Tapia WRF Summer Season TMDL Compliance and Meter Replacement Project: Approval of Scope Change (Pg. 23)**

Authorize the General Manager/Administering Agent to approve Scope Change No. 5 to Stantec Consulting Services Inc., in the amount of \$19,373, for additional design services associated with the Tapia Water Reclamation Facility Summer Season Total Maximum Daily Load Compliance and Meter Replacement Project.

**5 ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS**

**A State and Federal Legislative Update (Pg. 34)**

**B Pure Water Project Las Virgenes-Triunfo: Update (Pg. 91)**

**C Annual Financial Statements and Independent Auditor's Report (Pg. 96)**

Receive and file the Fiscal Year 2020-21 JPA Financial Statements and Independent Auditor's Report.

**6 ACTION ITEMS**

**A Multi-Site Battery Energy Storage System Project: Award (Pg. 128)**

Conduct a public hearing and upon its conclusion: (1) find that the work is exempt from the provisions of the California Environmental Quality Act; (2) pass, approve and adopt proposed Resolution No. 15, authorizing and approving the execution of all necessary agreements in the forms approved by JPA Counsel; and (3) authorize the Administering Agent/General Manager to execute a scope change for TerraVerde Energy, LLC, in the amount of \$161,725, to provide construction and installation support services for the Multi-Site Battery Energy Storage System Project.

**RESOLUTION NO. 15**

**A RESOLUTION OF THE GOVERNING BOARD OF THE LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY MAKING FINDINGS, AUTHORIZING AND APPROVING EXECUTION OF A SOLAR POWER PURCHASE AGREEMENT WITH BATTERY ENERGY STORAGE SERVICES, A BATTERY ENERGY STORAGE SYSTEM (BESS) SUPPLY AND INSTALLATION AGREEMENT, A BESS SERVICES AGREEMENT AND A PERFORMANCE DATA PROVIDER (PDP) SERVICES AGREEMENT WITH TESLA, INC.**

(Reference is hereby made to Resolution No. 15 on file in the JPA's Resolution Book and by this reference the same is incorporated herein.)

- B Tapia Water Reclamation Facility HVAC System Replacement: Award (Pg. 174)**  
Accept the quotation from Gordian Group and authorize the Administering Agent/General Manager to issue a purchase order, in the amount of \$393,506.01, for replacement of the HVAC system at the Tapia Water Reclamation Facility.
- C Pump Replacement for Westlake Wells Nos. 1 and 2: Change Order (Pg. 189)**  
Authorize the Administering Agent/General Manager to approve a change order to General Pump Company, in the amount of \$62,347.88, for the replacement of pumps and appurtenant equipment for Westlake Well Nos. 1 and 2.
- D Tapia Tertiary Filter Media Replacement: Authorization of Purchase Order (Pg. 195)**  
Authorize General Manager/Administering Agent to issue a purchase order to Karbonous, Inc., in the amount of \$92,914, for replacement of the media in Filter Nos. 7 and 8 at the Tapia Water Reclamation Facility.

**7 BOARD COMMENTS**

**8 ADMINISTERING AGENT/GENERAL MANAGER REPORT**

**9 FUTURE AGENDA ITEMS**

**10 PUBLIC COMMENTS**

Members of the public may now address the Board of Directors **ON MATTERS NOT APPEARING ON THE AGENDA**, but within the jurisdiction of the Board. No action shall be taken on any matter not appearing on the agenda unless authorized by Subdivision (b) of Government Code Section 54954.2

**11 ADJOURNMENT**

Pursuant to Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and applicable federal rules and regulations, 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 Executive Assistant/Clerk of the Board in advance of the meeting to ensure availability of the requested service or accommodation. Notices, agendas, and public documents related to the Board meetings can be made available in appropriate alternative format upon request.

December 6, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: General Manager

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**Subject : Approval of Agenda and Reauthorization of Revised Use of Teleconferencing for Public Meetings**

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**SUMMARY:**

On September 16, 2021, Governor Gavin Newsom signed Assembly Bill (AB) 361 to temporarily exempt certain requirements of the Brown Act and change the requirements for public meetings held by teleconference under certain circumstances. Staff recommends that the Board adopt proposed Resolution No. 14 to reauthorize implementation of the provisions of AB 361 given the on-going health concerns associated with the COVID-19 pandemic. If approved, the Board is required to reconsider and renew the action every 30 days

**RECOMMENDATION(S):**

Approve the agenda and pass, approve and adopt proposed Resolution No. 14, reauthorizing the revised use of teleconferencing for public meetings pursuant to the Brown Act provisions enacted by Assembly Bill 361.

**RESOLUTION NO. 14**

**A RESOLUTION OF THE GOVERNING BOARD OF THE LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY REAUTHORIZING THE REVISED USE OF TELECONFERENCING FOR PUBLIC MEETINGS**

(Reference is hereby made to Resolution No. 14 on file in the JPA's Resolution Book and by this reference the same is incorporated herein.)

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

**DISCUSSION:**

Background:

The Brown Act secures public access to the meetings of public commissions, boards, councils and agencies in the state. It also affirms that the people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.

Under the Brown Act, all meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any such meeting. The Brown Act, as it presently exists, provides the following requirements for use of teleconferencing in connection with a meeting of a legislative body:

- Teleconferencing, as authorized, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by roll call.
- If the legislative body elects to use teleconferencing, it must post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of the local agency.
- Each teleconferencing location shall be identified in the posted agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public.
- During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercised jurisdiction.
- The agenda shall provide an opportunity for members of the public to address the legislative body directly, as the Brown Act requires for in-person meetings, at each teleconference location.
- For purposes of these requirements, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

#### Executive Order N-29-20 and Assembly Bill 361:

In March 2020, Governor Gavin Newsom issued Executive Order N-29-20, which waived Brown Act requirements found in Government Code §54953(b)(3) for teleconference participation in public meetings. In particular, the Executive Order waived the following:

- The requirement that state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- The requirement that each teleconference location be accessible to the public;
- The requirement that members of the public may address the body at each teleconference location;
- The requirement that state and local bodies post agendas at all teleconference locations; and
- The requirement that, during teleconference meetings, at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction.

Executive Order N-29-20 expired on October 1, 2021. In light of the expiration date, a recent bill, AB 361, was approved by the California Legislature and signed by the Governor to extend the provisions of Executive Order N-29-20, subject to certain conditions to be met by the local legislative body seeking to utilize the exemptions. AB 361 also imposes certain new

requirements as detailed below.

#### Analysis of Assembly Bill 361:

AB 361 exempts local legislative bodies from certain Brown Act requirements currently governing teleconferencing. These exemptions may be used only in one of the following circumstances:

- The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- The legislative body holds a meeting during a proclaimed state of emergency for purposes of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.
- The legislative body holds a meeting during a proclaimed state of emergency and has determined by majority vote pursuant to b) above that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

The JPA is currently subject to a Health Officer Order issued by Los Angeles County Department of Public Health on August 23, 2021. The Order eliminated physical distancing requirements except during major outbreaks. Accordingly, to avail itself of the teleconferencing exemptions provided by AB 361, the JPA must determine that the state of emergency continues to present imminent risk to the health or safety of attendees at public meetings.

Further, AB 361 requires that the Board reconsider the state of emergency and renew its determination every 30 days after commencing use of its exemptions. However, if during the 30-day period, the Board wishes to meet in person, it may choose to do so despite adoption of the proposed Resolution. The intent of the Resolution is merely to allow the Board to avail itself of the AB 361 teleconferencing provisions.

Finally, in addition to allowing for the above exemptions, AB 361 adds the following requirements:

- The legislative body must give notice of the meeting and post agendas as otherwise required by the Brown Act.
- The legislative body must allow members of the public to access the meeting, and the agenda must provide an opportunity for members of the public to address the legislative body directly pursuant to Brown Act requirements. In each instance where notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body must also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda must identify and include an opportunity for all persons to attend via call-in option or an internet-based service option. The legislative body need not provide a physical location from which the public may attend or comment.
- The legislative body must conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body.
- In the event of a disruption that prevents the public agency from broadcasting the meeting to members of the public using the call-in or internet-based service options, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in or internet-based service options,

the legislative body must take no further action on items appearing on the meeting agenda until public access to the meeting is restored. Actions taken on agenda items during a disruption preventing the broadcast of the meeting may be challenged as provided in the Brown Act.

- The legislative body may not require public comments to be submitted in advance of the meeting, and it must provide an opportunity for the public to address the legislative body and offer comment in real time.
- The legislative body may use an online third-party system for individuals to provide public comment that requires an individual to register with the system prior to providing comment.
- If a legislative body provides a timed public comment period, it may not close the comment period or the time to register to provide comment until the timed period has elapsed. If the legislative body does not provide a time-limited comment period, it must allow a reasonable time for the public to comment on each agenda item.

Prepared by: Josie Guzman, Executive Assistant/Clerk of the Board

**ATTACHMENTS:**

Proposed Resolution No. 14



## **RESOLUTION NO. 14**

### **A RESOLUTION OF THE GOVERNING BOARD OF THE LAS VIRGENES – TRIUNFO JOINT POWERS AUTHORITY REAUTHORIZING THE REVISED USE OF TELECONFERENCING FOR PUBLIC MEETINGS**

**BE IT RESOLVED BY THE GOVERNING BOARD OF THE LAS VIRGENES – TRIUNFO  
JOINT POWERS AUTHORITY** as follows:

**WHEREAS**, the Governor of the State of California (“Governor”) proclaimed a State of Emergency to exist as a result of the threat of COVID-19. (Governor’s Proclamation of a State of Emergency (Mar. 4, 2020).)

**WHEREAS**, the Governor’s Exec. Order No. N-25-20 (Mar. 12, 2020); Governor’s Exec. Order No. N-29-20 (Mar. 17, 2020); and Governor’s Exec. Order No. N-08-21 (Jun. 11, 2021) provided that local legislative bodies may hold public meetings via teleconferencing and make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body and waived the Brown Act provisions found in Govt. Code section 54953(b)(3) which require the physical presence of the members, the clerk, or other personnel of the body, or the public, as a condition of participation in, or quorum for, a public meeting, including:

- a) The requirement that state and local bodies notice each teleconference location from which a member will be participating in a public meeting.
- b) The requirement that each teleconference location be accessible to the public.
- c) The requirement that members of the public may address the body at each teleconference location.
- d) The requirement that state and local bodies post agendas at all teleconference locations.
- e) The requirement that, during teleconference meetings, at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction.

**WHEREAS**, the provisions of Governor’s Exec. Order No. N-25-20 (Mar. 12, 2020); Governor’s Exec. Order No. N-29-20 (Mar. 17, 2020); and Governor’s Exec. Order No. N-08-21 (Jun. 11, 2021) expired on September 30, 2021;

**WHEREAS**, the Center for Disease Control is currently contending with the Delta Variant of the COVID-19 virus and anticipates the development of potential other strains which may further impede public agency operations and prolong the need for social distancing requirements;

**AND WHEREAS**, recent legislation (A.B. 361) authorizes a local legislative body to use teleconferencing for a public meeting without complying with the Brown Act’s teleconferencing quorum, meeting notice, and agenda requirements set forth in Government Code section 54953(b)(3), in any of the following circumstances:

- a) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

- b) The legislative body holds a meeting during a proclaimed state of emergency for purposes of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.
- c) The legislative body holds a meeting during a proclaimed state of emergency and has determined by majority vote pursuant to b) above that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of the Las Virgenes – Triunfo Joint Powers Authority as follows:

Section 1. Incorporation of Recitals. All of the foregoing Recitals are true and correct and the Board so finds and determines. The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

Section 2. Adoption of AB-361. The Board has determined by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Section 3. Continued Implementation of AB-361. If the state of emergency remains active, or state or local officials have imposed measures to promote social distancing, the Governing Board of the Las Virgenes – Triunfo Joint Powers Authority shall, in order to continue meeting subject to this exemption to the Brown Act, no later than 30 days after it commences using the exemption, and every 30 days thereafter, make the following findings by majority vote:

- a) The legislative body has reconsidered the circumstances of the state of emergency; *and*
- b) Either (1) the state of emergency continues to directly impact the ability of the members to meet safely in person; or (2) state or local officials continue to impose or recommend measures to promote social distancing.

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Ray Tjulander, Chair

ATTEST:

\_\_\_\_\_  
Jay Lewitt, Vice Chair

APPROVED AS TO FORM:

\_\_\_\_\_  
W. Keith Lemieux, Agency Counsel

**LAS VIRGENES – TRIUNFO  
JOINT POWERS AUTHORITY  
MINUTES  
REGULAR MEETING**

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5:00 PM

November 1, 2021

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Charles Caspary.

**1. CALL TO ORDER AND ROLL CALL**

The meeting was called to order at **5:00 p.m.** by Chair Tjulander via teleconference in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road, Calabasas, CA 91302. The meeting was conducted via teleconference pursuant to the provisions of Assembly Bill 361, which exempts certain requirements of the Ralph M. Brown Act to support social distancing guidelines associated with response to the coronavirus (COVID-19) outbreak. Susan Brown, Administrative Assistant, conducted the roll call.

Present: Directors Caspary, Lewitt, Lo-Hill, Nye (via teleconference), Orkney (via teleconference), Polan, Renger, Shapiro (via teleconference), and Tjulander.

Absent: Wall

**2. APPROVAL OF AGENDA AND APPROVAL OF FINDINGS OF RESOLUTION NO. 13 (AB 361) REGARDING THE USE OF TELECONFERENCING**

Director Caspary moved to approve the agenda and approve the findings of Resolution No. 13 (AB 361) regarding the use of teleconferencing. Motion seconded by Director Renger. Motion carried by the following roll call vote:

AYES: Caspary, Lewitt, Lo-Hill, Nye, Orkney, Polan, Renger, Shapiro, and Tjulander

NOES: None

ABSTAIN: None

ABSENT: Wall

**3. PUBLIC COMMENTS**

None.

#### **4. CONSENT CALENDAR**

##### **A Minutes: Special Meetings of October 14, 2021 and October 20, 2021: Approve**

Director Caspary moved to approve the Consent Calendar. Motion seconded by Director Polan. Motion carried by the following roll call vote:

AYES: Caspary, Lewitt, Lo-Hill, Nye, Orkney, Polan, Renger, Shapiro, and Tjulander

NOES: None

ABSTAIN: None

ABSENT: Wall

#### **5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS**

##### **A State and Federal Legislative Update**

Lowry Crook, federal lobbyist for the JPA with Best Best & Krieger LLP (BBK), presented the federal legislative update, and noted that the House of Representatives was continuing to work on a \$1.75 trillion spending proposal for the Build Back Better Plan. He stated that it was likely that an infrastructure bill and funding for water projects would pass later in the month.

Ana Schwab, federal lobbyist for the JPA with BBK, provided an update regarding the U.S. Environmental Protection Agency's (EPA) Per- and Polyfluoroalkyl Substances (PFAS) Strategic Roadmap, including placing PFAS under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Superfund Law. She noted that the EPA released a final toxicity assessment on GenX PFAS and responded to New Mexico Governor Michelle Lujan Grisham's petition to place PFAS regulations under the Resource Conservation and Recovery Act (RCRA). Mr. Crook noted that GenX chemicals were meant to be the replacement in manufacturing; however, these chemicals were also determined to be hazardous.

Ms. Schwab provided an update regarding drought mitigation efforts and noted that BBK was continuing to formulate a strategy to meet with Congressional delegates to address the JPA's concerns. She responded to a question regarding a \$252 million loan for upgrades to the Tillman Water Reclamation Plant by stating that the loan was from the Water Infrastructure Finance and Innovation Act (WIFIA), which included certain eligibility criteria. She noted that WIFIA could fund up to 49 percent of the eligible project cost, which would include monetary size requirements, a five-year deferment, and a 35-year maximum repayment term. She also responded to a question regarding engaging Senator Dianne Feinstein

on PFAS regulations. Mr. Crook suggested that Senator Feinstein might be better positioned to assist with funding of the Pure Water Project Las Virgenes-Triunfo.

Ms. Schwab responded to a question regarding H.R. 535 and S. 91, the Special Districts Provide Essential Services Act, for Coronavirus Relief Act funding, by stating that these bills were introduced during the height of the COVID-19 pandemic; however, they were pulled from the CARES Act and American Rescue Plan Act. She stated that BBK could follow-up with the offices of Representative John Garamendi and Senator Krysten Sinema regarding whether they were still pursuing these bills.

Administering Agent/General Manager David Pedersen noted that special districts were successful in receiving COVID-19 relief funding to address the arrearages issue throughout the state.

Ms. Schwab responded to a question regarding federal earmarked funding for specific projects by stating that the cap for state and tribal assistance grants was \$3.5 million, and the funds would need to be used in the current year. She noted that the environmental review for eligible projects needed to be completed and would need to be further along to use the funding immediately. She stated that BBK would continue to monitor the application period for WIFIA and other federal funding opportunities.

Syrus Devers, state lobbyist for the JPA with Best Best & Krieger LLP (BBK), presented the state legislative update, and noted that funding was available in the state budget for water recycling projects. He also noted that draft regulations were released for a multi-benefit project program. He provided an update regarding the arrearages program for past due accounts and noted that the State Water Resources Control Board would provide arrearages funding for past due water accounts first followed by funding for past due wastewater accounts.

Director Caspary noted that the Association of California Water Agencies (ACWA) State Legislative Committee discussed potential legislation for 2022, including a bill to clarify prevailing wage interpretations. He noted that ACWA was not interested in pursuing a legislative proposal with Eastern Municipal Water District (EMWD) related to improving water use efficiency through non-functional turf management; however, it would monitor the proposal during the legislative session. He also noted that ACWA discussed illegal cannabis water diversion issues and would address legislative proposals submitted by the Mohave Water Agency.

## **B Pure Water Project Las Virgenes-Triunfo: Update**

Eric Schlageter, Principal Engineer, provided a summary of the report, including the completion of the 30-day regulatory and environmental public scoping period; regulatory update meeting with the State Water Resources Control Board Division

of Drinking Water; recent topographic survey of proposed sites; and continuing efforts on the assessment of the proposed sites. He also provided a summary of worked planned in November, including meeting with staff regarding facility requirements; continuing to coordinate with the City of Thousand Oaks regarding the brine line conveyance alignment; and preparing a benchtop study for pipe run testing at the Pure Water Demonstration Facility to understand brine line concentrate and scaling effects. He noted that staff met with representatives from the City of Thousand Oaks and Calleguas Municipal Water District to discuss regional water resource collaboration and preparation of a draft Memorandum of Understanding. He responded to questions regarding the process and timeline to determine the best site for the advanced water treatment facility.

## **6. ACTION ITEMS**

### **A Proposed 2022 JPA Board Meeting Calendar**

**Review the proposed 2022 Board Meeting Calendar and make any scheduling adjustments.**

Susan Brown, Administrative Assistant, presented the report.

The Board agreed to cancel the May 2, 2022 Regular Meeting and schedule a Special Meeting on May 9, 2022; cancel the June 6, 2022 Regular Meeting and schedule a Special Meeting on June 13, 2022; cancel the October 3, 2022 Regular Meeting and schedule a Special Meeting on October 12, 2022; and continue to meet in the Board Room at Las Virgenes Municipal Water District.

### **B Carbon Tower Carbon Replacement: Authorization of Purchase Order**

**Authorize the Administering Agent/General Manager to issue a purchase order to Karbonous, Inc., in the amount of \$41,953, for carbon tower media replacement.**

Brett Dingman, Water Reclamation Manager, presented the report.

Director Renger moved to approve Item 6B. Motion seconded by Director Polan.

Director Caspary asked staff to ensure they report the recycling credit to the local cities to support them in meeting their recycling mandates.

Motion carried by the following roll call vote:

AYES: Caspary, Lewitt, Lo-Hill, Nye, Orkney, Polan, Renger, Shapiro, and Tjulander

NOES: None

ABSTAIN: None

ABSENT: Wall

**7. BOARD COMMENTS**

Director Lo-Hill referred to the non-functional turf management proposal and noted that the MWD Board and the General Manager from Southern Nevada Water Authority recently discussed this issue and turf replacement in housing developments in Nevada. Director Caspary noted that the proposal to ACWA was to study non-functional turf regulations; however, it was likely that discretion would fall under a state agency for implementation. He expressed concern that it would not be beneficial to have a state agency dictate issues currently under local control.

**8. ADMINISTERING AGENT/GENERAL MANAGER REPORT**

Administering Agent/General Manager David Pedersen reported that 1.77 inches of rain was measured at the Tapia Water Reclamation Facility (Tapia) and peak flow measured 14 million gallons per day. He noted that demand for recycled water had decreased following the rain and cooler weather, and staff would operate the sprayfields until the November 15th end of the creek avoidance period. He also noted that some wastewater was diverted to the City of Los Angeles to help reduce the amount of excess water coming into Tapia. He reported that flow in Malibu Creek measured 5.8 cubic feet per second following the recent rain, and there remained no need for water augmentation. He also reported that demand for compost had decreased, and staff would implement measures to make use of excess compost material, including making a delivery to the Oak Park Community Garden. He responded to a question regarding discussions with the Los Angeles Regional Water Quality Control Board to increase chloride concentration limits for water discharged to the Los Angeles River.

**9. FUTURE AGENDA ITEMS**

None.

**10. INFORMATION ITEMS**

**A     **Constituents of Emerging Concern (CECs): Comparison of Pure Water and Imported Water Sources****

Administering Agent/General Manager David Pedersen noted that the report included comparisons of the concentrations of certain constituents of emerging concern (CECs) and logarithmic removal equivalents.

**11. PUBLIC COMMENTS**

None.

12. **ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:18 p.m.**



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Ray Tjulander, Chair

ATTEST:

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Jay Lewitt, Vice Chair

December 6, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Finance & Administration

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**Subject : Financial Review: First Quarter of Fiscal Year 2021-22**

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**SUMMARY:**

This report provides a summary of the financial review for the first quarter of Fiscal Year 2021-22. The financial review provides data through September 30, 2021.

**RECOMMENDATION(S):**

Receive and file the financial review for the first quarter of Fiscal Year 2021-22.

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

**DISCUSSION:**

The first quarter financial review summarizes the JPA's financial information for the period of July 1 through September 30, 2021, as compared to budgetary estimates and prior year actuals.

It is important to note that due to the timing of various projects and payments, the report should primarily be used to identify areas where attention should be focused in response to emerging trends that may affect the JPA's financial position at year end.

Overall, revenues and expenses for the first quarter of Fiscal Year 2021-22 were consistent with projections made in the adopted Fiscal Year 2021-22 Budget. There were no major fluctuations that would require a budget adjustment at this time.

JPA operating revenues for the first quarter of Fiscal Year 2021-22 were \$800,495, which is 8.0% below the budgeted amount of \$869,713 and 10.8% below the prior year revenues of \$897,238. The decrease in revenues for the first quarter was primarily due to lower than expected recycled water sales.

Operating expenses for the first quarter of Fiscal Year 2021-22 were \$5.1 million, which is \$0.2 million or 4.5% above budget and \$0.3 million or 5.6% above prior years. Increases in operating expenses were primarily due to higher costs reported in the first quarter for sewer, composting and recycled water pump stations (see Attachment A). These costs will be monitored throughout the year to determine if budget adjustments are required; however, no changes are recommended at this early stage of the fiscal year.

The JPA's first quarter net uses of funds in Fiscal Year 2021-22 totaled \$5.6 million, compared to \$4.4 million for the same period in Fiscal Year 2020-21.

Attachment A provides a table summarizing Fiscal Year 2021-22 year-to-date financial results. All data on the table is through September 30, 2021.

Prepared by: Brian Richie, Finance Manager

**ATTACHMENTS:**

Attachment A

## Joint Powers Authority Operations

### Quarterly Update - Comparison to Budget & Prior Year at September 30, 2021

	FY 20-21 Actual YTD	FY 21-22 Budget YTD	FY 21-22 Actual YTD
Total Operating Revenues	\$ 897,238	\$ 869,713	\$ 800,495
RW Pump Station	470,059	312,019	617,068
RW Tanks & Reservoirs	33,393	18,362	10,440
RW System Operations	16,884	4,955	3,696
RW Distribution	52,555	29,662	22,874
PWP Demonstration Plant	211,051	352,243	164,298
Sewer	21,757	53,740	146,024
Waste Water Treatment	2,380,724	2,166,705	2,298,411
Composting	1,382,446	1,508,122	1,503,936
Centrate Treatment	51,934	77,755	67,010
Administration	219,200	263,907	221,784
Total Operating Expenses	4,840,003	4,787,468	5,055,541
Net Operating (Expenses)	\$ (3,942,765)	\$ (3,917,755)	\$ (4,255,047)

**Joint Powers Authority Operations**  
**Quarterly Update - Comparison to Budget & Prior Year at September 30, 2021**

	<u>FY 20-21 Actual YTD</u>	<u>FY 21-22 Budget YTD</u>	<u>FY 21-22 Actual YTD</u>
<b><u>Las Virgenes Share:</u></b>			
<b><u>Total Revenues</u></b>			
Operating Revenues	\$ 633,450	\$ 614,018	\$ 565,149
Total Revenues	<u>633,450</u>	<u>614,018</u>	<u>565,149</u>
<b><u>Total Expenses</u></b>			
Operating Expenses	\$ 3,241,894	\$ 3,206,705	\$ 3,483,268
Capital Project Expenses	344,455	4,665,255	931,521
Total Expenses	<u>3,586,348</u>	<u>7,871,960</u>	<u>4,414,789</u>
<b>Net (Uses) of Funds - LV</b>	<u>\$ (2,952,898)</u>	<u>\$ (7,257,942)</u>	<u>\$ (3,849,639)</u>
<b><u>Triunfo Share:</u></b>			
<b><u>Total Revenues</u></b>			
Operating Revenues	\$ 263,788	\$ 255,696	\$ 235,345
Total Revenues	<u>263,788</u>	<u>255,696</u>	<u>235,345</u>
<b><u>Total Expenses</u></b>			
Operating Expenses	\$ 1,598,109	\$ 1,580,763	\$ 1,572,273
Capital Project Expenses	143,441	1,942,755	387,914
Total Expenses	<u>1,741,551</u>	<u>3,523,518</u>	<u>1,960,187</u>
<b>Net (Uses) of Funds - TWSD</b>	<u>\$ (1,477,763)</u>	<u>\$ (3,267,822)</u>	<u>\$ (1,724,842)</u>
<b>Total JPA Net (Uses) of Funds</b>	<u>\$ (4,430,661)</u>	<u>\$ (10,525,765)</u>	<u>\$ (5,574,481)</u>

**Joint Powers Authority Operations**  
**Quarterly Update - Comparison to Budget & Prior Year at September 30, 2021**

	<u>FY 20-21 Actual YTD</u>	<u>FY 21-22 Budget YTD</u>	<u>FY 21-22 Actual YTD</u>
<b><u>Total Revenues</u></b>			
Operating Revenues	\$ 897,238	\$ 869,713	\$ 800,495
Total Revenues	<u>897,238</u>	<u>869,713</u>	<u>800,495</u>
<b><u>Total Expenses</u></b>			
Operating Expenses	\$ 4,840,003	\$ 4,787,468	\$ 5,055,541
Capital Project Expenses	487,896	6,608,010	1,319,434
Other	<u>-</u>	<u>-</u>	<u>-</u>
Total Expenses	<u>5,327,899</u>	<u>11,395,478</u>	<u>6,374,976</u>
<b>Net (Uses) of Funds</b>	<u>\$ (4,430,661)</u>	<u>\$ (10,525,765)</u>	<u>\$ (5,574,481)</u>
<b>Las Virgenes Share</b>	<u>(3,045,767)</u>	<u>(7,257,942)</u>	<u>(3,849,639)</u>
<b>Triunfo Share</b>	<u>(1,384,894)</u>	<u>(3,267,822)</u>	<u>(1,724,842)</u>

December 6, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Engineering and External Affairs

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**Subject : Tapia WRF Summer Season TMDL Compliance and Meter Replacement Project: Approval of Scope Change**

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**SUMMARY:**

On September 13, 2021, the JPA Board authorized the award of a construction contract to Pacific Hydrotech Corporation (PHC) for the Tapia Water Reclamation Facility (WRF) Summer Season Total Maximum Daily Load (TMDL) Compliance and Meter Replacement Project. The scope of work generally includes the extension of a potable water pipeline and appurtenances; reconfiguration of the effluent overflow basin at Tapia WRF; installation of a new flow meter; and associated mechanical and electrical installations.

At the pre-construction meeting for the project, PHC expressed concerns regarding the installation, long lead-time and long-term maintenance of the 30-inch diameter magnetic flow meter proposed for the project. Based on the concerns, staff revisited options for flow metering for Discharge Point No. 001 discharge point and identified a more cost-effective and easier-to-maintain alternative. The solution devised between staff, Stantec and AECOM involves revising the serpentine channel to accommodate a weir in the overflow basin that would allow for flow measurements in lieu of a more expensive magnetic flow meter.

Stantec requested a scope change to make the necessary revisions to the original design. The revisions include reducing the length of the first two serpentine contactor passes, adding an ultrasonic level transmitter and confirming the capacity of the chemical pumps that may need to deliver higher doses due to the reduction in contact time in the channel. Additional time for shop drawing review and responses to requests for information (RFIs) are also included in the scope change request. Staff anticipates that the cost of the scope change will be more than offset by the deductive change order to eliminate installation of a costly 30-inch diameter magnetic flow meter from the project. The amount of the deductive change order will be negotiated with the contractor. In addition, the JPA will achieve an on-going cost-savings due to the lower cost to operate and maintain the weir system with an ultrasonic level transmitter.

**RECOMMENDATION(S):**

Authorize the General Manager/Administering Agent to approve Scope Change No. 5 to Stantec Consulting Services Inc., in the amount of \$19,373, for additional design services associated with the Tapia Water Reclamation Facility Summer Season Total Maximum Daily Load Compliance and Meter Replacement Project.

**FISCAL IMPACT:**

Yes

**ITEM BUDGETED:**

Yes

**FINANCIAL IMPACT:**

Sufficient funds for the additional work are available in the adopted Fiscal Year 2021-22 Budget.

**DISCUSSION:**

Background:

The Tapia WRF Summer Season TMDL Compliance Project was developed in response to new nitrogen and phosphorus limits set forth by the 2017 Tapia WRF National Pollutant Discharge Elimination System (NPDES) permit. Nutrient limits established in the permit for total nitrogen (TN) and total phosphorous (TP) discharged to Malibu Creek from the Tapia WRF are seasonal.

The less stringent winter season limits of 4.0 milligrams per liter (mg/L) total nitrogen (TN) and 0.20 mg/L total phosphorus (TP) become effective November 16, 2030 and will be applicable from November 16 through April 14 of each year. The JPA's plan for compliance with the winter season TMDL nutrient limits will be through diversion of recycled water to the Advanced Water Purification Facility being proposed as part of the Las Virgenes-Triunfo Pure Water Project. The more stringent summer season limits of 1.0 mg/L TN and 0.10 mg/L TP go into effect on May 16, 2022, and are applicable from April 15 through November 15 of each year.

On May 7, 2018, the JPA Board approved breakpoint chlorination and the discharge of potable water to Malibu Creek as the preferred method to comply with the summer season limits. During the summer season, Tapia WRF is sometimes required to discharge to Malibu Creek to provide minimum flow rates as mandated in the NPDES permit; this base flow is intended to sustain habitat for endangered Steelhead and other wildlife. Because potable water does not meet the stringent NPDES nutrient limits, additional treatment is needed before discharging this resource to Malibu Creek. It was determined that recycled water will not be discharged to the Creek during the summer season as the additional treatment to achieve compliance would be infeasible.

Breakpoint chlorination of potable water was deemed the most feasible alternative for compliance, and involves adding enough chlorine to "bind" to any nitrogen that is present in potable water and eventually destroying neutralizing chloramines and forming only a free chlorine residual. Addition of chlorine to the "breakpoint" where a free chlorine residual is achieved deactivates the affect that nitrogen can have on aquatic resources. Free chlorine is then neutralized by adding sodium bisulfite before the water is discharged into the creek.

On April 29, 2019, the JPA Board accepted a proposal, in the amount of \$207,917.00 from



Stantec and authorized the Administering Agent/General Manager to execute a professional services agreement (PSA) for the Tapia WRF Summer Season Compliance Project: Design and Engineering Support During Construction. On March 11, 2020, the Administering Agent/General Manager executed a PSA with AECOM for the Tapia Metering Replacement Project in the amount of \$19,480.00 for Design and Engineering Support During Construction. Additionally, on April 5, 2021, the JPA Board approved a change of scope to incorporate the Tapia Metering Project into the Tapia TMDL Compliance Project bidding documents and to proceed as a combined project. Bidding and constructing these projects jointly was pursued to reduce the overhead costs associated with a separate call for bids, to eliminate potential conflicts of having two contractors on site, and to prevent interferences of underground utilities between the two projects.

#### Scope of Work for Design Services:

Stantec's PSA involves designing an extension of a potable waterline along Malibu Canyon Road from the Pioma Road intersection, south and across Malibu Creek to the Tapia effluent overflow structure. Modifications to the effluent structure include baffles, analyzers, chemical storage tanks, and piping that need to be installed to allow sufficient contact time for breakpoint chlorination treatment in the overflow structure, prior to discharge to Malibu Creek.

During design workshops, additional design elements were discussed prompting several scope changes. These scope changes are summarized as follows:

1. Scope Change No. 1 – Additional field topographic surveying. (Administratively approved, July 2019)
2. Scope Change No. 2 – Additional efforts for electrical power supply design modifications and for plan sheets for locating a sodium bisulfite pump at the chemical storage and feed facility. (Administratively approved, August 2019)
3. Scope Change No. 3 – Additional design of a chemical manual valve manifold which will improve the safety for operator access and adjustment of valves for chemical delivery; additional field investigation for pipeline alignment; additional support services for a California Department of Fish and Wildlife (CDFW) Streambed Alteration Agreement (SAA). (Board Approved, December 2019)
4. Scope Change No. 4 – Included pipeline design revisions to place flexible expansion joints within a vault, versus hanging them underneath the bridge, and incorporating the flow meter plans into the TMDL Compliance contract documents.

On October 20, 2021, staff held a pre-construction meeting that was attended by several staff members, the contractor, Stantec and the AECOM design engineer for the meter design. The plans, schedule, material lead times, construction phasing and instrumentation installation were all discussed. It was noted that the 30-inch diameter magnetic flow meter had a long lead-time for procurement, is complicated to install, and requires regular maintenance. The team revisited options for flow metering of Tapia effluent routed to Discharge Point No. 001. The possibility of revising the serpentine channel to accommodate a weir in the overflow basin for flow measurement was reconsidered. Preliminary calculations show that shortening the serpentine channel to incorporate a weir into the channel wall would decrease the contact time for breakpoint chlorination from approximately 12 to 10.5 minutes. Stantec determined that this would still be sufficient time to achieve breakpoint chlorination at the maximum flow rate of

2.5 cubic feet per second for streamflow augmentation.

Stantec requested a scope change to make design revisions to add the overflow weir. Attached are is a copy of Scope Change No. 5, which also includes an optional task to add Streambed Alteration Agreement reporting services. However, the amount for the reporting, which is a requirement of California Department of Fish and Wildlife, is not included in the amount for Scope Change No. 5.

Following is a summary of the scope changes and fee adjustments:

Description	Cost	Fee with Adjustment	Cumulative change	percent
Original Contract	\$207,917.00	---		
Scope Change No. 1	\$12,400.00	\$220,317.00	5.96%	
Scope Change No. 2	\$7,450.00	\$227,767.00	9.55%	
Scope Change No. 3	\$15,609.00	\$243,376.00	17.1%	
Scope Change No. 4	\$17,892.00	\$261,268.00	25.7%	
Scope Change No. 5	\$19,373.00	\$280,641.00	35.0%	

The cost of Scope Change No. 5 to Stantec, as well as the construction plan change costs from the contractor, will be offset by an estimated \$164,000 in deductions for removing the installation of the 30-inch diameter magnetic flow meter from the contract. Staff recommends proceeding with the design revisions to reduce the overall construction cost, increase flow measurement accuracy and provide easier and lower cost long-term maintenance.

Prepared by: Veronica Hurtado, Assistant Engineer

**ATTACHMENTS:**

Attachment 1 - Proposed Scope Change No. 5

November 10, 2021

**Attention:** Veronica Hurtado  
Las Virgenes Municipal Water District (LVMWD)  
4232 Las Virgenes Road  
Calabasas, CA 91302

**Reference: Change Order #5 for Tapia Water Reclamation Facility Summer Season Waste Load Allocation Compliance Design and Services During Construction Project**

Dear Ms. Hurtado,

Stantec Consulting Services Inc. (Stantec) has prepared a proposed scope of work and detailed cost estimate to complete the design change to add an overflow weir into the contact basin, as summarized below. We understand that this is a benefit to LVMWD and the overall construction cost and we are able to revise the design accordingly. Additionally, we have included additional services during construction for submittal review and request for information (RFI) responses as needed, and an optional service to support the California Department of Fish and Wildlife (CDFW) Streambed Alteration Agreement (SAA) reporting requirements. The modifications represent a change in original assumptions from the contract scope of services and will require additional effort to complete.

### **Overflow Weir - Scope of Services**

Stantec will make the following design revisions in order to add the overflow weir, according to the markups in Attachment B and notes below:

- Reduce the length of the first two serpentine contactor passes and design a sharp crested weir plate at elevation to measure flow to outfall 001 during winter operations.
- Add a new ultrasonic level transmitter for measurement of the water level upstream of the weir, and calculation of the flow over the weir for the control strategy
- Provide additional capacity for the chemical dosing pumps to provide flexibility to deliver higher doses if required due to reduction in contact time

### **Additional Shop Drawing Reviews and RFI Responses During Construction –Scope of Services**

Stantec will provide additional engineering services during construction consisting of:

- RFI Responses: Stantec assumes 2 hours per RFI and has budgeted for an additional 5 RFIs.
- Shop Drawing Reviews: Stantec will provide up to five (5) hours of review per shop drawing submittal forwarded by JPA staff for compliance with the requirements of the Contract Documents. The scope assumes 10 additional submittals, including re-submittals.

### **Streambed Alteration Agreement Reporting – Optional Scope of Services**

Stantec will compile the monitoring information provided by others and prepare in compliance with reporting requirements of the draft SAA dated 11/1/2021 from CDFW to David Pedersen for LVMWD to submit. We have budgeted based on the preparation of pre and post construction notifications, a pre-construction survey memorandum, and a final construction monitoring report, and if requirements are greater than this a scope change will be required.

## **Assumptions and Exclusions**

### **Assumptions**

- The emergency overflow weir elevation of 470.50 is accurate per the record drawings provided by LVMWD to Stantec
- Updated design documents will be submitted as a revision to the documents for construction. Incorporation of review comments after submission is not included in the scope of services.

- Revisions requiring additional quality review not included within original scope of services. Time for QA/QC for the design revisions is included herein.
- Data required for the preparation of required SAA reports will be provided by LVMWD and/or other entities performing monitoring and survey activities; Stantec is not scoped to provide this information.
- All SAA report submittals are digital.

### Exclusions

- Stantec is not providing scope and costs for on-site monitoring activities for the SAA but can provide upon request.
- Scope and costs do not include any site visits or fieldwork.

It is anticipated that the work will be based on the contract terms and rate schedule previously agreed to between the LVMWD and Stantec under PO#17442-OJ. The level of effort to complete the scope of work is \$19,393 or 27,812 (with optional SAA reporting support) which increases the current contract amount of \$261,268 to \$280,641 or \$289,080. Estimated hours and budgets are provided in Attachment A, using the schedule of billing rates from the executed contract, including 2021 rates escalated by 3% per the executed contract terms.

After approval and subsequent notice to proceed for this change, the schedule to produce updated drawings and specifications to include the overflow weir to LVMWD is two weeks from notice to proceed. The other services will be performed through the duration of construction, and an updated extension for the project given the construction schedule is assumed as August 2022. If you have any questions, please contact Zakir Hirani at (626) 568 6093.

Thank you for your consideration of this change order request.

Sincerely,

**Stantec Consulting Services Inc.**



**Zakir Hirani, PE**

Project Manager (626) 568-6093

zakir.hirani@stantec.com

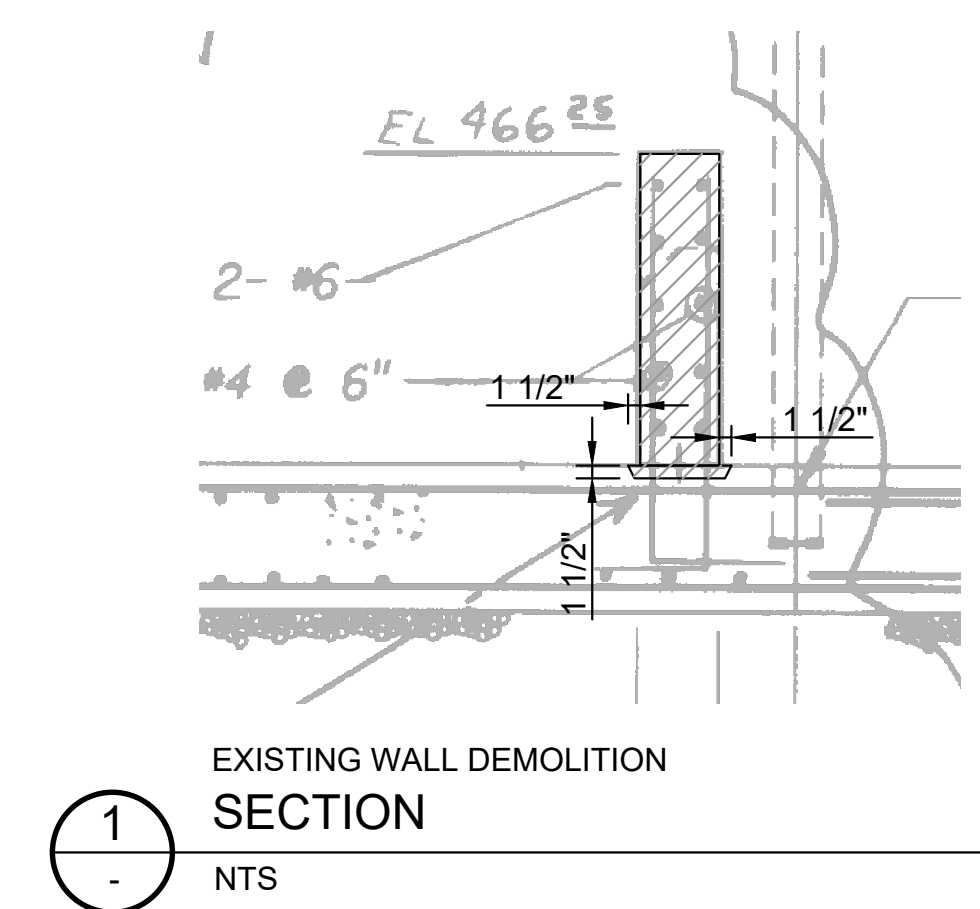
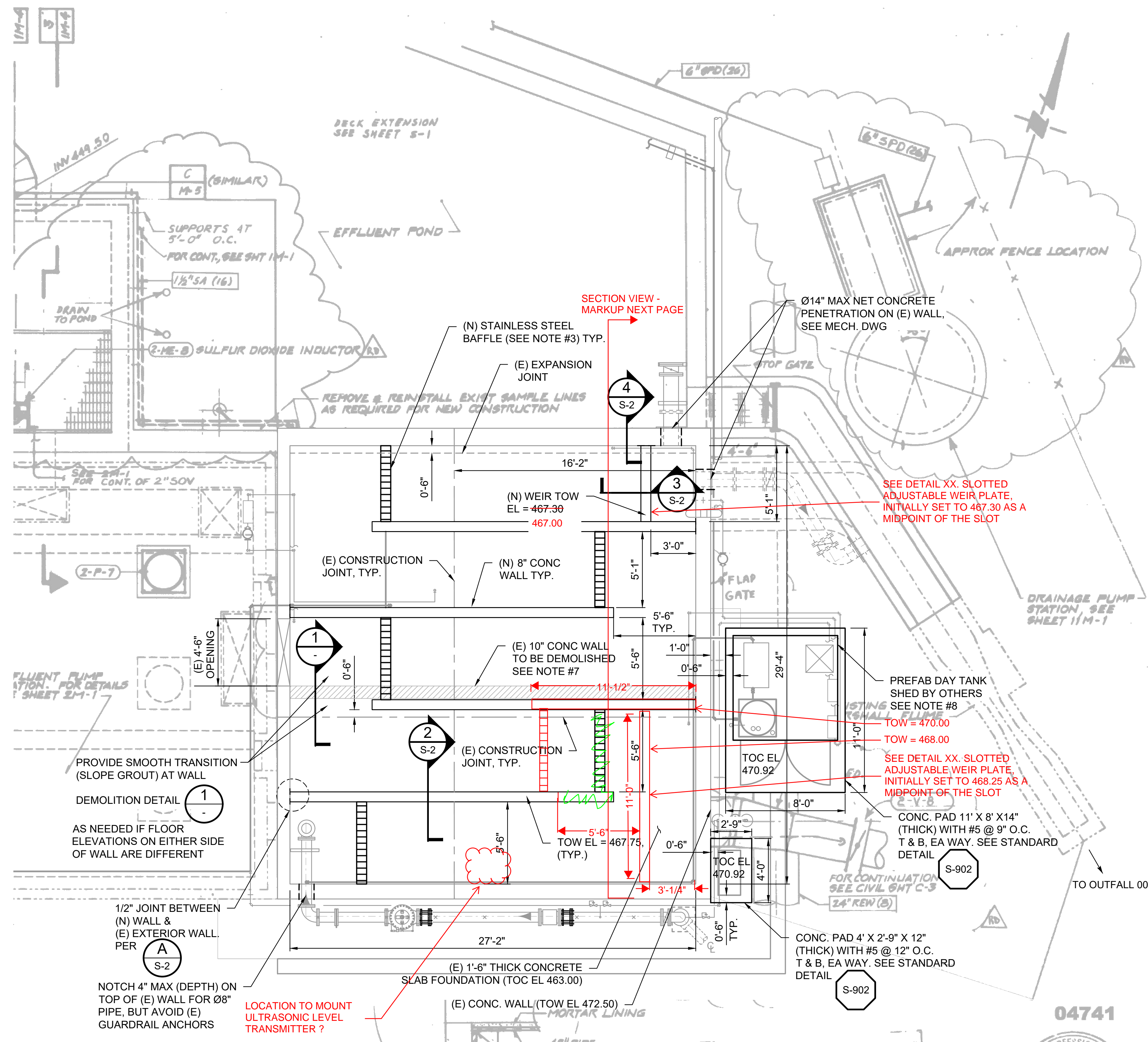
**Attachment A: Fee Estimate & Updated Rates**

Las Virgenes - Triunfo JPA - Tapia WRF Summer Season Waste Load Allocation Compliance Design and Services During Construction														
		\$318.27/hr	\$259.92/hr	\$238.7/hr	\$223.85/hr	\$196.27/hr	\$167.62/hr	\$145.34/hr	\$128.37/hr					
Task	Activity Description	Principal-in-Charge	Supervising Engineer - I	Supervising Engineer - II	Professional Engineer - I	Professional Engineer - II	Associate Engineer - I	Associate Engineer - II	Junior Engineer	TOTAL HOURS	Labor Charge	Other Direct Costs (ODCs)	Subcontractor	Total Charge
1	Project Management						3			3	\$503			\$503
2	Data Collection and Review									0	\$0			\$0
3	Detailed Design (Change Order #5 - Overflow Weir)			2	8	10	12	2	12	46	\$8,074			\$8,074
4	Bid Phase Support									0	\$0			\$0
5	Engineering Services During Construction (Change Order #5 -Additional Review)		4		12	12	12	8	12	60	\$10,796			\$10,796
6	Permitting									0	\$0			\$0
	<b>TOTAL</b>	<b>0</b>	<b>4</b>	<b>2</b>	<b>20</b>	<b>22</b>	<b>27</b>	<b>10</b>	<b>24</b>	<b>109</b>	<b>\$19,373</b>	<b>\$0</b>	<b>\$0</b>	<b>\$19,373</b>
<b>OPTIONAL TASKS</b>														
A	Permitting (Change Order #5 - SAA Reporting)				5		35	10		50	\$8,439			\$8,439
	<b>OPTIONAL TASKS SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>35</b>	<b>10</b>	<b>0</b>	<b>50</b>	<b>\$8,439</b>	<b>\$0</b>	<b>\$0</b>	<b>\$8,439</b>
											<b>TOTAL</b>			<b>\$27,812</b>

**Attachment B: Overflow Weir Concept Design Markups**

**GENERAL SHEET NOTES**

- BACKGROUND AND EXISTING STRUCTURAL INFORMATION TAKEN FROM AS-BUILT SET: TAPIA WRF - REGIONAL FACILITIES EXPANSION IV - FILTRATION / DISINFECTION ADDITION, 1990. SEE MECHANICAL DRAWING FOR PROPOSED PIPE ALIGNMENT.
- EXISTING STRUCTURE DIMENSIONS AND CONFIGURATION ARE BASED ON AS-BUILT DRAWINGS AND ARE APPROXIMATE. THE CONTRACTOR SHALL CONFIRM AND COORDINATE ALL CONTROLLING FIELD DIMENSIONS AND CONDITIONS BEFORE ORDERING OR FABRICATING ANY MATERIALS.
- CONTRACTOR SHALL DESIGN, FURNISH, AND INSTALL STAINLESS STEEL BAFFLE WALL AND REQUIRED CONNECTIONS FOLLOWING SPECIFICATION SECTION 46 43 80.
- THE CONTRACTOR SHALL VERIFY AND LOCATE ANY EXISTING CONDUIT REINFORCEMENT PRIOR TO ANY DEMOLITION WORK. DEMOLITION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS SHOWN ON THIS DRAWING AND THE SPECIFICATION.
- FOLLOWING COMPLETION OF DEMOLITION WORK, EXISTING CONCRETE SURFACES AGAINST WHICH CONCRETE OR GROUT WILL BE PLACED SHALL BE PREPARED IN ACCORDANCE WITH SPECIFICATION SECTION 03 31 00.
- WHERE THE CONCRETE SURFACE AT THE REMOVAL LINE IS FINISHED SURFACE, THE REINFORCEMENT SHALL BE CUT BACK 1.5 INCHES BELOW THE FINISHED CONCRETE SURFACE (SEE DETAIL 1-). THE ENDS SHALL BE PAINTED WITH EPOXY PAINT AND THE REMAINING HOLES PATCHED WITH CONCRETE REPAIR MORTAR APPLIED IN ACCORDANCE WITH MANUFACTURER'S REQUIREMENTS.
- AFTER DEMOLITION OF EXISTING WALL, APPLY GROUT SLOPE TO LEVEL OUT ANY DIFFERENT SLAB ELEVATIONS AT BOTH SIDES OF EXISTING WALL.
- PREFAB DAY TANK SHED TO BE DESIGNED, DETAILED, FURNISHED AND INSTALLED BY MANUFACTURER PER SPECIFICATION SECTION 46 30 00 -2.5.



Monday, May 24, 2021 4:28:34 PM C:\P\WORK\DIR\0546584132024S-1.DWG QUINTE, REBECCA

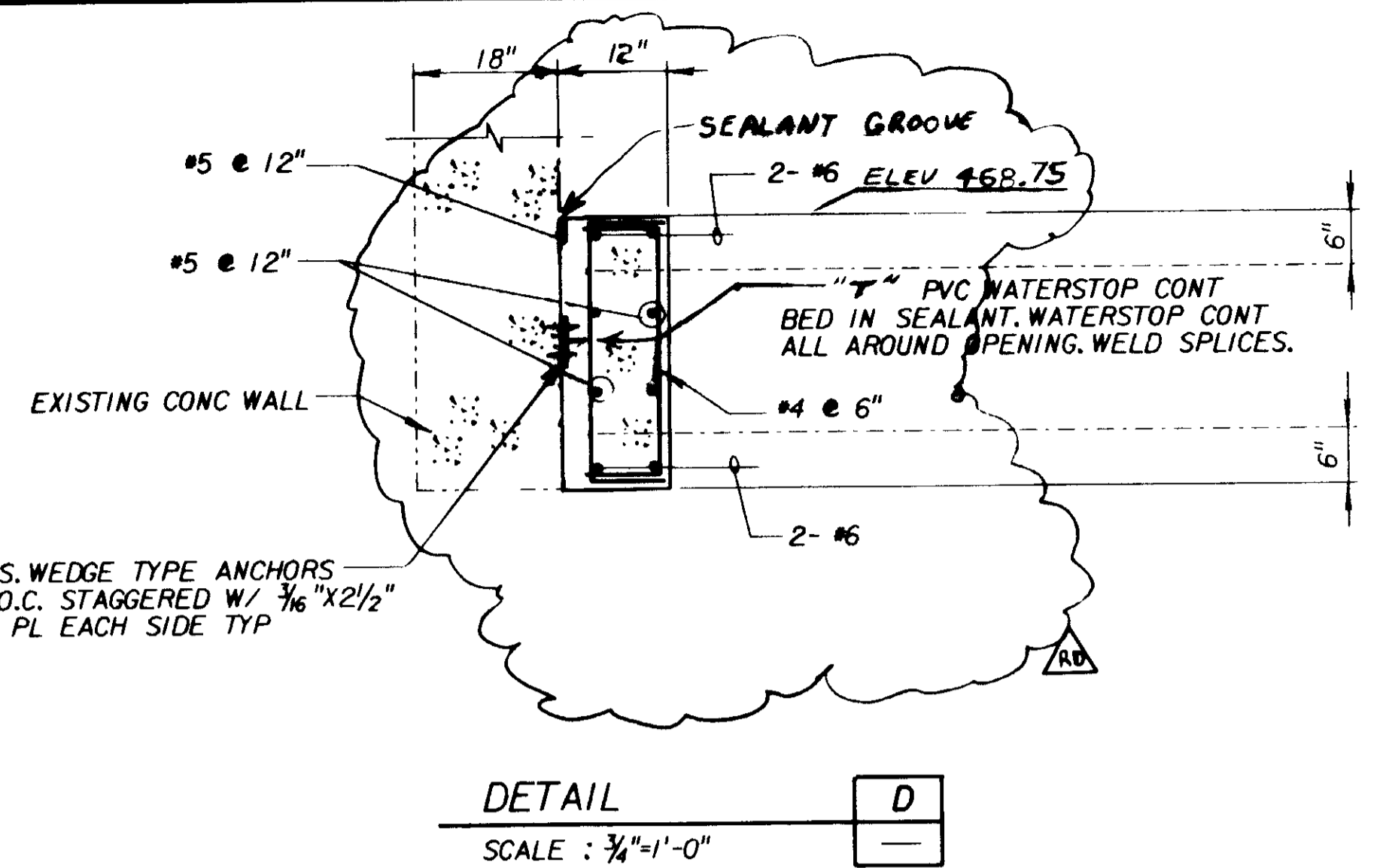
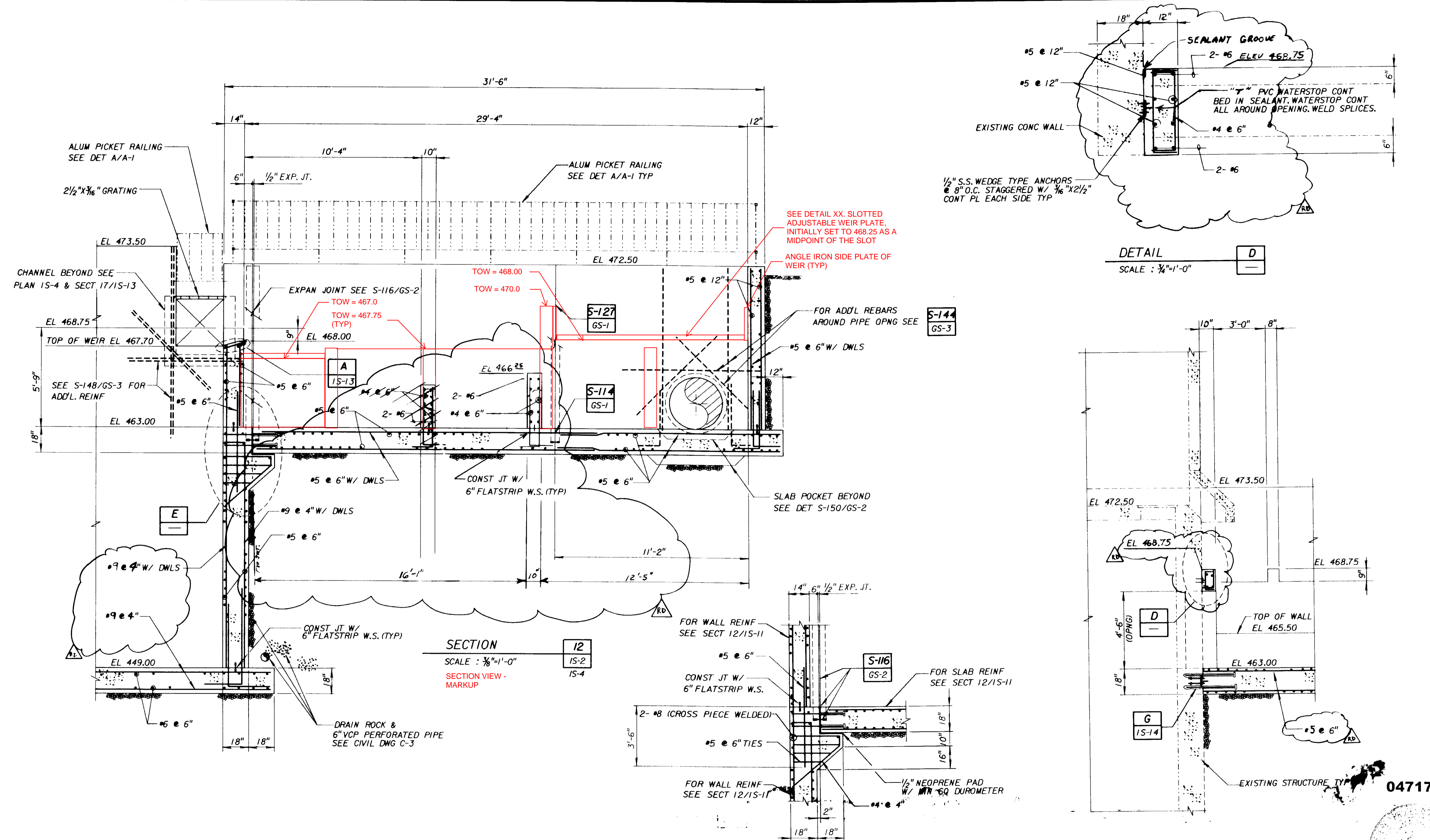
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0	05/21	STN	FINAL DESIGN

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DESIGNED	S.LIN
DRAWN	V.HO
CHECKED	L.SOOHOO

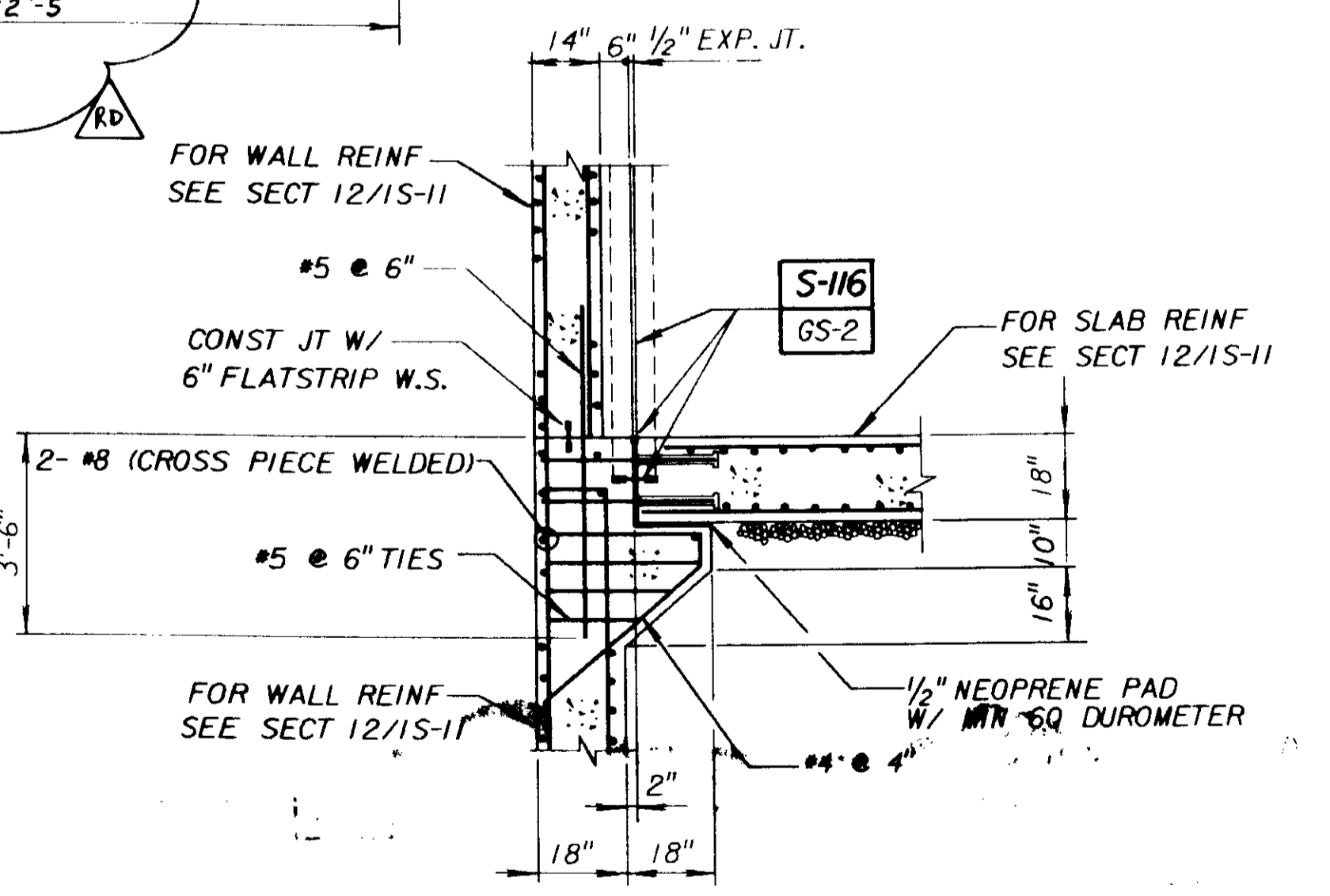
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SUBJECT TO ADDENDA



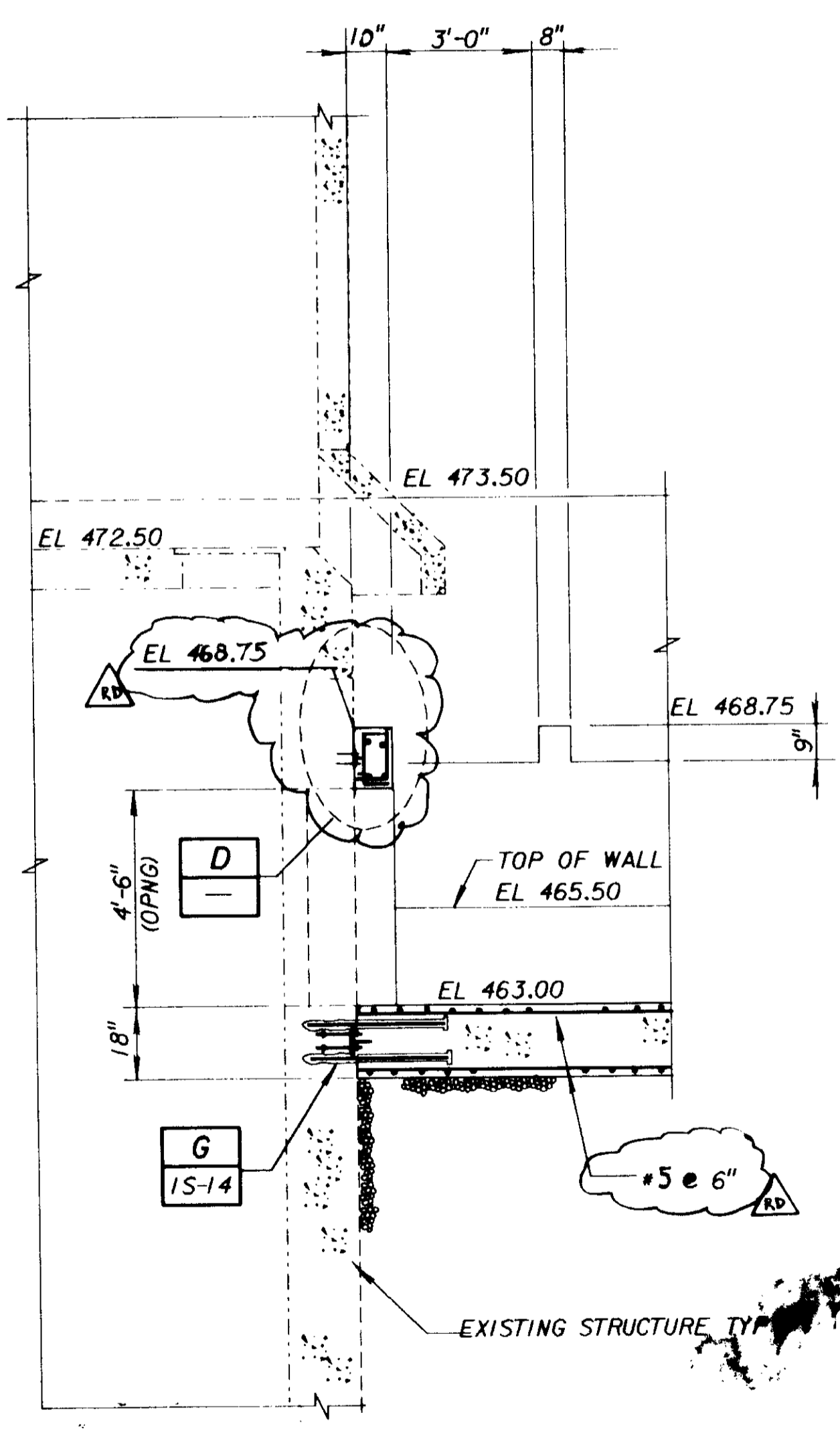


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**SECTION** 12  
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SECTION VIEW - MARKUP



**DETAIL** E  
SCALE: 3/8"=1'-0"



**SECTION** 13  
SCALE: 3/8"=1'-0"

PROJECT RECORD DOCUMENT  
C.W. Roen Const Co  
P.O. 4 Davisville, CA 94526  
DATE: 2-9-94 By: BCL

JOB NO. FILE NO.

REV	DATE	BY	DESCRIPTION
RD 2-9-94			As-built - Rebar

SCALE: AS NOTED  
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DRAWN: [Signature]  
CHECKED: [Signature]

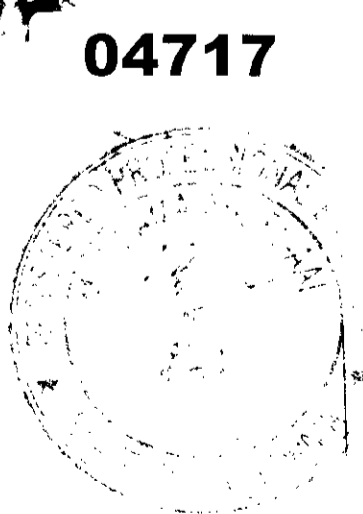
SUBMITTED: *David M. Roen* 4-10-94 11/20/90  
PROJECT ENGINEER R. C. E. NO. DATE  
SUBMITTED: *James M. Montgomery* 5-30-94 7/12/90  
CONSULTING ENGINEERS, INC. R. C. E. NO. DATE

**James M. Montgomery**  
Consulting Engineers, Inc.  
Pasadena, California

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

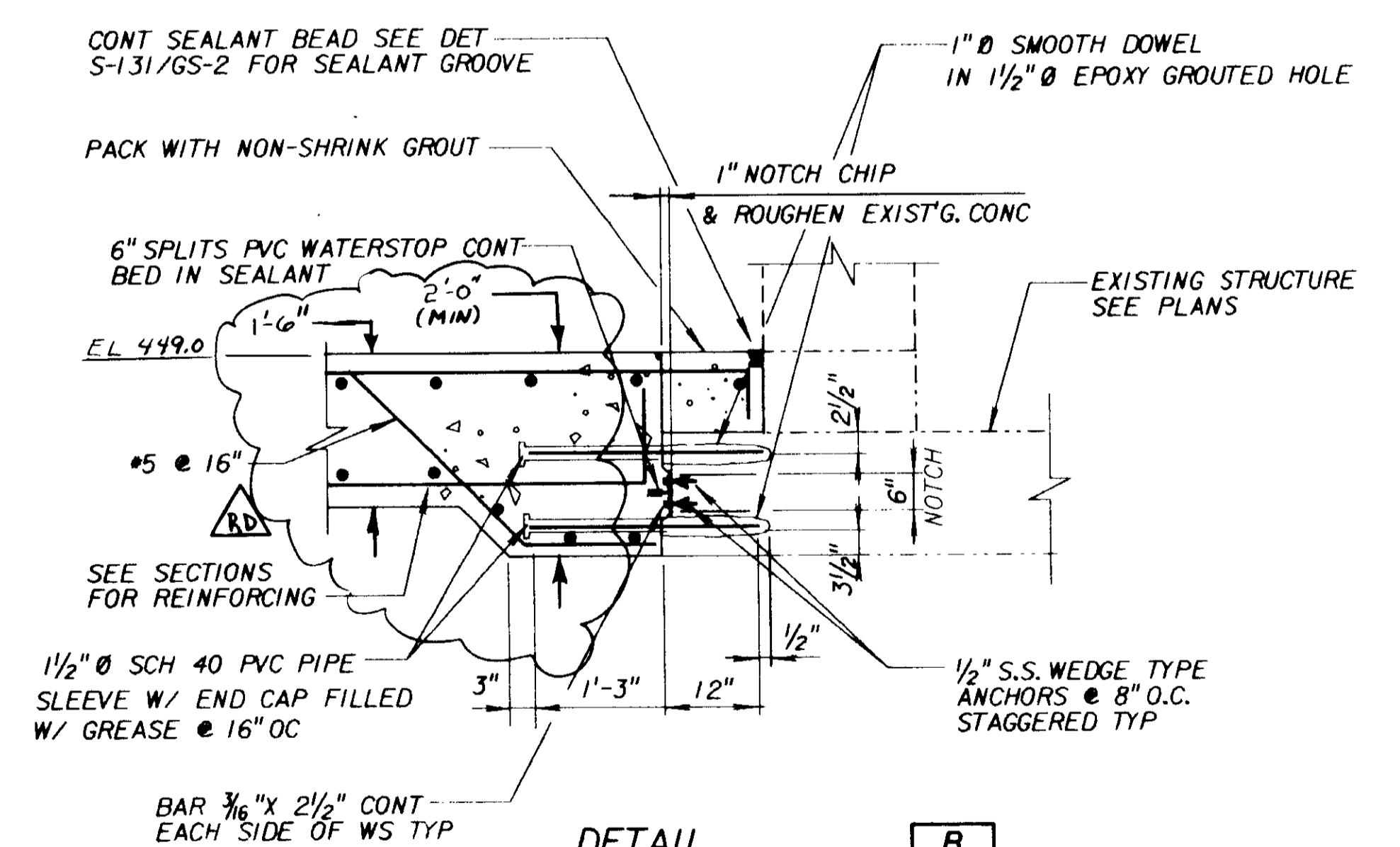
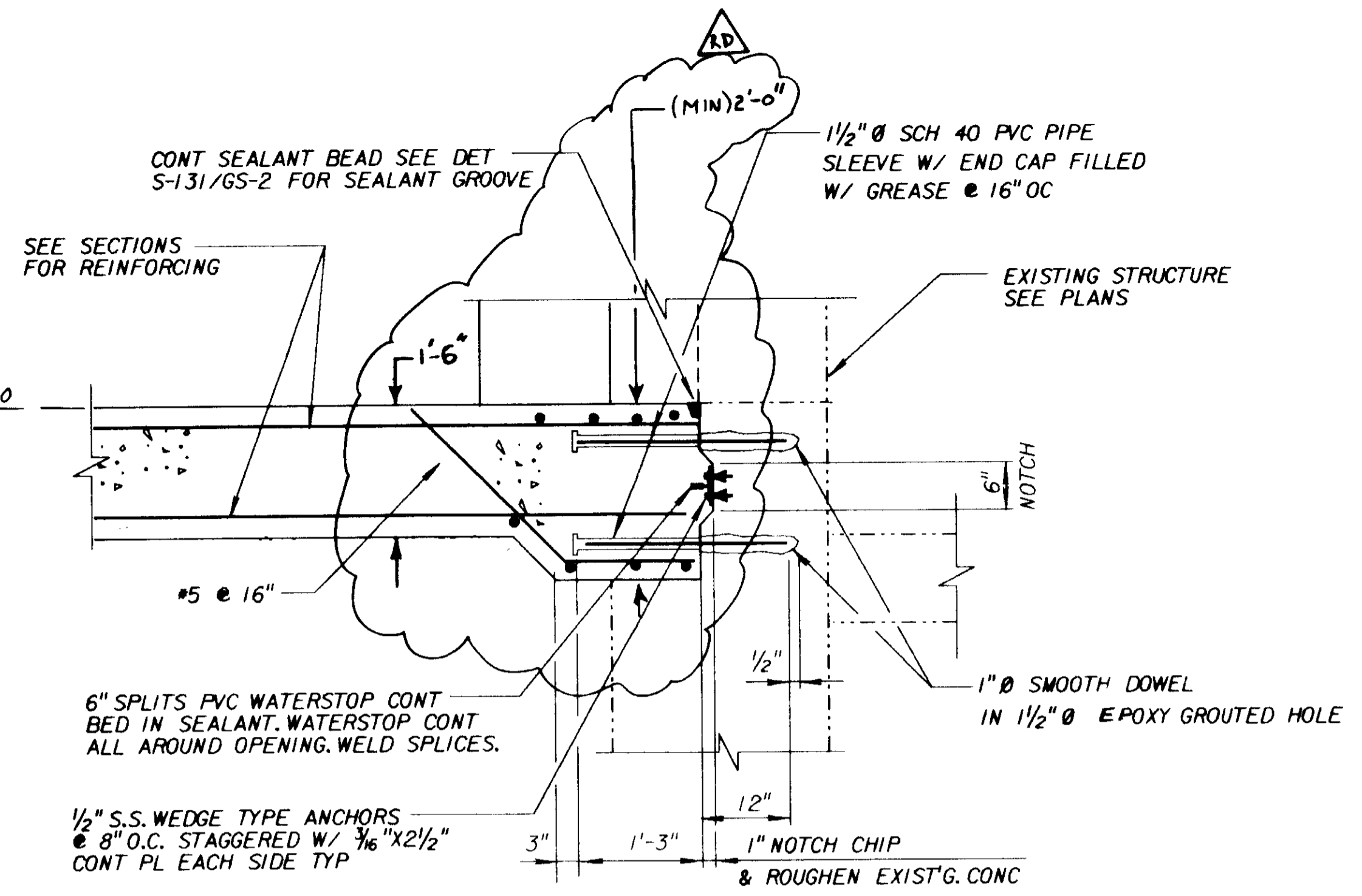
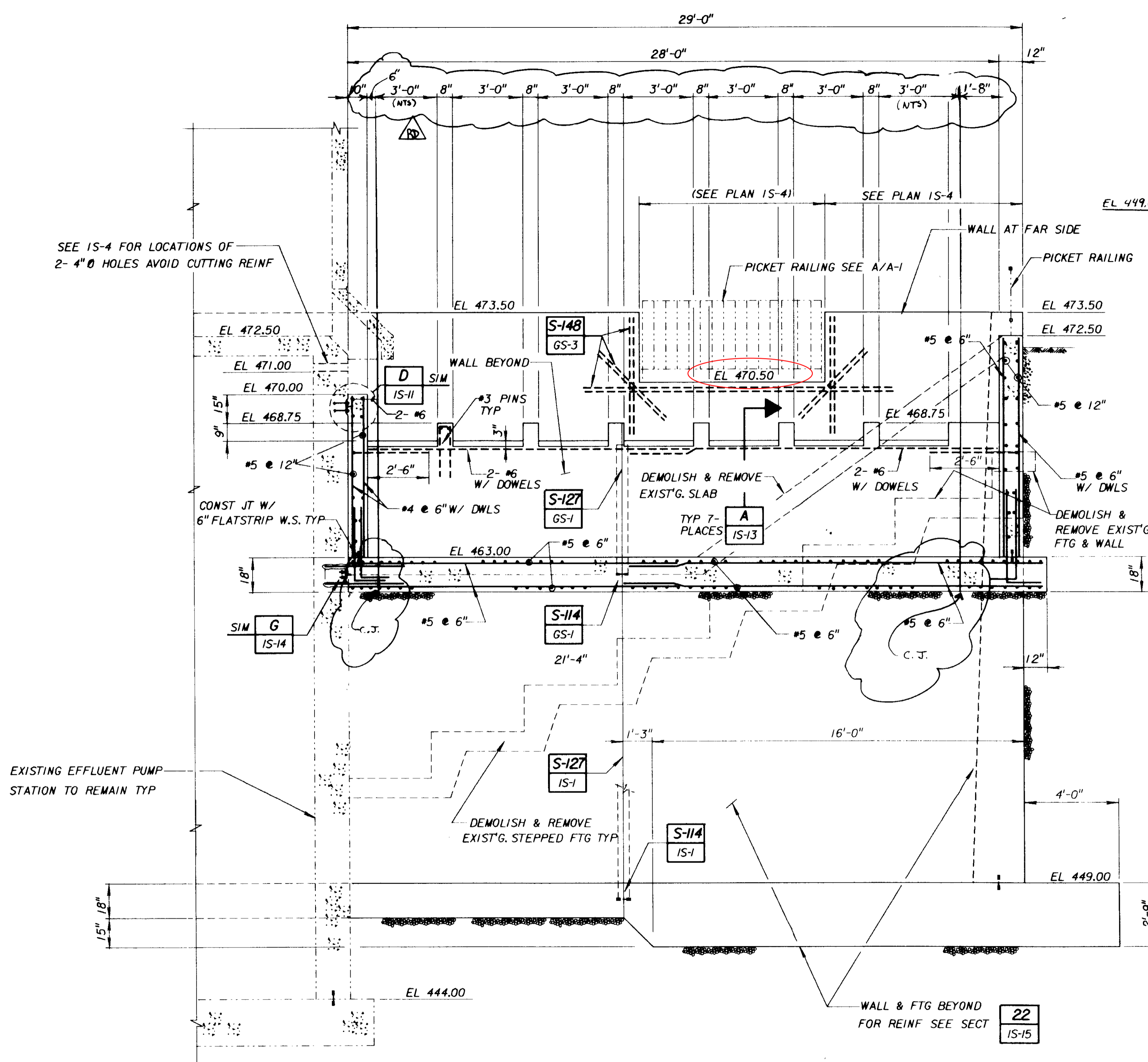
LAS VIRGENES MWD / TRIUNFO CSD  
TAPIA WRF - REGIONAL FACILITIES EXPANSION IV  
FILTRATION / DISINFECTION ADDITION  
**POND OVERFLOW SECTION I**

SHEET **IS-II** OF 110 SHEETS





**FOR REFERENCE - EMERGENCY OVERFLOW ELEVATION IS 470.50**



PROJECT RECORD DOCUMENT  
C.W. Roen Const Co.  
P.O. 4, Danville, CA 94526  
DATE: 2-9-94 By: *Red*

SECTION 15  
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IS-2  
IS-4

08.24.94 *C. O'Neil*

04718

JOB NO. FILE NO.	SCALE: AS NOTED	DESIGNED: <i>[Signature]</i>	SUBMITTED: <i>[Signature]</i> 4/10/94 11/26/90	APPROVED: _____ DATE: _____	LAS VIRGENES MWD / TRIUNFO CSD TAPIA WRF - REGIONAL FACILITIES EXPANSION IV FILTRATION / DISINFECTION ADDITION	SHEET IS-12 OF 110 SHEETS
	RD 2-9-94 AS-BUILT ADJUST / SHIPT DISIP	CHECKED: <i>[Signature]</i>	PROJECT ENGINEER: <i>[Signature]</i> 3/20/94 11/26/90			
PROJECT RECORD DOCUMENT C.W. Roen Const Co. P.O. 4, Danville, CA 94526 DATE: 2-9-94 By: <i>Red</i>				APPROVED: _____ DATE: _____ APPROVED: _____ DATE: _____		LAS VIRGENES MWD / TRIUNFO CSD TAPIA WRF - REGIONAL FACILITIES EXPANSION IV FILTRATION / DISINFECTION ADDITION EFFLUENT POND OVERFLOW SECTION 2
SECTION 15 SCALE: 3/8"=1'-0" IS-2 IS-4				APPROVED: _____ DATE: _____ APPROVED: _____ DATE: _____		SHEET IS-12 OF 110 SHEETS
James M. Montgomery Consulting Engineers, Inc. Pasadena, California				APPROVED: _____ DATE: _____ APPROVED: _____ DATE: _____		04718



**To:** Las Virgenes-Triunfo JPA Board of Directors and Staff  
**From:** John Freshman, Ana Schwab, and Lowry Crook  
**Date:** November 30, 2021  
**RE:** Federal Report

### **Bipartisan Infrastructure Plan Provides 5 Years of Ample Funding Opportunities**

After months of negotiations, Congress passed the Bipartisan Infrastructure Plan, H.R.3684, and President Biden signed the legislation into law on November 15. The monumental infrastructure package will provide \$1.2 trillion in federal investments throughout the nation. There is a total of \$550 billion in new, federal investment for bridges, roads, broadband, water systems, and ports. The bill is intended to revitalize the nation's economy on a local, state, national level, with ample federal loan and grant opportunities. The objective is to support an array of projects, including repairing aged infrastructure and designing, planning, and constructing new, innovative infrastructure projects. These projects will provide new jobs and businesses across the country. There is an overall federal prioritization for projects that aim to address climate change, environmental justice, and underserved communities.

The largest portion of the bill's funding, \$150 billion, is for transportation priorities, including highways, roads, and bridges. Due to increased advocacy regarding climate change, drought, and water infrastructure needs, water infrastructure investments include a total of \$55 billion for the Environmental Protection Agency (EPA). In addition, \$8.3 billion is designated for the Bureau of Reclamation in order to address water drought issues as well as water storage and recycling efforts by Reclamation states. The Army Corps of Engineers of Civil Works received \$16.65 billion for the projects under their administration.

Water infrastructure funding opportunities will be available in existing programs as well as newly created programs in the package. Funding will be provided in the form of grants, principal forgiveness loans, and loans. Programs were authorized at various funding levels, and funds are to be made available each fiscal year. The first round of funding will be made available in fiscal year 2022. BB&K will be closely monitoring funding opportunities that will fit Las Virgenes-Triunfo JPA's short-term and long-term priorities and goals.

Due to the five-year authorizations and guaranteed appropriations, the infrastructure package provides flexibility for water agencies to use funding in the next year for immediate project planning or necessary repairs while also being able to strategize funding opportunities for future projects in the next five years. The federal investment in this package will be in addition and separate from funding provided in the traditional fiscal year appropriations, which means more water and wastewater infrastructure projects will receive federal funding in the next five years. Now is the time to evaluate, plan and strategize water priorities in order to secure federal financing for minor and major projects.



#### Water funding highlights:

- \$11.7 billion for the *Clean Water State Revolving Fund*, states are required to distribute 49 percent of funds as grants or principal forgiveness loans
- \$11.7 billion for the *Drinking Water State Revolving Fund*, states are required to distribute 49 percent of funds as grants or principal forgiveness loans
- \$15 billion for lead pipe replacement through the *Drinking Water State Revolving Fund*, states are required to distribute 49 percent of funds as grants or principal forgiveness loans
- \$4 billion for the *Drinking Water State Revolving Funds* capitalization grants to mitigate emerging contaminants, including perfluoroalkyl and polyfluoroalkyl substances (PFAS)
- \$1.15 billion for water storage, groundwater storage and conveyance projects
- \$3.2 billion for the *Aging Infrastructure Account*
- \$1 billion for previously authorized rural water projects
- \$550 million for water recycling and reuse projects
- \$450 million for large-scale water recycling and reuse projects with a construction cost of more than \$500 million
- \$500 million for dam safety
- \$400 million for *WaterSMART*
- \$300 million for Bureau of Reclamation obligations under the Colorado River Drought Contingency Plan
- \$250 million in *Aquatic Ecosystem Restoration*
- \$250 million for water desalination projects
- \$11.6 billion for Construction funding (Army Corps of Engineers)
- \$4 billion for Operations and Maintenance funding (Army Corps of Engineers)
- \$150 million for Investigation funding (Army Corps of Engineers)
- \$75 million for *WIFIA* direct loans and guaranteed loans (Army Corps of Engineers)

#### **Packed Agenda for Congress in these Final Legislative Weeks**

Before the end of the year, Congress has series of must-pass bills to address: fiscal year 2022 appropriations, the debt ceiling and the National Defense Authorization Act. All three of these have deadlines in December, which can be pushed back to a certain degree. In addition, Democratic leadership passed the social spending plan of President Biden’s economic agenda, the Build Back Better Act, H.R.5376. Currently, negotiations are happening on all fronts, and it is unclear which issues will be completed first and which deadlines will be pushed back.

The most urgent upcoming deadline is the government funding deadline—a current stopgap funding the government expires on December 3. Due to an increasingly short timeline, Congress may pass an additional continuing resolution that will extend the funding deadline into late



December or mid-January. The stopgap would maintain funding levels at current spending levels.

For background, the Senate has not yet passed all of its appropriations bills. The House and Senate still need to settle on the topline numbers and then the finer details of the funding bills. Negotiations are occurring behind closed doors, and an agreement could be reached quickly. Overall, funding levels are similar between the House and Senate bills. The biggest difference is how much increased spending Republicans leaders are willing to spend on defense and domestic social programs versus the Democrats. The Senate Appropriations Committee released its appropriations bills without negotiating with Republican committee members, and many Republican senators did not support the released appropriations bills.

The next upcoming deadline is the debt ceiling, which Treasury Secretary Janet Yellen declared as December 15. Treasury Secretary Janet Yellen has urged Congress to address the debt ceiling as soon as possible in order to maintain economic stability. Democratic leaders have not announced how they plan to deal with the deadline. Possibilities include suspending the debt limit or increasing the debt limit ceiling. The next question is how leadership plans to vote on it. The debt ceiling may be attached to another package, such as the NDAA, an omnibus for the appropriations bills, or a rewrite of the reconciliation package.

Another must-pass bill is the NDAA, which the Senate has been working on for the past several weeks. Before the Thanksgiving recess, the Senate began its formal debate process and introduction of amendments from senators. The bill includes \$25 billion more in spending than President Biden requested. Due to procedural delays with the quantity of amendments introduced, the Senate will continue its debate process on the NDAA this week. Upon passage in both chambers, the House and Senate will go into conference to finalize next year's NDAA. The House already passed their version of the NDAA. The House version includes stringent PFAS drinking limit standard deadlines and cleanup proposals, which currently is not included in the Senate version. It is possible that senators will introduce more PFAS-related amendments during the debate process. This is among the issues that will be debated in conference. In last year's conference, the only PFAS measures that remained were for cleanup and monitoring on military bases.

Overall, the situation is fluid, and any of the legislative priorities could be passed quickly within the next few weeks.

### **Build Back Better Act: Part II of President Biden's Economic Plan**

A legislative win is expected again for the Biden Administration if Congress can pass the second key part of Biden's economic agenda, the Build Back Better Act. In total, the current bill amounts to \$1.75 trillion, which infuses spending in social programs, Medicare costs, drug



pricing, climate change efforts, and more. The bill contains major tax policy changes, ranging from child tax credit to increased corporate taxes to trust and estates taxes.

The Congressional Budget Office released its evaluation of the reconciliation bill. It estimated the bill would increase the deficit by a net of \$367 billion from fiscal year 2022 through 2031. It would raise an estimated \$1.27 trillion in revenue over that period. The cost of the bill is a major sticking point for more moderate Democratic senators.

The House passed the bill with an expected party-line vote through the reconciliation process. The bill will then go to the Senate, and it is expected for the Senate to change certain components of the bill due to demands from Sens. Joe Manchin (D-WV) and Krysten Sinema (D-AZ). The reconciliation bill, upon its passage in the House, is a lower priority in the Senate due to the pressing deadlines for appropriations, budget, and the NDAA. However, major negotiations are expected to transpire over the next few months. The Build Back Better Act is a major pillar in President Biden's economic agenda, and Congressional Democrats want to use the reconciliation opportunity to pass monumental policy overhauls.

One of the contested policy areas is the SALT caps. Senators Bernie Sanders (I-VT) and Bob Menendez (D-NJ) want to ensure the SALT cap provisions remain in the final reconciliation bill. Currently in the House version, the measure would increase the \$10,000 cap on the state and local income tax deduction to \$80,000 through 2030. In 2031, it would return to \$10,000 and then expire. The Republicans' 2017 tax law created the cap on the amount of individual property and income or sales tax payments individuals can deduct from their federal taxes.

Another tax policy provision of note is a provision that would exclude from an individual's gross income utility or government rebates or subsidies for water conservation, stormwater management, and wastewater management. The provision would be effective retroactively to Tax Year 2019.

In addition to increased funding and tax overhauls, the bill includes more funding opportunities for water and wastewater systems:

- \$9 billion to replace lead water service lines in disadvantaged communities and install lead filtration systems in schools and child care facilities
- \$225 million in grants for the *Low Income Household Water Assistance Program*
- \$1.77 billion for direct loans and grants to be administered by the Department of Housing and Urban Development for energy and water efficiency projects for multifamily properties
- \$1.85 billion for *Sewer Overflow and Stormwater Reuse Municipal Grants*
- \$550 million for Bureau of Reclamation water supply projects for disadvantaged communities
- \$400 million for National Forest Service Management for Water Source Areas



- \$150 million for repairing household septic systems or connecting to public sewer systems
- \$125 million for *Alternative Water Source Project Grants*
- \$100 million for *Large-Scale Water Recycling and Reuse*
- \$100 million in grants for inland water bodies with reduced water availability
- \$97 million in grants for *USDA Rural Water and Wastewater programs*
- \$25 million for emergency drought relief for tribes

Changes are expected in more contested policy areas, such as climate change provisions and tax rates for corporations. For policy provisions and funding like water, there might be cuts in spending amounts, but most of the provisions are expected to remain. All eyes will be on the Senate over the next few months as they negotiate the details of the Build Back Better Act.

### **PFAS**

In mid-November, EPA requested the agency's Science Advisory Board to review draft documents regarding the effects of certain per- and polyfluoroalkyl substances on human health. This step is part of the preliminary process to determine the severity of PFAS's exposure on health, which in turn, will affect how stringent a drinking water standard will be. The findings suggest that negative health effects occur at lower exposure rates to PFAS than previously believed. Upon peer review, the information will be used for the development of maximum contaminant level (MCL) goals. These draft documents and findings will be made available to the public.

**LAS VIRGENES-TRIUNFO - HIGH PRIORITY LEGISLATION IN THE 117TH CONGRESS  
THROUGH NOVEMBER 29, 2021**

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.202</u></a> <a href="#"><u>SALT Fairness Act of 2021</u></a>	This bill repeals the temporary restrictions in taxable years 2018 through 2025 on the deductibility of state and local taxes.	Introduced by Rep. Mike Garcia (R-CA) – January 5, 2021	
<a href="#"><u>S.29</u></a> <a href="#"><u>Local Water Protection Act</u></a>	This bill reauthorizes through FY2025 programs within the Environmental Protection Agency that award grants to states for managing nonpoint source water pollution or protecting groundwater quality. Water pollution from nonpoint sources is caused by precipitation picking up pollution as it moves over or through the ground.	Introduced by Sen. Amy Klobuchar (D-MN) – January 22, 2021	
<a href="#"><u>S.Res.17</u></a> <a href="#"><u>A resolution expressing the sense of the Senate that clean water is a national priority and that the April 21, 2020, Navigable Waters Protection Rule should not be withdrawn or vacated.</u></a>	This bill reauthorizes through FY2025 programs within the Environmental Protection Agency that award grants to states for managing nonpoint source water pollution or protecting groundwater quality. Water pollution from nonpoint sources is caused by precipitation picking up pollution as it moves over or through the ground.	Introduced by Sen. Joni Ernst (R-IA) – January 27, 2021	
<a href="#"><u>H.R.616</u></a> <a href="#"><u>Emergency Water is a Human Right Act</u></a>	This bill creates a grant program, administered by the Department of Health and Human Services, to provide funds to states and Indian tribes to assist low-income households that pay a high proportion of household income for drinking water and wastewater services. Further, any entity receiving financial assistance under this grant program must ensure that no home energy service or public water system service is or remains disconnected or interrupted during the COVID-19 (i.e., coronavirus disease 2019) public health emergency.	Introduced by Rep. Rashida Tlaib (D-MI) – January 28, 2021	
<a href="#"><u>S.85</u></a> <a href="#"><u>SALT Deductibility Act</u></a>	This bill repeals the temporary restrictions in taxable years 2018 through 2025 on the deductibility of state and local taxes.  <i>Companion bill to H.R.613</i>	Introduced by Sen. Chuck Schumer (D-NY) – January 28, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.613</a> <a href="#">SALT Deductibility Act</a>	<p>This bill repeals the temporary restrictions in taxable years 2018 through 2025 on the deductibility of state and local taxes.</p> <p><i>Companion bill to S.85</i></p>	<p>Introduced by Rep. Thomas Suozzi (R-NY) – January 28, 2021</p>	
<a href="#">S.101</a> <a href="#">Environmental Justice Mapping and Data Collection Act of 2021</a>	<p>This bill establishes an interagency Environmental Justice Mapping Committee that must create a tool to identify environmental justice communities. Environmental justice communities are communities with significant representation of communities of color, low-income communities, or tribal and indigenous communities that experience, or are at risk of experiencing, higher or more adverse human health or environmental effects, as compared to other communities.</p> <p>The Environmental Protection Agency (EPA) must establish an environmental justice data repository to maintain the data collected by the committee. The EPA must make the repository available to regional, state, local, and tribal governments.</p> <p><i>Companion bill to H.R.516</i></p>	<p>Introduced by Sen. Edward Markey (D-MA) – January 28, 2021</p>	
<a href="#">H.R.516</a> <a href="#">Environmental Justice Mapping and Data Collection Act of 2021</a>	<p>This bill establishes an interagency Environmental Justice Mapping Committee that must create a tool to identify environmental justice communities. Environmental justice communities are communities with significant representation of communities of color, low-income communities, or tribal and indigenous communities that experience, or are at risk of experiencing, higher or more adverse human health or environmental effects, as compared to other communities.</p> <p>The Environmental Protection Agency (EPA) must establish an environmental justice data repository to maintain the data collected by the committee. The EPA must make the repository available to regional, state, local, and tribal governments.</p> <p><i>Companion bill to S.101</i></p>	<p>Introduced by Rep. Cori Bush (D-MO) – January 28, 2021</p>	
<a href="#">H.R.535</a> <a href="#">Special District Provide Essential Services Act</a>	<p>The bill would require the state’s to direct at least five percent of future Coronavirus Relief Fund (CRF) allocations to special districts within their state.</p> <p><i>Companion bill to S.91</i></p>	<p>Introduced by Rep. John Garamendi (D-CA) – January 28, 2021</p>	<p><i>SUPPORT</i></p>



LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>S.91</u></a>  <a href="#"><u>Special Districts Provide Essential Services Act</u></a></p>	<p>This bill makes special districts eligible for the Coronavirus Relief Fund and the Municipal Liquidity Facility program.</p> <p>Specifically, the bill makes special districts eligible for payments from amounts paid to states from any new appropriations to the fund. A special district must submit a request for payment to the state with information demonstrating that the special district has experienced or is likely to experience during the COVID-19 (i.e., coronavirus disease 2019) emergency</p> <ul style="list-style-type: none"> <li>• reduced revenue or operational funding derived from provided services, taxes, fees, or other sources of revenue;</li> <li>• reduced indirect funding from the federal government, the state, or a unit of general government below the state level; or</li> <li>• as a result of the COVID-19 emergency, increased expenditures necessary to continue operations.</li> </ul> <p>The Board of Governors of the Federal Reserve System shall include special districts as eligible issuers in the Municipal Liquidity Facility program, which was created in response to the COVID-19 emergency to buy municipal securities.</p> <p><i>Companion bill to H.R. 535</i></p>	<p>Introduced by Sen. Kyrsten Sinema (D-AZ) – January 28, 2021</p>	<p><i>SUPPORT</i></p>
<p><a href="#"><u>H.R.737</u></a>  <a href="#"><u>RENEW WIIN Act</u></a></p>	<p>This bill extends the authority of certain federal agencies to provide support for western water infrastructure and extends consultation requirements concerning projects in California.</p> <p>Specifically, the bill extends through 2031 the authority of the Bureau of Reclamation to provide support for federal or state-led water storage projects in certain western states. It also extends provisions specific to California, including drought relief and the operations of the Central Valley Project (a hydropower and water management project in California that is operated by Reclamation).</p> <p>Further, the bill extends through 2036 consultation requirements concerning biological assessments and the coordinated operations of the Central Valley Project and the State Water Project in California.</p>	<p>Introduced by Rep. David Valadao (R-CA) – February 2, 2021</p>	<p><i>SUPPORT</i></p>

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R. 692</u></a> <a href="#"><u>Recognition of Local Interests in NEPA Decision Making</u></a>	<p>This bill sets forth requirements for determining the venue for judicial review of an agency action under the National Environmental Policy Act of 1969 (NEPA). Specifically, the bill requires a proceeding for judicial review of an agency's compliance with NEPA to be brought in the U.S. district court for a district in which the authorized activity is proposed to be carried out or the U.S. District Court for the District of Columbia.</p>	<p>Introduced by Rep. Liz Cheney (R-WY) – February 2, 2021</p>	
<a href="#"><u>H.R.848</u></a> <a href="#"><u>GREEN Act of 2021</u></a>	<p>This bill provides tax incentives for investment in renewable energy resources and energy efficiency programs.</p>	<p>Introduced by Rep. Mike Thompson (D-CA) – February 4, 2021</p>	
<a href="#"><u>H.Res.104</u></a> <a href="#"><u>Recognizing the duty of the Federal Government to implement an agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy ("THRIVE")</u></a>	<p>This resolution expresses the sense of the House of Representatives that the federal government has a duty to develop a holistic agenda to respond to racial injustice, unemployment, the COVID-19 (i.e., coronavirus disease 2019) pandemic, and climate change.</p> <p>The resolution further outlines the goals of this agenda to build a society with greater racial, economic, and gender justice; dignified work; healthy communities; and a stable climate. Additionally, the resolution identifies efforts to support these goals.</p> <p><i>Companion bill to S.Res.43.</i></p>	<p>Introduced by Rep. Debbie Dingell (D-MI) – February 5, 2021</p>	
<a href="#"><u>S.Res.43</u></a> <a href="#"><u>A resolution recognizing the duty of the Federal Government to implement an agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy ("THRIVE")</u></a>	<p>This resolution expresses the sense of the Senate that the federal government has a duty to develop a holistic agenda to respond to racial injustice, unemployment, the COVID-19 (i.e., coronavirus disease 2019) pandemic, and climate change.</p> <p>The resolution further outlines the goals of this agenda to build a society with greater racial, economic, and gender justice; dignified work; healthy communities; and a stable climate. Additionally, the resolution identifies efforts to support these goals.</p> <p><i>Companion bill to H.Res.104.</i></p>	<p>Introduced by Rep. Edward Markey (D-MA) – February 8, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.946</u></a> <a href="#"><u>SALT Act</u></a>	<p>This bill repeals the limitation on the deductibility of state and local taxes during 2018-2025. It also increases from \$250 to \$1,000 the tax deduction for certain expenses of elementary and secondary school teachers and allows a deduction from gross income (above-the-line) for certain training and uniform expenses of first responders (i.e., individuals who are law enforcement officers, firefighters, paramedics, or emergency medical technicians for at least 1,000 hours during a taxable year).</p> <p>The bill expands individual income tax brackets and increases the top income tax rate for individual taxpayers to 39.6%.</p>	<p>Introduced by Rep. Bill Pascrell (D-NJ) – February 8, 2021</p>	
<a href="#"><u>H.R.1015</u></a> <a href="#"><u>Water Recycling Investment and Improvement Act</u></a>	<p>To extend the authorization of the Bureau of Reclamation – Title XVI competitive grants program and increase the authorized funding level from \$50 million to \$500 million. Further, the legislation expands the geographic scope requirement that projects be located in sustained drought or disaster areas. The legislation also removes the requirement that Congress sign-off on each selected project, and modernizes the individual program funding cap from \$20 million to \$30 million.</p>	<p>Introduced by Rep. Grace Napolitano (D-CA) – February 11, 2021</p>	<p><i>SUPPORT</i></p>
<a href="#"><u>H.R.988</u></a> <a href="#"><u>Recreational Lands Self-Defense Act of 2021</u></a>	<p>This bill requires the U.S. Army Corps of Engineers (USACE) to allow an individual to possess a firearm at a USACE water resources development project as long as the individual's possession of the firearm is in compliance with federal and state law.</p>	<p>Introduced by Rep. Bob Gibbs (R-OH) – February 11, 2021</p>	
<a href="#"><u>H.R.1066</u></a> <a href="#"><u>Wildfire Recovery Act</u></a>	<p>This bill makes changes with respect to the federal cost share for Fire Management Assistance Grants and provides that the federal share shall be not less than 75% of the eligible cost.</p> <p>Specifically, the bill directs the Federal Emergency Management Agency (FEMA) to conduct and complete a rulemaking to develop guidelines and a rule that establishes thresholds for cases in which the federal cost share for such grants may be increased. Such thresholds shall use a fire-specific metric to determine fire damage and recommend a federal share adjustment for fire damage that meets the established thresholds.</p>	<p>Introduced by Rep. Joe Neguse (D-CO) – February 15, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>S.421</u></a> <a href="#"><u>Western Tribal Water Infrastructure Act of 2021</u></a>	<p>This bill reauthorizes through FY2024, and expands, the Indian Reservation Drinking Water Program.</p> <p>Specifically, the bill directs the Environmental Protection Agency to connect, expand, or repair existing public water systems that are on Indian reservations or off-reservation sites that serve tribes in the Columbia River Basin or its adjacent coastal river basins. Currently, only projects that are on Indian reservations in the Upper Missouri River Basin or the Upper Rio Grande Basin are eligible for the program.</p>	<p>Introduced by Sen. Ron Wyden (D-OR) – February 24, 2021</p> <p>Placed on the Senate Legislative Calendar – April 28, 2021</p>	
<a href="#"><u>H.R.1319</u></a> <a href="#"><u>American Rescue Plan Act of 2021</u></a>	<p>This bill provides additional relief to address the continued impact of COVID-19 (i.e., coronavirus disease 2019) on the economy, public health, state and local governments, individuals, and businesses.</p>	<p>Introduced by Rep. John Yarmuth (D-KY) – February 24, 2021</p> <p>Became Public Law No: 117-2 – March 11, 2021</p>	<i>SUPPORT</i>
<a href="#"><u>H.R.1352</u></a> <a href="#"><u>Water Affordability, Transparency, Equity, and Reliability Act of 2021</u></a>	<p>To establish a trust fund to provide for adequate funding for water and sewer infrastructure, and for other purposes.</p>	<p>Introduced by Rep. Brenda Lawrence (D-MI) – February 25, 2021</p>	
<a href="#"><u>S.479</u></a> <a href="#"><u>Lifting Our Communities through Advance Liquidity for Infrastructure (LOCAL Infrastructure) Act of 2021</u></a>	<p>This bill reinstates tax provisions relating to advance refunding bonds. An advance refunding bond is a tax-exempt bond issued by a state or municipality to refinance or consolidate existing bond obligations.</p>	<p>Introduced by Sen. Roger Wicker (R-MS) – February 25, 2021</p>	<i>SUPPORT</i>

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">H. R. 1438</a> <a href="#">FLOODS Act</a></p>	<p>This bill addresses forecasting and the communication of flood, tornado, and hurricane events by the National Oceanic and Atmospheric Administration (NOAA).</p> <p>Among other provisions, the bill</p> <ul style="list-style-type: none"> <li>• equires NOAA to estimate and communicate the frequency of precipitation;</li> <li>• establishes an Interagency Coordinating Committee on Water Management to ensure that federal agencies that engage in water-related matters, including water storage and supplies, water quality and restoration activities, water infrastructure, transportation on rivers and inland waterways, and water forecasting, work together where such agencies have joint or overlapping responsibilities; and</li> <li>• directs NOAA to conduct an analysis of gaps in the availability of snow-related data to assess and predict floods and flood impacts.</li> </ul> <p><i>Companion bill to S.558.</i></p>	<p>Introduced by Rep. Mikie Sherrill (D-NJ) – February 26, 2021</p>	
<p><a href="#">S.498</a> <a href="#">A bill to amend title 54, United States Code, to limit the authority to reserve water rights in designating a national monument</a></p>	<p>This bill prohibits the President, in designating a national monument, from reserving any implied or expressed water rights associated with it.</p> <p>Water rights for an associated national monument may only be acquired in accordance with the laws of the state in which the water rights are to be located.</p>	<p>Introduced by Sen. Mike Lee (R-UT) – March 1, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">S.558</a> <a href="#">FLOODS Act</a></p>	<p>This bill addresses forecasting and the communication of flood, tornado, and hurricane events by the National Oceanic and Atmospheric Administration (NOAA).</p> <p>Among other provisions, the bill</p> <ul style="list-style-type: none"> <li>• equires NOAA to estimate and communicate the frequency of precipitation;</li> <li>• establishes an Interagency Coordinating Committee on Water Management to ensure that federal agencies that engage in water-related matters, including water storage and supplies, water quality and restoration activities, water infrastructure, transportation on rivers and inland waterways, and water forecasting, work together where such agencies have joint or overlapping responsibilities; and</li> </ul> <p>directs NOAA to conduct an analysis of gaps in the availability of snow-related data to assess and predict floods and flood impacts.</p> <p><i>Companion bill to H.R.1438.</i></p>	<p>Introduced by Sen. Roger Wicker (R-MS) – March 3, 2021</p> <p>Ordered to be reported – April 28, 2021</p>	
<p><a href="#">H.R.1563</a> <a href="#">To extend the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California</a></p>	<p>This bill extends the authority of certain federal agencies to provide support for western water infrastructure and extends consultation requirements concerning projects in California.</p> <p>Specifically, the bill extends through 2028 the authority of the Bureau of Reclamation to provide support for projects in certain western states related to federal or state-led water storage, water desalination, and water recycling and reuse. It also extends provisions specific to California, including drought relief and the operations of the Central Valley Project (a hydropower and water management project in California that is operated by Reclamation).</p> <p>Further, the bill extends through 2033 consultation requirements concerning biological assessments and the coordinated operations of the Central Valley Project and the State Water Project in California.</p>	<p>Introduced by Rep. Mike Garcia (R-CA) – March 3, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.1679</u></a>  <a href="#"><u>To prohibit the Secretary of the Interior and the Secretary of Agriculture from conditioning any permit, lease, or other use agreement on the transfer of any water right to the United States, and for other purposes</u></a></p>	<p>This bill prohibits the Departments of the Interior and Agriculture from</p> <ul style="list-style-type: none"> <li>conditioning the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement (permit) on the transfer of any water right to the United States or on any impairment of title granted or otherwise recognized under state law by federal or state action; or</li> <li>requiring any water user (including a federally recognized Indian tribe) to apply for or acquire a water right in the name of the United States under state law as a condition of the issuance, renewal, amendment, or extension of such a permit.</li> </ul> <p>When developing any rule or similar federal action relating to the issuance, renewal, amendment, or extension of any permit, such departments (1) shall recognize the longstanding water use authority of the states and coordinate with the states to ensure that any federal action is consistent with applicable state water law, and (2) shall not adversely affect the authority of a state in permitting the beneficial use of water or adjudicating water rights.</p>	<p>Introduced by Rep. Lauren Boebert (R-CO) – March 9, 2021</p>	
<p><a href="#"><u>H.R.1804</u></a>  <a href="#"><u>Community Cleanup Act</u></a></p>	<p>This bill expands existing notice and publication requirements related to remedial action plans for Superfund sites (sites contaminated with hazardous substances).</p> <p>Specifically, the bill requires the notice and analysis of a proposed plan to be transmitted to the highest ranking official of the local government with jurisdiction over the facility subject to the plan. During the public comment period, written and oral comments may be submitted regarding the use of the facility at issue after the remedial action is taken.</p> <p>Notice of the final remedial action plan must be transmitted to the local government officials with jurisdiction over the facility at issue.</p> <p>Finally, the bill expands the minimum publication requirements for proposed and final plans to include (1) an announcement via a radio or television station in the broadcast area surrounding the facility at issue, (2) digital or social media publications, and (3) a posting to the website of the person proposing to adopt a plan for remediation.</p>	<p>Introduced by Rep. Earl Carter (R-GA) – March 11, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.1844</u></a> <a href="#"><u>STOP CSO Act of 2021</u></a></p>	<p>This bill revises the National Pollutant Discharge Elimination System permit program to require certain publicly owned water treatment facilities to monitor, report on, and notify the public of sewer overflows.</p> <p>For example, the facilities must notify the public within a specified number of hours after (1) sewer overflows that have the potential to affect human health, and (2) sewer overflows that may imminently and substantially endanger human health.</p>	<p>Introduced by Rep. Seth Moulton (D-MA) – March 11, 2021</p>	
<p><a href="#"><u>S.715</u></a> <a href="#"><u>NEPA Data Transparency and Accountability Act</u></a></p>	<p>This bill requires federal agencies to annually report on their environmental review activities under the National Environmental Policy Act of 1969 (NEPA).</p> <p>The agencies must also include the cost of their NEPA activities in the annual reports after the Council on Environmental Quality and the Office of Management and Budget have developed a methodology to assess the comprehensive costs of the NEPA process.</p>	<p>Introduced by Sen. Mike Lee (R-UT) – March 11, 2021</p>	
<p><a href="#"><u>S.716</u></a> <a href="#"><u>NEPA Legal Reform Act</u></a></p>	<p>This bill establishes requirements concerning the judicial review of cases about the environmental review process required under the National Environmental Policy Act of 1969 (NEPA).</p> <p>Specifically, the bill establishes standing requirements for NEPA claims, including a requirement that a plaintiff must personally suffer, or will likely personally suffer, a direct, tangible harm.</p> <p>In addition, the bill sets a statute of limitations for all claims related to NEPA.</p> <p>The bill also provides statutory authority for certain evidentiary standards concerning motions for temporary restraining orders, preliminary injunctions, and permanent injunctions.</p> <p>In addition, the bill limits fees that may be awarded to environmental attorneys.</p>	<p>Introduced by Sen. Mike Lee (R-UT) – March 11, 2021</p>	



LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">S.717</a> <a href="#">UNSHACKLE Act</a>	<p>This bill revises the environmental review process required under the National Environmental Policy Act of 1969 (NEPA), including by</p> <ul style="list-style-type: none"> <li>• establishing deadlines for federal agencies to complete reviews of the environmental effects of proposed major federal actions;</li> <li>• establishing penalties for agencies that do not comply with these deadlines;</li> <li>• limiting the number of assessment documents required for proposed major federal actions, requiring agencies to reuse certain research or documents, and allowing agencies to adopt environmental documents prepared by states or third parties;</li> <li>• requiring agencies to only consider alternatives to proposed actions that are technically and economically feasible;</li> <li>• prohibiting agencies from considering whether proposed actions or alternatives to those actions will have an effect on climate change; and</li> <li>• establishing requirements concerning the judicial review of NEPA cases..</li> </ul>	<p>Introduced by Sen. Mike Lee (R-UT) – March 11, 2021</p>	
<a href="#">S.718</a> <a href="#">NEPA Agency Process Accountability Act</a>	<p>This bill revises the environmental review process required under the National Environmental Policy Act of 1969 (NEPA), including by limiting the number of assessment documents required for proposed major federal actions, requiring agencies to reuse certain research or documents in the NEPA process, and allowing agencies to adopt environmental documents prepared by states or third parties as specified under the bill.</p> <p>In addition, the bill requires agencies to only consider alternatives to proposed major federal actions that are technically and economically feasible. Agencies must track and report on specified NEPA data, such as the comprehensive costs of the NEPA process.</p>	<p>Introduced by Sen. Mike Lee (R-UT) – March 11, 2021</p>	
<a href="#">S.719</a> <a href="#">NEPA State Assignment Expansion Act</a>	<p>This bill allows certain states to enter into agreements with federal agencies to assume federal responsibilities regarding the environmental review of proposed major federal actions under the National Environmental Policy Act of 1969.</p>	<p>Introduced by Sen. Mike Lee (R-UT) – March 11, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>S.722</u></a> <a href="#"><u>Wastewater Efficiency and Treatment Act of 2021</u></a>	<p>This bill requires the Department of Energy (DOE) to establish a Water and Energy Efficiency Program.</p> <p>Under the program, DOE must award grants to certain small public wastewater treatment facilities that serve disadvantaged communities or populations that do not exceed 10,000. The facilities must use the grants to conduct energy efficiency audits of the facilities and update equipment based on the audits.</p> <p>In addition, DOE must provide loan guarantees to eligible municipalities and Indian tribes for (1) projects that convert waste in the treatment process of wastewater treatment facilities into renewable fuels, biosolids, or other byproducts; and (2) projects that will assist in transitioning facilities towards the use of energy-efficient technologies. In carrying out the program, DOE must establish a small-scale extension services program to provide assistance to rural communities through grants, outreach, training, and technical assistance regarding energy-efficient technologies at wastewater treatment facilities in eligible municipalities and tribes.</p>	<p>Introduced by Sen. Jeff Merkley (D-OR) – March 11, 2021</p>	
<a href="#"><u>H.R.1820</u></a> <a href="#"><u>RETROACTIVE Policy Act</u></a>	<p>This bill limits the period during which the Environmental Protection Agency may prohibit the specification, or restrict the use, of an area as a disposal site for discharges of dredged or fill materials into waters of the United States.</p>	<p>Introduced by Rep. Bob Gibbs (R-OH) – March 11, 2021</p>	
<a href="#"><u>H.R. 1821</u></a> <a href="#"><u>RURAL Act</u></a>	<p>This bill modifies requirements governing the use of pesticides in or near navigable waters. Specifically, the bill prohibits the Environmental Protection Agency or states from requiring permits under the National Pollutant Discharge Elimination System for discharges of pesticides into navigable waters if the pesticides are (1) registered, (2) used for their intended purposes, and (3) used in compliance with their pesticide label requirements. The bill establishes exemptions from this prohibition.</p>	<p>Introduced by Rep. Bob Gibbs (R-OH) – March 11, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.1848</u></a>  <a href="#"><u>Leading Infrastructure for Tomorrow's America Act</u></a></p>	<p>This bill establishes several programs and incentives to modernize the nation's communications, drinking water, energy, transportation, health care, and other related infrastructure.</p> <p>In addition, it supports drinking water programs, including the drinking water state revolving fund program. Further, it provides grants to treat perfluoroalkyl or polyfluoroalkyl substances (commonly referred to as PFAS) in drinking water and to replace lead service lines.</p> <p>The bill establishes a variety of programs to support clean energy infrastructure and address climate change, including efforts to (1) modernize the electric grid and make it more resilient, efficient, and secure; (2) increase energy efficiency in buildings; and (3) support renewable energy infrastructure.</p> <p>Further, it provides incentives for vehicle infrastructure, such as incentives to develop infrastructure for electric vehicles and grants to reduce air pollution at ports by electrifying port infrastructure.</p> <p>Additionally, the bill establishes grants and programs for health care infrastructure, including by providing support for the Centers for Disease Control and Prevention, laboratories, and state, local, tribal, and territorial health departments.</p> <p>Finally, the bill reauthorizes grant programs to remediate brownfield sites (i.e., sites contaminated with hazardous substances) through FY2026.</p>	<p>Introduced by Rep. Frank Pallone (D-NJ) – March 11, 2021</p> <p>Committee on Energy and Commerce held a hearing – March 22, 2021</p>	
<p><a href="#"><u>H.R.1881</u></a>  <a href="#"><u>To amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes</u></a></p>	<p>This bill revises the National Pollutant Discharge Elimination System (NPDES) program. Under the program, the Environmental Protection Agency issues permits to discharge pollutants into waters of the United States.</p> <p>The bill extends the maximum term for NPDES permits issued to states or municipalities from 5 to 10 years.</p>	<p>Introduced by Rep. John Garamendi (D-CA) – March 12, 2021</p>	<p><i>SUPPORT</i></p>

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.1889</u></a> <a href="#"><u>Environmental Justice for Coronavirus Affected Communities Act</u></a>	<p>This bill reauthorizes through FY2022 (1) the Environmental Justice Small Grants Program; (2) the Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program, which provides financial assistance to address local environmental or public health issues; and (3) the Community Action for a Renewed Environment grant program, which assists communities address multiple sources of toxic pollutants.</p>	<p>Introduced by Rep. Raul Ruiz (D-CA) – March 12, 2021</p>	
<a href="#"><u>H.R.1915</u></a> <a href="#"><u>Water Quality Protection and Job Creation Act of 2021</u></a>	<p>This bill creates, reauthorizes, and revises several grant programs for infrastructure to treat water pollution, such as wastewater or stormwater.</p> <p>Specifically, the bill reauthorizes through FY2026 and revises the Clean Water State Revolving Fund program, which provides communities low-cost financing for water quality infrastructure projects. It also reauthorizes through FY2026 grants for</p> <ul style="list-style-type: none"> <li>• programs to control water pollution;</li> <li>• pilot projects related to watershed management of wastewater discharges (e.g., sewer overflows or stormwater discharges) during wet weather;</li> <li>• alternative water source projects, including projects to reclaim stormwater; or</li> <li>• measures to manage, reduce, treat or recapture stormwater, such as sewer overflows.</li> </ul> <p>In addition, the Environmental Protection Agency must award grants to owners of publicly owned treatment works (i.e., sewage treatment plants) for the treatment of contaminants of emerging concern, such as perfluoroalkyl or polyfluoroalkyl substances, commonly referred to as PFAS. These substances are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing.</p>	<p>Introduced by Rep. Peter DeFazio (D-OR) – March 16, 2021</p> <p>Passed via legislative vehicle H.R. 3684 – July 1, 2021</p>	
<a href="#"><u>S.804</u></a> <a href="#"><u>SALT Deduction Fairness Act</u></a>	<p>This bill increases the limitation on the deduction for state and local taxes to \$20,000 for individuals filing a joint tax return. The limitation applies to taxable years 2018 through 2025.</p>	<p>Introduced by Rep. Susan Collins (D-ME) – March 17, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">H.R.2021</a>  <a href="#">Environmental Justice For All Act</a></p>	<p>This bill establishes several environmental justice requirements, advisory bodies, and programs to address the disproportionate adverse human health or environmental effects of federal laws or programs on communities of color, low-income communities, or tribal and indigenous communities. The bill prohibits disparate impacts on the basis of race, color, or national origin as discrimination. Aggrieved persons may seek legal remedy when faced with such discrimination.</p> <p>In addition, the bill directs agencies to follow certain requirements concerning environmental justice. For example, agencies must prepare community impact reports that assess the potential impacts of their actions on environmental justice communities under certain circumstances.</p> <p>Further, it creates a variety of advisory bodies and positions, such as the White House Environmental Justice Interagency Council. Among other things, the council must issue an environmental justice strategy.</p> <p>It also establishes requirements and programs concerning chemicals or toxic ingredients in certain products. For example, the bill (1) requires certain products (e.g., cosmetics) to include a list of ingredients or warnings; and (2) provides grants for research on designing safer alternatives to chemicals in certain consumer, cleaning, toy, or baby products that have an inherent toxicity or that are associated with chronic adverse health effects.</p> <p>Finally, it creates a variety of funding programs, such as a grant program to enhance access to park and recreational opportunities in an urban areas.</p> <p><i>Companion bill to S.872.</i></p>	<p>Introduced by Rep. Raul Grijalva (D-AZ) – March 18, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">S.855</a>  <a href="#">Water Rights Protection Act of 2021</a></p>	<p>This bill prohibits the Departments of the Interior and Agriculture from</p> <ul style="list-style-type: none"> <li>• conditioning the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement (permit) on the transfer of any water right to the United States or on any impairment of title granted or otherwise recognized under state law by federal or state action;</li> <li>• requiring any water user (including a federally recognized Indian tribe) to apply for or acquire a water right in the name of the United States under state law as a condition of the issuance, renewal, amendment, or extension of such a permit; or</li> <li>• conditioning or withholding the issuance, renewal, amendment, or extension of such a permit on limiting the date, time, quantity, location of diversion or pumping, or place of use of a state water right beyond any limitations under state water law, or on the modification of the terms and conditions of groundwater withdrawal, guidance and reporting procedures, or conservation and source protection measures established by a state.</li> </ul> <p>In developing any rule or similar federal action relating to the issuance, renewal, amendment, or extension of any permit, such departments (1) shall recognize the longstanding water use authority of the states and coordinate with the states to ensure that any federal action is consistent with applicable state water law, and (2) shall not adversely affect the authority of a state in permitting the beneficial use of water or adjudicating water rights.</p>	<p>Introduced by Sen. John Barrasso (R-WY) – March 18, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">S.872</a>  <a href="#">Environmental Justice For All Act</a></p>	<p>This bill establishes several environmental justice requirements, advisory bodies, and programs to address the disproportionate adverse human health or environmental effects of federal laws or programs on communities of color, low-income communities, or tribal and indigenous communities. The bill prohibits disparate impacts on the basis of race, color, or national origin as discrimination. Aggrieved persons may seek legal remedy when faced with such discrimination.</p> <p>In addition, the bill directs agencies to follow certain requirements concerning environmental justice. For example, agencies must prepare community impact reports that assess the potential impacts of their actions on environmental justice communities under certain circumstances.</p> <p>Further, it creates a variety of advisory bodies and positions, such as the White House Environmental Justice Interagency Council. Among other things, the council must issue an environmental justice strategy.</p> <p>It also establishes requirements and programs concerning chemicals or toxic ingredients in certain products. For example, the bill (1) requires certain products (e.g., cosmetics) to include a list of ingredients or warnings; and (2) provides grants for research on designing safer alternatives to chemicals in certain consumer, cleaning, toy, or baby products that have an inherent toxicity or that are associated with chronic adverse health effects.</p> <p>Finally, it creates a variety of funding programs, such as a grant program to enhance access to park and recreational opportunities in an urban areas.</p> <p><i>Companion bill to H.R.2021.</i></p>	<p>Introduced by Sen. Tammy Duckworth (D-IL) – March 18, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><b><u><a href="#">H.R.2095</a></u></b>  <u><a href="#">To require the Secretary of the Army to conduct a study to determine the costs for the Corps of Engineers to ensure that certain project activities authorized under Nationwide Permit 14 comply with public safety conditions, and for other purposes.</a></u></p>	<p>This bill reauthorizes through FY2026 or establishes a variety of programs for water infrastructure. Specifically, it supports programs to provide safe drinking water or treat wastewater, such as sewer overflows or stormwater. For example, the bill reauthorizes and revises the clean water state revolving fund (SRF) and the drinking water SRF.</p>	<p>Introduced by Rep. Billy Long (R-MO) – March 22, 2021</p>	
<p><b><u><a href="#">S.914</a></u></b>  <u><a href="#">Drinking Water and Wastewater Infrastructure Act of 2021</a></u></p>	<p>This bill reauthorizes through FY2026 or establishes a variety of programs for water infrastructure. Specifically, it supports programs to provide safe drinking water or treat wastewater, such as sewer overflows or stormwater. For example, the bill reauthorizes and revises the clean water state revolving fund (SRF) and the drinking water SRF..</p>	<p>Introduced by Sen. Tammy Duckworth (D-IL) – March 24, 2021</p> <p>Passed in the Senate. Report filed by Sen. Tom Carper (D-DE) - May 10, 2021</p>	
<p><b><u><a href="#">H.R.2008</a></u></b>  <u><a href="#">Local Water Protection Act</a></u></p>	<p>This bill reauthorizes through FY2026 grants to states for (1) programs that manage and control nonpoint source pollution (e.g., runoff from a variety of sources) added to navigable waters, and (2) groundwater quality protection activities to advance state implementation of such programs.</p>	<p>Introduced by Rep. Angie Craig (D-MN) – March 24, 2021</p> <p>Passed House. Received in the Senate – June 16, 2021</p>	
<p><b><u><a href="#">H.R.2173</a></u></b>  <u><a href="#">Wastewater Workforce Investment Act</a></u></p>	<p>This bill allows states to reserve a portion of the sums allotted to them under the clean water state revolving fund to address the workforce development needs of publicly owned treatment works.</p>	<p>Introduced by Rep. Greg Stanton (D-AZ) – March 23, 2021</p>	



LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>S.939</u></a> <a href="#"><u>IMAGINE Act</u></a></p>	<p>This bill encourages the use of innovative construction materials and techniques to accelerate the deployment, extend the service life, improve the performance, and reduce the cost of domestic transportation and water infrastructure projects.</p> <p>Among other things, the bill</p> <ul style="list-style-type: none"> <li>• establishes an Interagency Innovative Materials Standards Task Force to assess existing standards and test methods for the use of innovative materials in infrastructure, identify key barriers in the standards area that inhibit broader market adoption, and develop new methods and protocols to better evaluate innovative materials;</li> <li>• requires the Department of Transportation to enhance the development of innovative materials in the United States by providing awards to entities for establishing and operating new innovative material innovation hubs;</li> <li>• directs the Federal Highway Administration to provide grants to states' departments of transportation, tribal governments, public toll authorities, and units of local government for coastal or rural infrastructure bridge projects and value engineering projects to enhance the performance of bridges through the use of innovative materials; and</li> <li>• provides grants for the design and installation of water infrastructure projects.</li> </ul> <p><i>Companion bill to H.R.2197.</i></p>	<p>Introduced by Sen. Sheldon Whitehouse (D-RI) – March 24, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>S.953</u></a>  <a href="#"><u>Water for Conservation and Farming Act</u></a></p>	<p>This bill establishes a funding source for certain water resources development projects in western states. The bill also reauthorizes and expands existing water resources development programs, as well as establishes new programs.</p> <p>Specifically, the bill establishes the Bureau of Reclamation Infrastructure Fund to fund water-related programs, including water reclamation and reuse projects, dam safety projects, and the WaterSMART program (which provides assistance to eligible government entities to increase water supply). Each year from FY2031-FY2061, the Department of the Treasury must deposit \$300 million of revenues into this fund that would otherwise be deposited into the Reclamation Fund (which currently funds irrigation works in western states).</p> <p>The bill also expands the allowable uses for grants under the WaterSMART program.</p> <p>Next, the bill revises the Reclamation Climate Change and Water program (which assesses the impact of climate change on water supplies) by requiring Reclamation to develop a strategy to address sustaining native biodiversity during periods of drought.</p> <p>The bill also reauthorizes through FY2028 the Fisheries Restoration and Irrigation Mitigation program (which funds fish passage projects in certain areas that drain into the Pacific Ocean).</p> <p>Finally, the bill establishes new programs directed at western states to</p> <ul style="list-style-type: none"> <li>• provide assistance to agricultural producers to create and maintain waterbird and shorebird habitats,</li> <li>• award grants to eligible government entities and nonprofit conservation organizations for habitat restoration projects that improve watershed health, and</li> <li>• prepare plans to sustain the survival of critically important fisheries during periods of drought.</li> </ul>	<p>Introduced by Sen. Ron Wyden (D-OR) – March 24, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.2197</a> <a href="#">IMAGINE Act</a>	<p>This bill encourages the use of innovative construction materials and techniques to accelerate the deployment, extend the service life, improve the performance, and reduce the cost of domestic transportation and water infrastructure projects.</p> <p>Among other things, the bill</p> <ul style="list-style-type: none"> <li>• establishes an Interagency Innovative Materials Standards Task Force to assess existing standards and test methods for the use of innovative materials in infrastructure, identify key barriers in the standards area that inhibit broader market adoption, and develop new methods and protocols to better evaluate innovative materials;</li> <li>• requires the Department of Transportation to enhance the development of innovative materials in the United States by providing awards to entities for establishing and operating new innovative material innovation hubs;</li> <li>• directs the Federal Highway Administration to provide grants to states' departments of transportation, tribal governments, public toll authorities, and units of local government for coastal or rural infrastructure bridge projects and value engineering projects to enhance the performance of bridges through the use of innovative materials; and</li> <li>• provides grants for the design and installation of water infrastructure projects.</li> </ul> <p><i>Companion bill to S.939.</i></p>	<p>Introduced by Rep. David Cicilline (D-RI) – March 26, 2021</p>	
<a href="#">H.R.2288</a> <a href="#">Investing in Our Communities Act</a>	<p>This bill reinstates the exclusion from gross income for interest on certain bonds issued to advance the refunding of a prior bond issue. The exclusion was repealed for bonds issued after 2017.</p>	<p>Introduced by Rep. Dutch Ruppersberger (D-MD) – March 29, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.2397</u></a>  <a href="#"><u>Protection from Cumulative Emissions and Underenforcement of Environmental Law Act of 2021</u></a></p>	<p>This bill directs the Environmental Protection Agency (EPA) to address the cumulative public health risks associated with multiple environmental stressors and recommend measures to reduce the number of violations of environmental law in certain environmental justice communities. Environmental justice communities are communities with significant representation of communities of color, low-income communities, or tribal and indigenous communities that experience, or are at risk of experiencing, higher or more adverse human health or environmental effects, as compared to other communities.</p> <p>In addition, the EPA must publish and implement a proposal for a protocol that assesses and addresses the cumulative public health risks associated with multiple environmental stressors, such as impacts associated with global climate change.</p> <p>Further, the EPA must identify at least 100 communities that (1) are environmental justice communities; and (2) have had more environmental law violations than the national average, as determined by the EPA. The EPA must then identify the causes of the violations, identify measures to reduce the number of violations, and implement such measures.</p>	<p>Introduced by  Diana DeGette (D-CO) – April 8, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">H.R.2434</a>  <a href="#">Environmental Justice Act of 2021</a></p>	<p>This bill requires agencies to address and mitigate the disproportionate impact of environmental and human health hazards on communities of color, indigenous communities, and low-income communities resulting from agencies' programs and policies. The bill also requires agencies to address cumulative impacts of pollution in permitting decisions and expands the types of legal actions available to individuals regarding charges of federal discriminatory practices.</p> <p>Specifically, the bill provides statutory authority for a variety of existing programs, executive orders, federal guidance, and committees concerning environmental justice, including</p> <ul style="list-style-type: none"> <li>• Executive Order 12898;</li> <li>• a guidance issued in 1997 by the Council on Environmental Quality titled Environmental Justice Guidance Under the National Environmental Policy Act;</li> <li>• a guidance issued in 2016 by the Environmental Protection Agency titled EPA Policy on Consultation and Coordination with Indian Tribes: Guidance for Discussing Tribal Treaty Rights;</li> <li>• the National Environmental Justice Advisory Council;</li> <li>• the Environmental Justice Small Grants Program; and</li> <li>• the Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program.</li> <li>• In addition, the bill requires agencies renewing or issuing specified permits under the Clean Water Act or the Clean Air Act to consider the cumulative impacts of pollution.</li> </ul> <p>The bill also allows individuals to bring actions under the Civil Rights Act against entities that receive federal assistance and engage in discriminatory practices that have a disparate impact. Currently, individuals must request that federal agencies bring such actions on their behalf.</p>	<p>Introduced by Rep. Raul Ruiz (D-CA) – April 8, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.2442</a> <a href="#">Climate Justice Grants Act</a>	<p>This bill requires the Environmental Protection Agency to establish a grant program to assist tribal governments, local governments, nonprofits, or community-based organizations in addressing issues relating to climate justice and carrying out activities that address climate justice concerns of environmental justice communities. Environmental justice communities refers to any population of color, community of color, indigenous community, or low-income community that experiences a disproportionate burden of the negative human health and environmental impacts of pollution or other environmental hazards.</p>	<p>Introduced by Rep. Nanette Diaz Barragan (D-CA) – April 12, 2021</p>	
<a href="#">H.R.2467</a> <a href="#">PFAS Action Act of 2021</a>	<p>To require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.</p>	<p>Introduced by Rep. Debbie Dingell (D-MI) – April 13, 2021</p> <p>Passed by the House; received in the Senate – July 22, 2021</p>	
<a href="#">H.Res.318</a> <a href="#">Expressing the sense of the House of Representatives that clean water is a national priority and that the April 21, 2020, Navigable Waters Protection Rule should not be withdrawn or vacated.</a>	<p>This resolution expresses the sense of the House of Representatives that (1) clean water is a national priority, and (2) the 2020 final rule titled The Navigable Waters Protection Rule: Definition of "Waters of the United States" should not be withdrawn or vacated.</p>	<p>Introduced by Rep. Mariannette Miller-Meeks (R-IA) – April 14, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.2468</u></a>  <a href="#"><u>Made in America Act of 2021</u></a></p>	<p>This bill requires that materials used in carrying out federal infrastructure aid programs are made in the United States.</p> <p>The term produced in the United States means, in the case of</p> <ul style="list-style-type: none"> <li>• iron or steel products, that all manufacturing processes for the iron or steel product, from the initial melting stage through the application of coatings, occurred in the United States;</li> <li>• manufactured products, that the product was manufactured in the United States and that the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 50% of the total cost of all components of the manufactured product; and</li> <li>• construction materials, that all manufacturing processes for the construction material occurred in the United States.</li> </ul> <p>The Department of Commerce must (1) issue uniform standards that define the term all manufacturing processes for purposes of this bill, and (2) take into consideration and seek to maximize the jobs benefited or created in the production of the construction material.</p> <p>The bill requires that all steel, iron, manufactured products, non-ferrous metals, plastic, concrete and aggregates, glass (including optical glass), lumber, and drywall used in these programs be produced in the United States.</p> <p>Includes within infrastructure addressed by this bill federal-aid highways, railroads, public transportation, civil aviation, drinking water, and stormwater.</p> <p><i>Companion bill to S.1094.</i></p>	<p>Introduced by Rep. John Garamendi (D-CA) – April 13, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>S.1094</u></a>  <a href="#"><u>Made in America Act of 2021</u></a></p>	<p>This bill requires that materials used in carrying out federal infrastructure aid programs are made in the United States.</p> <p>The term produced in the United States means, in the case of</p> <ul style="list-style-type: none"> <li>• iron or steel products, that all manufacturing processes for the iron or steel product, from the initial melting stage through the application of coatings, occurred in the United States;</li> <li>• manufactured products, that the product was manufactured in the United States and that the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 50% of the total cost of all components of the manufactured product; and</li> <li>• construction materials, that all manufacturing processes for the construction material occurred in the United States.</li> </ul> <p>The Department of Commerce must (1) issue uniform standards that define the term all manufacturing processes for purposes of this bill, and (2) take into consideration and seek to maximize the jobs benefited or created in the production of the construction material.</p> <p>The bill requires that all steel, iron, manufactured products, non-ferrous metals, plastic, concrete and aggregates, glass (including optical glass), lumber, and drywall used in these programs be produced in the United States.</p> <p>Includes within infrastructure addressed by this bill federal-aid highways, railroads, public transportation, civil aviation, drinking water, and stormwater.</p> <p><i>Companion bill to H.R.2468.</i></p>	<p>Introduced by Sen. Tammy Baldwin (D-WI) – April 13, 2021</p>	



LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>S.1121</u></a> <a href="#"><u>PFAS Registry Act of 2021</u></a>	<p>This bill directs the Department of Veterans Affairs (VA) to establish a registry for current or past members of the Armed Forces who may have been exposed to per- and polyfluoroalkyl substances due to the environmental release of aqueous film-forming foam at a military installation or other Department of Defense (DOD) location. Additionally, the VA must consult with DOD and the Environmental Protection Agency to make recommendations for additional chemicals that should be included in the registry.</p>	<p>Introduced by Sen. Jeanne Shaheen (D-NH) – April 14, 2021</p>	
<a href="#"><u>H.R.2660</u></a> <a href="#"><u>WATER Act</u></a>	<p>This bill directs the Department of Veterans Affairs (VA) to establish a registry for current or past members of the Armed Forces who may have been exposed to per- and polyfluoroalkyl substances due to the environmental release of aqueous film-forming foam at a military installation or other Department of Defense (DOD) location. Additionally, the VA must consult with DOD and the Environmental Protection Agency to make recommendations for additional chemicals that should be included in the registry.</p>	<p>Introduced by Rep. Robert Latta (R-OH) – April 19, 2021</p>	
<a href="#"><u>H.Res.320</u></a> <a href="#"><u>Recognizing the critical importance of access to reliable, clean drinking water for Native Americans and Alaska Natives and confirming the responsibility of the Federal Government to ensure such water access.</u></a>	<p>This resolution expresses the sense of the House of Representatives that access to reliable and clean drinking water is critically important to the health and welfare of American Indians and Alaska Natives. Further, the resolution calls upon the federal government to provide water access to tribal members and communities.</p>	<p>Introduced by Rep. Joe Neguse (D-OH) – April 15, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>S.Res.166</u></a>  <a href="#"><u>A resolution recognizing the duty of the Federal Government to create a Green New Deal</u></a></p>	<p>This resolution calls for the creation of a Green New Deal with the goals of</p> <ul style="list-style-type: none"> <li>• achieving greenhouse gas and toxic emissions reductions needed to stay under 1.5 degrees Celsius of warming;</li> <li>• establishing millions of high-wage union jobs and ensuring economic security for all;</li> <li>• investing in infrastructure and industry;</li> <li>• securing clean air and water, climate and community resiliency, healthy food, access to nature, and a sustainable environment for all; and</li> <li>• promoting justice and equality.</li> </ul> <p>The resolution calls for accomplishment of these goals through a 10-year national mobilization effort. The resolution also enumerates the goals and projects of the mobilization effort, including</p> <ul style="list-style-type: none"> <li>• building smart power grids (i.e., power grids that enable customers to reduce their power use during peak demand periods);</li> <li>• upgrading all existing buildings and constructing new buildings to achieve maximum energy and water efficiency;</li> <li>• removing pollution and greenhouse gas emissions from the transportation and agricultural sectors;</li> <li>• cleaning up existing hazardous waste and abandoned sites;</li> <li>• ensuring businesspersons are free from unfair competition; and</li> <li>• providing higher education, high-quality health care, and affordable, safe, and adequate housing to all.</li> </ul> <p><i>Companion bill to H.Res.332.</i></p>	<p>Introduced by Sen. Ed Markey (D-MA) – April 20, 2021</p>	
<p><a href="#"><u>H.R.2673</u></a>  <a href="#"><u>CERCLA Liability Expansion and Accountability for Negligent and Unjust Pollution Act</u></a></p>	<p>This bill includes petroleum products under the definition of hazardous substances for purposes of Superfund, the program that directs and funds the cleanup of sites contaminated with hazardous substances. Additionally, the release of a petroleum product shall be considered as a release under Superfund if liability for such release is established by any other federal law.</p> <p>Per the bill, a petroleum product is petroleum or oil of any kind, in any form, or any fraction thereof, and includes fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil.</p>	<p>Introduced by Earl Blumenauer (D-OR) – April 20, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.Res.332</u></a>  <a href="#"><u>Recognizing the duty of the Federal Government to create a Green New Deal</u></a></p>	<p>This resolution calls for the creation of a Green New Deal with the goals of</p> <ul style="list-style-type: none"> <li>• achieving greenhouse gas and toxic emissions reductions needed to stay under 1.5 degrees Celsius of warming;</li> <li>• establishing millions of high-wage union jobs and ensuring economic security for all;</li> <li>• investing in infrastructure and industry;</li> <li>• securing clean air and water, climate and community resiliency, healthy food, access to nature, and a sustainable environment for all; and</li> <li>• promoting justice and equality.</li> </ul> <p>The resolution calls for accomplishment of these goals through a 10-year national mobilization effort. The resolution also enumerates the goals and projects of the mobilization effort, including</p> <ul style="list-style-type: none"> <li>• building smart power grids (i.e., power grids that enable customers to reduce their power use during peak demand periods);</li> <li>• upgrading all existing buildings and constructing new buildings to achieve maximum energy and water efficiency;</li> <li>• removing pollution and greenhouse gas emissions from the transportation and agricultural sectors;</li> <li>• cleaning up existing hazardous waste and abandoned sites;</li> <li>• ensuring businesspersons are free from unfair competition; and</li> <li>• providing higher education, high-quality health care, and affordable, safe, and adequate housing to all.</li> </ul> <p><i>Companion bill to S.Res.166.</i></p>	<p>Introduced by Rep. Alexandria Ocasio-Cortez (D-NY) – April 21, 2021</p>	
<p><a href="#"><u>S.1239</u></a>  <a href="#"><u>A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for certain waste water management subsidies</u></a></p>	<p>This bill excludes from gross income, for income tax purposes, a taxpayer subsidy provided by a state or local government to a resident for the purchase or installation of any wastewater management measure intended solely for the taxpayer's principal residence</p>	<p>Introduced by Sen. Kirsten Gillibrand (D-NY) – April 20, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.2674</a> <a href="#">Superfund Reinvestment Act</a>	<p>This bill authorizes the use of amounts in the Hazardous Substance Superfund for environmental cleanup costs under the Superfund program (which provides funding to clean up sites contaminated with hazardous substances).</p> <p>Receipts and disbursements of the Hazardous Substance Superfund must (1) not be counted for purposes of the President's budget, the congressional budget, the Balanced Budget and Emergency Deficit Control Act of 1985, or the Statutory Pay-As-You-Go Act of 2010; (2) be exempt from general budget limitations imposed by statute on expenditures and net lending (budget outlays); and (3) be available only for the allowable uses specified for the Superfund.</p> <p>This bill (1) reinstates and adjusts for inflation annually after 2021, the Hazardous Substance Superfund financing rate and the corporate environmental income tax threshold amount; and (2) extends the borrowing authority of the Superfund through 2029.</p>	<p>Introduced by Rep. Earl Blumenauer (D-OR) – April 21, 2021</p>	
<a href="#">H.R.2742</a> <a href="#">PFAS Registry Act of 2021</a>	<p>This bill directs the Department of Veterans Affairs (VA) to establish a registry for current or past members of the Armed Forces who may have been exposed to per- and polyfluoroalkyl substances due to the environmental release of aqueous film-forming foam at a military installation or other Department of Defense (DOD) location. Additionally, the VA must consult with DOD and the Environmental Protection Agency to make recommendations for additional chemicals that should be included in the registry.</p>	<p>Introduced by Rep. Chris Pappas (D-OH) – April 21, 2021</p>	
<a href="#">S.1334</a> <a href="#">PFAS Accountability Act of 2021</a>	<p>A bill to amend the Toxic Substance Control Act to codify a Federal cause of action and a type of remedy available for individuals significantly exposed to per- and polyfluoroalkyl substances, to encourage research and accountability for irresponsible discharge of those substances, and for other purposes.</p> <p><i>Companion legislation to H.R.2751.</i></p>	<p>Introduced by Sen. Kirsten Gillibrand (D-NY) – April 22, 2021</p>	
<a href="#">H.R.2751</a> <a href="#">PFAS Accountability Act of 2021</a>	<p>A bill to amend the Toxic Substance Control Act to codify a Federal cause of action and a type of remedy available for individuals significantly exposed to per- and polyfluoroalkyl substances, to encourage research and accountability for irresponsible discharge of those substances, and for other purposes.</p> <p><i>Companion legislation to S. 1334.</i></p>	<p>Introduced by Rep. Madeleine Dean (D-PA) – April 22, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>S.1341</u></a> <a href="#"><u>Water Resources Research Amendments Act</u></a>	<p>This bill reauthorizes through FY2025 the Water Resources Research Act Program and otherwise revises the program, including by increasing the federal share of grant funding under the program for water resources research and technology institutes.</p>	<p>Introduced by Sen. Ben Cardin (D-MD) - April 22, 2021</p>	
<a href="#"><u>S.1303</u></a> <a href="#"><u>Build America, Buy America Act</u></a>	<p>This bill requires federal infrastructure programs to provide for the use of materials produced in the United States.</p> <p>Each federal agency must submit to the Office of Management and Budget and to Congress a report that identifies each federal financial assistance program for infrastructure administered by the agency and (1) identify domestic content procurement preferences applicable to the assistance, (2) assess the applicability of such requirements, (3) provide details on any applicable domestic content procurement preference requirement, and (4) include a description of the type of infrastructure projects that receive funding under the program.</p> <p>Each agency shall ensure that none of the funds made available for such a program may be used for a project unless all of the iron, steel, and manufactured products used in the project are produced in the United States, subject to waivers where inconsistent with the public interest, where not produced in sufficient quantities or satisfactory quality, or where such inclusion will increase the cost of the project by more than 25%.</p> <p><i>Companion bill to H.R.2810.</i></p>	<p>Introduced by Sen. Sherrod Brown (D-OH) – April 22, 2021</p> <p>Ordered to be reported – May 21, 2021</p>	
<a href="#"><u>H.R.2781</u></a> <a href="#"><u>Water Resources Research Amendments Act</u></a>	<p>This bill reauthorizes through FY2025 the Water Resources Research Act Program and otherwise revises the program, including by increasing the federal share of grant funding under the program for water resources research and technology institutes.</p> <p><i>Companion bill to S.1341.</i></p>	<p>Introduced by Rep Josh Harder (D-CA) – April 22, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.2810</u></a> <a href="#"><u>Build America, Buy America Act</u></a></p>	<p>This bill requires federal infrastructure programs to provide for the use of materials produced in the United States.</p> <p>Each federal agency must submit to the Office of Management and Budget and to Congress a report that identifies each federal financial assistance program for infrastructure administered by the agency and (1) identify domestic content procurement preferences applicable to the assistance, (2) assess the applicability of such requirements, (3) provide details on any applicable domestic content procurement preference requirement, and (4) include a description of the type of infrastructure projects that receive funding under the program.</p> <p>Each agency shall ensure that none of the funds made available for such a program may be used for a project unless all of the iron, steel, and manufactured products used in the project are produced in the United States, subject to waivers where inconsistent with the public interest, where not produced in sufficient quantities or satisfactory quality, or where such inclusion will increase the cost of the project by more than 25%.</p> <p><i>Companion bill to S.1303</i></p>	<p>Introduced by Rep. Tim Ryan (D-OH) – April 22, 2021</p> <p>Committee on Natural Resources hearing – May 4, 2021</p>	
<p><a href="#"><u>H.R.2895</u></a> <a href="#"><u>REPAIR Act</u></a></p>	<p>This bill addresses the financing of infrastructure projects through the establishment of the Infrastructure Financing Authority (IFA) and increases the national limitation on the amount of tax-exempt highway or surface freight transfer facility bonds.</p> <p>Specifically, the bill</p> <ul style="list-style-type: none"> <li>• directs the IFA to provide direct loans and loan guarantees to facilitate certain infrastructure projects that are economically viable, in the public interest, and of regional or national significance, including the construction, consolidation, alteration, or repair of airports and air traffic control systems, highway facilities, and transmission or distribution pipelines;</li> <li>• sets forth terms and limitations on direct loans and loan guarantees;</li> <li>• establishes a funding mechanism to make the IFA a self-sustaining entity, including through fees and risk premiums on loans and loan guarantees; and</li> <li>• increases from \$15 billion to \$16 billion the national limitation on the amount of tax-exempt highway or surface freight transfer facility bonds.</li> </ul>	<p>Introduced by Rep. Scott Peters (D-CA) – April 28, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.2952</u></a> <a href="#"><u>WISE Act</u></a>	This bill requires each state to use a certain percentage of funds it receives for capitalization of its clean water state revolving fund for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities.	Introduced by Rep. Nikema Williams (R-GA) – April 30, 2021	
<a href="#"><u>H.R.2979</u></a> <a href="#"><u>To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to the final maturity date of certain loans, and for other purposes</u></a>	<p>This bill allows certain federal water infrastructure loans to have maturity dates of up to 55 years.</p> <p>For a secured loan for a water infrastructure project with a useful life of more than 35 years, the final maturity date of the loan shall be no later than the earlier of (1) 55 years after the project's substantial completion, or (2) the useful life of the project. Currently, the latest possible maturity date for this type of loan is 35 years from the project's substantial completion.</p>	Introduced by Rep. John Garamendi (D-CA) – May 4, 2021	
<a href="#"><u>H.R.3023</u></a> <a href="#"><u>Restoring WIFIA Eligibility Act</u></a>	To amend the Water Infrastructure Finance and Innovation Act of 2014 with respect to budgetary treatment of certain amounts of financial assistance, and for other purposes.	Introduced by Rep. Jim Costa (D-CA) – May 10, 2021	
<a href="#"><u>H.R.3112</u></a> <a href="#"><u>Western Water Recycling and Drought Relief Act of 2021</u></a>	This bill authorizes the Department of the Interior to participate in the design, planning, and construction of specified recycled water system facilities in California.	Introduced by Rep. Jerry McNerney (D-CA) – May 11, 2021	
<a href="#"><u>H.R.3113</u></a> <a href="#"><u>MAPLand Act</u></a>	<p>This bill directs the Department of the Interior, the Forest Service, and the U.S. Army Corps of Engineers to jointly develop and adopt interagency standards to ensure compatibility and interoperability among federal databases for the collection and dissemination of outdoor recreation data related to federal lands.</p> <p>Interior, the Forest Service, and the Corps of Engineers must digitize and publish geographic information system mapping data that includes</p> <ul style="list-style-type: none"> <li>• federal interests, including easements and rights-of-way, in private land;</li> <li>• status information as to whether roads and trails are open or closed;</li> <li>• the dates on which roads and trails are seasonally opened and closed;</li> <li>• the types of vehicles that are allowed on each segment of roads and trails;</li> <li>• the boundaries of areas where hunting or recreational shooting is regulated or closed; and</li> <li>• the boundaries of any portion of a body of water that is closed to entry, is closed to watercraft, or has horsepower limitations for watercrafts.</li> </ul>	<p>Introduced by Rep. Blake Moore (R-UT) – May 11, 2021</p> <p>Ordered to be Reported – July 17, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.3218</u></a> <a href="#"><u>Wastewater</u></a> <a href="#"><u>Infrastructure</u></a> <a href="#"><u>Improvement Act of</u></a> <a href="#"><u>2021</u></a>	<p>To amend the Federal Water Pollution Control Act to reauthorize certain water pollution control programs, and for other purposes.</p>	<p>Introduced by Rep. David Rouzer (R-NC) – May 13, 2021</p>	
<a href="#"><u>H.R.3267</u></a> <a href="#"><u>Protect Drinking Water</u></a> <a href="#"><u>from PFAS Act of 2021</u></a>	<p>To amend the Safe Drinking Water Act to require the Administrator of the Environmental Protection Agency to publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for total per- and polyfluoroalkyl substances, and for other purposes.</p>	<p>Introduced by Rep. Brendan Boyle (D-PA) – May 17, 2021</p>	
<a href="#"><u>H.R.3282</u></a> <a href="#"><u>Drinking Water Funding</u></a> <a href="#"><u>for the Future Act of</u></a> <a href="#"><u>2021</u></a>	<p>To reauthorize funding for drinking water programs under the Safe Drinking Water Act and America’s Water Infrastructure Act of 2018, and for other purposes.</p>	<p>Introduced by Rep. David McKinley (R-WV) – May 17, 2021</p>	
<a href="#"><u>H.R.3293</u></a> <a href="#"><u>Low-Income Water</u></a> <a href="#"><u>Customer Assistance</u></a> <a href="#"><u>Programs Act of 2021</u></a>	<p>To amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to establish programs to assist low-income households in maintaining access to drinking water and wastewater services, and for other purposes.</p>	<p>Introduced by Rep. Lisa Blunt Rochester – (D-DE) – May 18, 2021</p> <p>Passed via legislative vehicle H.R. 3684 – July 1, 2021</p>	



LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.3291</u></a> <a href="#"><u>Assistance, Quality, and Affordability Act of 2021</u></a>	<p>To amend the Safe Drinking Water Act to provide assistance for States, territories, areas affected by natural disasters, and water systems and schools affected by PFAS or lead, and to require the Environmental Protection Agency to promulgate national primary drinking water regulations for PFAS, microcystin toxin, and 1,4-dioxane, and for other purposes.</p>	<p>Introduced by Rep. Paul Tonko (D-NY) – May 18, 2021</p> <p>Passed via legislative vehicle H.R. 3684 – July 1, 2021</p>	
<a href="#"><u>H.R.3292</u></a> <a href="#"><u>Water Debt Relief Act of 2021</u></a>	<p>To require the Administrator of the Environmental Protection Agency to carry out a residential emergency relief program to provide payment assistance for households to retain water service, and for other purposes.</p>	<p>Introduced by Rep. Debbie Dingell (D-MI) – May 18, 2021</p>	
<a href="#"><u>H.R.3339</u></a> <a href="#"><u>National Infrastructure Bank Act of 2021</u></a>	<p>To facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Bank, and for other purposes.</p>	<p>Introduced by Rep. Danny Davis (D-IL) – May 19, 2021</p>	
<a href="#"><u>S.1761</u></a> <a href="#"><u>Water Quality Certification Improvement Act of 2021</u></a>	<p>To amend the Federal Water Pollution Control Act to make changes with respect to water quality certification, and for other purposes.</p>	<p>Introduced by Sen. John Barrasso (R-WY) – May 20, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.3404</u></a> <a href="#"><u>FUTURE Western Water Infrastructure and Drought Resiliency Act</u></a>	<p>To provide drought preparedness and improved water supply reliability to the Nation.</p>	<p>Introduced by Rep. Jared Huffman (D-CA) – May 20, 2021</p>	
<a href="#"><u>H.R.3422</u></a> <a href="#"><u>Water Quality Certification Improvement Act of 2021</u></a>	<p>To amend the Federal Water Pollution Control Act to make changes with respect to water quality certification, and for other purposes.</p>	<p>Introduced by Rep. David McKinley (R-WV) – May 20, 2021</p>	
<a href="#"><u>S.1726</u></a> <a href="#"><u>21st Century Buy American Act</u></a>	<p>This bill modifies domestic product preferences for federal acquisitions. The bill also allows the Department of Defense to make or guarantee loans to manufacturers under the Defense Production Act for specified uses, such as to increase the capacity to produce items that are vital to national security.</p> <p>The bill requires more than 60% of a product's cost to be from domestic components for the product to qualify as American for purposes of the Buy American Act.</p> <p>The bill narrows the circumstances under which the overseas use exception and the public interest exception to domestic content requirements may be made.</p> <p>The General Services Administration must maintain BuyAmerican.gov, which must include and make available to the public (1) information on all waivers and exceptions to domestic product preference laws requested, under consideration, or granted; and (2) publicly available contact information for the contracting agencies.</p> <p>No requested waiver of a domestic product preference law may be granted if (1) the request was not made available to the public, (2) the information available to the agency concerning the request was not made available to the public, or (3) no opportunity for public comment concerning the request was granted.</p> <p><i>Companion bill to H.R.3880.</i></p>	<p>Introduced by Sen. Chris Murphy (D-CT) – May 20, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.3473</u></a>  <a href="#"><u>Build Local, Hire Local Act</u></a></p>	<p>This bill imposes various requirements on certain federally assisted infrastructure projects. The bill also creates infrastructure-related grant programs and establishes the Buy America Bureau.</p> <p>Such federally assisted infrastructure projects must (1) employ a certain percentage of local workers to the maximum extent practicable; and (2) prioritize hiring certain individuals, such as veterans and those facing barriers to employment. A certain percentage of funds for these projects must be used for contracts with small businesses that have fewer than 10 employees.</p> <p>When applying for a contract, grant, or loan related to a project, the applying entity must disclose whether there are any rulings, such as a civil judgment, finding that the entity has violated certain federal labor and occupational safety laws in the last three years.</p> <p>In addition, the Department of Transportation must award grants to entities in disadvantaged and underserved communities for infrastructure projects that create connected, economically prosperous, and environmentally healthy communities. Further, the Department of Labor must provide grants to workforce development boards and industry partnerships for job training programs to train certain groups, such as individuals with barriers to employment, for jobs in targeted infrastructure industries.</p> <p>The bill also establishes the Buy America Bureau within the Department of Commerce to oversee project compliance with existing laws that require the use of U.S.-made materials in certain federally funded projects.</p> <p><i>Companion bill to S.1827.</i></p>	<p>Introduced by Rep. Karen Bass (D-CA) – May 25, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#">S.1827</a>  <a href="#">Build Local, Hire Local Act</a></p>	<p>This bill imposes various requirements on certain federally assisted infrastructure projects. The bill also creates infrastructure-related grant programs and establishes the Buy America Bureau.</p> <p>Such federally assisted infrastructure projects must (1) employ a certain percentage of local workers to the maximum extent practicable; and (2) prioritize hiring certain individuals, such as veterans and those facing barriers to employment. A certain percentage of funds for these projects must be used for contracts with small businesses that have fewer than 10 employees.</p> <p>When applying for a contract, grant, or loan related to a project, the applying entity must disclose whether there are any rulings, such as a civil judgment, finding that the entity has violated certain federal labor and occupational safety laws in the last three years.</p> <p>In addition, the Department of Transportation must award grants to entities in disadvantaged and underserved communities for infrastructure projects that create connected, economically prosperous, and environmentally healthy communities. Further, the Department of Labor must provide grants to workforce development boards and industry partnerships for job training programs to train certain groups, such as individuals with barriers to employment, for jobs in targeted infrastructure industries.</p> <p>The bill also establishes the Buy America Bureau within the Department of Commerce to oversee project compliance with existing laws that require the use of U.S.-made materials in certain federally funded projects.</p> <p><i>Companion bill to H.R.3473.</i></p>	<p>Introduced by Sen. Kirsten Gillibrand (D-NY) – May 25, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>S.1907</u></a>  <a href="#"><u>Clean Water Standards for PFAS Act of 2021</u></a></p>	<p>This bill directs the Environmental Protection Agency (EPA) to develop requirements and incentives to limit the discharge of perfluoroalkyl and polyfluoroalkyl substances (PFAS) into certain waters of the United States. PFAS are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing.</p> <p>Within two years, the EPA must publish water quality criteria for each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of PFAS. The water quality criteria must determine how much of these substances can be present in water before it is likely to harm human health.</p> <p>Within four years, the EPA must publish a final rule that establishes, for each priority industry category specified in the bill, effluent limitations guidelines and standards for the discharge of each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of PFAS. Under the Clean Water Act, effluent limitations restrict the quantities, rates, and concentrations of chemical, physical, biological, and other constituents which are discharged from point sources (e.g., a discernible source such as a pipe) into navigable waters, the ocean, or other specified waters.</p> <p>In addition, the EPA must award grants to owners and operators of publicly owned treatment works for implementing the effluent limitations guidelines and standards.</p> <p><i>Companion bill to H.R.3622.</i></p>	<p>Introduced by Sen. Kirsten Gillibrand (D-NY) – May 27, 2021</p>	
<p><a href="#"><u>S.1855</u></a>  <a href="#"><u>Wildfire Emergency Act of 2021</u></a></p>	<p>To direct the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire, and for other purposes.</p>	<p>Introduced by Sen. Dianne Feinstein (D-CA) – May 26, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.3622</u></a>  <a href="#"><u>Clean Water Standards for PFAS Act of 2021</u></a></p>	<p>This bill directs the Environmental Protection Agency (EPA) to develop requirements and incentives to limit the discharge of perfluoroalkyl and polyfluoroalkyl substances (PFAS) into certain waters of the United States. PFAS are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing.</p> <p>Within two years, the EPA must publish water quality criteria for each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of PFAS. The water quality criteria must determine how much of these substances can be present in water before it is likely to harm human health.</p> <p>Within four years, the EPA must publish a final rule that establishes, for each priority industry category specified in the bill, effluent limitations guidelines and standards for the discharge of each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of PFAS. Under the Clean Water Act, effluent limitations restrict the quantities, rates, and concentrations of chemical, physical, biological, and other constituents which are discharged from point sources (e.g., a discernible source such as a pipe) into navigable waters, the ocean, or other specified waters.</p> <p>In addition, the EPA must award grants to owners and operators of publicly owned treatment works for implementing the effluent limitations guidelines and standards.</p> <p><i>Companion bill to S.1907.</i></p>	<p>Introduced by Rep. Chris Pappas (D-NH) – May 28, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.3684</u></a> <a href="#"><u>INVEST in America Act</u></a></p>	<p>This bill addresses provisions related to federal-aid highway, transit, highway safety, motor carrier, research, hazardous materials, and rail programs of the Department of Transportation (DOT).</p> <p>Among other provisions, the bill</p> <ul style="list-style-type: none"> <li>• extends FY2021 enacted levels through FY2022 for federal-aid highway, transit, and safety programs;</li> <li>• reauthorizes for FY2023-FY2026 several surface transportation programs, including the federal-aid highway program, transit programs, highway safety, motor carrier safety, and rail programs;</li> <li>• addresses climate change, including strategies to reduce the climate change impacts of the surface transportation system and a vulnerability assessment to identify opportunities to enhance the resilience of the surface transportation system and ensure the efficient use of federal resources;</li> <li>• revises Buy America procurement requirements for highways, mass transit, and rail;</li> <li>• establishes a rebuild rural bridges program to improve the safety and state of good repair of bridges in rural communities;</li> <li>• implements new safety requirements across all transportation modes; and</li> <li>• directs DOT to establish a pilot program to demonstrate a national motor vehicle per-mile user fee to restore and maintain the long-term solvency of the Highway Trust Fund and achieve and maintain a state of good repair in the surface transportation system.</li> </ul>	<p>Introduced by Rep. Peter DeFazio (D-OR) – June 4, 2021</p> <p>Became Public Law No. 117-58 – November 15, 2021</p>	
<p><a href="#"><u>H.R.3691</u></a> <a href="#"><u>Wastewater Infrastructure Modernization Act</u></a></p>	<p>To amend the Federal Water Pollution Control Act to establish a smart wastewater infrastructure technology grant program, and for other purposes.</p>	<p>Introduced by Rep. Carolyn Bourdeaux (D-GA) – June 4, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.3722</a> <a href="#">21st Century Infrastructure Bank Act</a>	To establish the 21st Century American Infrastructure Bank, and for other purposes.	Introduced by Rep. Sean Maloney (D-NY) – June 4, 2021	
<a href="#">H.R.3701</a> <a href="#">PIPE Act</a>	To establish water infrastructure grant programs.	Introduced by Rep. Antonio Delgado (D-NY) – June 4, 2021	
<a href="#">H.R.3751</a> <a href="#">Clean Water Infrastructure Resilience and Sustainability Act of 2021</a>	To amend the Federal Water Pollution Control Act to establish a program to make grants to eligible entities to increase the resilience of publicly owned treatment works to natural disasters, and for other purposes.	Introduced by Rep. Salud Carbajal (D-CA) – June 8, 2021	
<a href="#">H.R.3814</a> <a href="#">UNSHACKLE Act</a>	This bill revises the environmental review process required under the National Environmental Policy Act of 1969 (NEPA), including by <ul style="list-style-type: none"> <li>• establishing deadlines for federal agencies to complete reviews of the environmental effects of proposed major federal actions;</li> <li>• establishing penalties for agencies that do not comply with these deadlines;</li> <li>• limiting the number of assessment documents required for proposed major federal actions, requiring agencies to reuse certain research or documents, and allowing agencies to adopt environmental documents prepared by states or third parties;</li> <li>• requiring agencies to only consider alternatives to proposed actions that are technically and economically feasible;</li> <li>• prohibiting agencies from considering whether proposed actions or alternatives to those actions will have an effect on climate change; and</li> <li>• establishing requirements concerning the judicial review of NEPA cases.</li> </ul>	Introduced by Rep. Liz Cheney (R-WY) – June 11, 2021	
<a href="#">H.R.4018</a> <a href="#">NEED Water Act</a>	To amend the Federal Water Pollution Control Act to modify the definition of navigable waters, and for other purposes.	Introduced by Rep. David Valadao (R-CA) – June 17, 2021	



LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">S.2168</a> <a href="#">Define WOTUS Act of 2021</a>	<p>This bill describes which bodies of water fall under federal jurisdiction for purposes of the Clean Water Act. Specifically, the bill redefines navigable waters and establishes a process for the U.S. Army Corps of Engineers to determine, upon request, whether certain waters are navigable waters.</p> <p><i>Companion bill to H.R.4570.</i></p>	<p>Introduced by Rep. Mike Braun (R-IN) – June 22, 2021</p>	
<a href="#">H.R.4069</a> <a href="#">Septic Upgrade Grant Act</a>	<p>To amend the Federal Water Pollution Control Act to provide for additional subsidization assistance to a municipality to carry out on-site wastewater treatment system projects, and for other purposes.</p>	<p>Introduced by Thomas Suozzi (D-NY) – June 22, 2021</p>	
<a href="#">H.R.4099</a> <a href="#">Large-Scale Water Recycling Project Investment Act</a>	<p>To direct the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects, and for other purposes.</p>	<p>Introduced by Rep. Grace Napolitano (D-CA) – June 23, 2021</p> <p>House Natural Resources Subcommittee on Water, Oceans, and Wildlife hearing held – June 29, 2021</p>	
<a href="#">S.2286</a> <a href="#">Western Water, Jobs, and Infrastructure Act</a>	<p>To authorize the Secretary of the Interior to use designated funding to pay for construction of authorized rural water projects, and for other purposes.</p>	<p>Introduced by Sen. Jon Tester (D-MT) – June 24, 2021</p>	
<a href="#">H.R.4224</a> <a href="#">PFAS Transparency Act</a>	<p>The bill requires an industrial entity that introduces perfluoroalkyl or polyfluoroalkyl substances, commonly referred to as PFAS, into wastewater treatment systems to provide specified advance notices to such systems, including the identity and quantity of such PFAS.</p> <p>PFAS are man-made and may have adverse human health effects. A variety of products contain the compounds, such as nonstick cookware or weatherproof clothing.</p>	<p>Introduced by Rep. Antonio Delgado (D-NY) – June 29, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.4284</a> <a href="#">Clean Drinking Water Equity Act</a>	To amend the Safe Drinking Water Act with respect to assistance for disadvantaged communities, and for other purposes.	Introduced by Rep. Raul Ruiz (D-CA) – June 30, 2021	
<a href="#">H.R.4336</a> <a href="#">NEPA State Assignment Expansion Act</a>	This bill allows certain states to enter into agreements with federal agencies to assume federal responsibilities regarding the environmental review of proposed major federal actions under the National Environmental Policy Act of 1969.	Introduced by Rep. David Schweikert (R-AZ) – July 1, 2021	
<a href="#">H.R.4372</a> <a href="#">Department of the Interior, Environment, and Related Agencies Appropriations Act, 2022</a>	Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.	Introduced by Rep. Chellie Pingree (D-ME) – July 6, 2021  Passed via legislative minibus H.R.4502 – August 3, 2021	
<a href="#">S.2334</a> <a href="#">Large Scale Water Recycling Project and Drought Resiliency Investment Act</a>	To direct the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects, to amend the Omnibus Public Land Management Act of 2009 to make certain modifications to the Cooperative Watershed Management Program, to provide emergency drought funding, and for other purposes.  <i>Companion bill to H.R.4099.</i>	Introduced by Sen. Catherine Cortez Masto (D-NV) – July 13, 2021	
<a href="#">H.R.4413</a> <a href="#">National Infrastructure Development Bank Act of 2021</a>	To facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Development Bank, and for other purposes.	Introduced by Rep. Rosa DeLauro (D-CT) – July 13, 2021	
<a href="#">S.2361</a> <a href="#">Green Retrofits Act</a>	To reauthorize the budget-neutral demonstration program for energy and water conservation at multifamily residential units, to establish a green retrofit program, and for other purposes.	Introduced by Sen. John Reed (D-RI) – July 15, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.4502</u></a> <a href="#"><u>Labor, Health and Human Services, Education, Agriculture, Rural Development, Energy and Water Development, Financial Services and General Government, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act, 2022</u></a>	<p>Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.</p>	<p>Introduced by Rep. Rosa DeLauro (D-CT) – July 19, 2021</p> <p>Passed the House; received in the Senate – August 3, 2021</p>	
<a href="#"><u>H.R.4549</u></a> <a href="#"><u>Energy and Water Development and Related Agencies Appropriations Act, 2022</u></a>	<p>Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2022, and for other purposes.</p>	<p>Introduced by Rep. Marcy Kaptur (D-OH) – July 20, 2021</p> <p>Passed via legislative minibus H.R.4502 – August 3, 2021</p>	
<a href="#"><u>H.R.4570</u></a> <a href="#"><u>Define WOTUS Act of 2021</u></a>	<p>This bill describes which bodies of water fall under federal jurisdiction for purposes of the Clean Water Act. Specifically, the bill redefines navigable waters and establishes a process for the U.S. Army Corps of Engineers to determine, upon request, whether certain waters are navigable waters.</p> <p><i>Companion bill to S.2168</i></p>	<p>Introduced by Rep. Mary Miller (R-IL) – July 20, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">S.2404</a> <a href="#">Western Wildfire Support Act of 2021</a>	To improve Federal activities relating to wildfires, and for other purposes.	Introduced by Sen. Catherine Cortez Masto (D-NV) – July 20, 2021	
<a href="#">S.2406</a> <a href="#">Protect Drinking Water from PFAS Act of 2021</a>	To amend the Safe Drinking Water Act to require the Administrator of the Environmental Protection Agency to set maximum contaminant levels for certain chemicals, and for other purposes.	Introduced by Sen. Kirsten Gillibrand (D-NY) – July 21, 2021	
<a href="#">H.R.4597</a> <a href="#">Clean Water SRF Parity Act</a>	To amend the Federal Water Pollution Control Act to make certain projects and activities eligible for financial assistance under a State water pollution control revolving fund, and for other purposes.	Introduced by Rep. John Garamendi (D-CA) – July 21, 2021	
<a href="#">H.R.4602</a> <a href="#">WIPPES Act</a>	To direct the Federal Trade Commission to issue regulations requiring certain products to have “Do Not Flush” labeling, and for other purposes.	Introduced by Rep. Alan Lowenthal (D-CA) – July 21, 2021	
<a href="#">S.2430</a> <a href="#">Water Conservation Rebate Tax Parity Act</a>	<p>This bill expands the tax exclusion for energy conservation subsidies provided by public utilities to include certain subsidies for water conservation or efficiency measures and storm water management measures.</p> <p>The bill excludes from gross income subsidies provided (directly or indirectly) (1) by a public utility to a customer, or by a state or local government to a resident of such state or locality, for the purchase or installation of any water conservation or efficiency measure; and (2) by a storm water management provider to a customer, or by a state or local government to a resident of such state or locality, for the purchase or installation of any storm water management measure</p> <p><i>Companion bill to H.R.4647.</i></p>	Introduced by Rep. Jared Huffman (D-CA) – July 22, 2021	
<a href="#">S.2454</a> <a href="#">Water Reuse and Resiliency Act of 2021</a>	To amend the Federal Water Pollution Control Act to reauthorize the pilot program for alternative water source projects, and for other purposes.	Introduced by Sen. Alex Padilla (D-CA) – July 22, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">H.R.4647</a> <a href="#">Water Conservation Rebate Tax Parity Act</a>	<p>This bill expands the tax exclusions for energy conservation subsidies to include subsidies provided (directly or indirectly) (1) by a public utility for the purchase or installation of any water conservation or efficiency measure; (2) by a storm water management provider for the purchase or installation of any storm water management measure; or (3) by a state or local government to a resident of such state or locality for the purchase or installation of any wastewater management measure, but only if such measure concerns the taxpayer's principal residence.</p>	<p>Introduced by Rep. Jared Huffman (D-CA) – July 22, 2021</p>	
<a href="#">H.R.4712</a> <a href="#">Desalination Development Act</a>	<p>To promote desalination project development and drought resilience, and for other purposes.</p>	<p>Introduced by Rep. Mike Levin (D-CA) – July 27, 2021</p>	
<a href="#">H.R.4614</a> <a href="#">Resilient Federal Forests Act</a>	<p>To expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on Tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes.</p>	<p>Introduced by Repl. Bruce Westerman (R-AR) – July 22, 2021</p>	
<a href="#">S.2567</a> <a href="#">Navigable Waters Protection Act of 2021</a>	<p>To enact the definition of “waters of the United States” into law, and for other purposes.</p>	<p>Introduced by Sen. Shelley Capito (R-WV) – July 29, 2021</p>	
<a href="#">S.2605</a> <a href="#">Energy and Water Development and Related Agencies Appropriations Act, 2022</a>	<p>This bill provides FY2022 appropriations for U.S. Army Corps of Engineers civil works projects, the Department of the Interior's Bureau of Reclamation, the Department of Energy (DOE), and independent agencies such as the Nuclear Regulatory Commission..</p>	<p>Introduced by Sen. Dianne Feinstein (D-CA) – August 4, 2021</p> <p>Passed the Appropriations Committee; Placed on the Senate calendar – August 4, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#">S.2630</a> <a href="#">Environmental Justice Act of 2021</a>	<p>This bill requires agencies to address and mitigate the disproportionate impact of environmental and human health hazards on communities of color, indigenous communities, and low-income communities resulting from agencies' programs and policies. The bill also requires agencies to address cumulative impacts of pollution in permitting decisions and expands the types of legal actions available to individuals regarding charges of federal discriminatory practices.</p> <p>Specifically, the bill provides statutory authority for a variety of existing programs, executive orders, federal guidance, and committees concerning environmental justice, including</p> <ul style="list-style-type: none"> <li>• Executive Order 12898;</li> <li>• a guidance issued in 1997 by the Council on Environmental Quality titled Environmental Justice Guidance Under the National Environmental Policy Act;</li> <li>• a guidance issued in 2016 by the Environmental Protection Agency titled EPA Policy on Consultation and Coordination with Indian Tribes: Guidance for Discussing Tribal Treaty Rights;</li> <li>• the National Environmental Justice Advisory Council;</li> <li>• the Environmental Justice Small Grants Program; and</li> <li>• the Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program.</li> <li>• In addition, the bill requires agencies renewing or issuing specified permits under the Clean Water Act or the Clean Air Act to consider the cumulative impacts of pollution.</li> </ul> <p>The bill also allows individuals to bring actions under the Civil Rights Act against entities that receive federal assistance and engage in discriminatory practices that have a disparate impact. Currently, individuals must request that federal agencies bring such actions on their behalf.</p>	<p>Introduced by Sen. Cory Booker (D-NJ) – August 5, 2021</p>	
<a href="#">H.R.4976</a> <a href="#">Ensuring PFAS Cleanup Meets or Exceeds Stringent Standards Act</a>	<p>To direct the Secretary of Defense to ensure that removal and remedial actions relating to PFAS contamination result in levels meeting or exceeding certain standards, and for other purposes.</p>	<p>Introduced by Rep. Elissa Slotkin (D-MI) – August 6, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.4979</u></a> <a href="#"><u>Maintaining Access to Essential Services Act of 2021</u></a>	To provide emergency loans to maintain access to essential services during the COVID-19 pandemic, and for other purposes.	Introduced by Rep. Rashia Tlaib (D-MI) – August 6, 2021	
<a href="#"><u>S.2698</u></a> <a href="#"><u>Stop CATASTROPHES Act</u></a>	To establish a categorical exclusion to improve or restore National Forest System land or public land or reduce the risk of wildfire, and for other purposes.	Introduced by Sen. Cynthia Lummis (R-WY) – August 10, 2021	
<a href="#"><u>S.Con.Res.14</u></a> <a href="#"><u>A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2022 and setting forth the appropriate budgetary levels for fiscal years 2023 through 2031</u></a>	<p>This concurrent resolution establishes the congressional budget for the federal government for FY2022, sets forth budgetary levels for FY2023-FY2031, and provides reconciliation instructions for legislation that increases the deficit.</p> <p>The resolution recommends levels and amounts for FY2022-FY2031 for</p> <ul style="list-style-type: none"> <li>• federal revenues,</li> <li>• new budget authority,</li> <li>• budget outlays,</li> <li>• deficits,</li> <li>• public debt,</li> <li>• debt held by the public, and</li> <li>• the major functional categories of spending.</li> </ul>	<p>Introduced by Sen. Bernie Sanders (I-VT) – August 9, 2021</p> <p>Passed the Senate;            Received in the House – August 17, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>H.R.5305</u></a> <a href="#"><u>Extending Government Funding and Delivering Emergency Assistance Act</u></a>	<p>This bill provides continuing FY2022 appropriations for federal agencies, provides supplemental appropriations, and extends several expiring programs and authorities.</p> <p>Specifically, the bill provides continuing FY2022 appropriations to federal agencies through the earlier of December 3, 2021, or the enactment of the applicable appropriations act.</p> <p>It is known as a continuing resolution (CR) and prevents a government shutdown that would otherwise occur if the FY2022 appropriations bills have not been enacted when FY2022 begins on October 1, 2021. The CR funds most programs and activities at the FY2021 levels with several exceptions that provide funding flexibility and additional appropriations for various programs.</p> <p>In addition, the bill provides supplemental appropriations to several federal agencies for activities related to natural disasters and the evacuees from Afghanistan.</p>	<p>Introduced by Rep. Rosa DeLauro (D-CT) – September 21, 2021</p> <p>Became Public Law No: 117-43 – September 30, 2021</p>	
<a href="#"><u>S. 2792</u></a> <a href="#"><u>National Defense Authorization Act for Fiscal Year 2022</u></a>	<p>To authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.</p>	<p>Introduced by Sen. Jack Reed (D-RI) – September 22, 2021</p>	
<a href="#"><u>H.R.5438</u></a> <a href="#"><u>Water Advanced Technologies for Efficient Resource Use Act of 2021</u></a>	<p>To provide incentives for the purchase of water-efficient products, and for other purposes.</p>	<p>Introduced by Rep. Matt Cartwright (D-PA) – September 30, 2021</p>	
<a href="#"><u>H.R.5376</u></a> <a href="#"><u>Build Back Better Act</u></a>	<p>This bill provides funding, establishes programs, and otherwise modifies provisions relating to a broad array of areas, including education, labor, child care, health care, taxes, immigration, and the environment. (The bill is commonly referred to as the Build Back Better Act.)</p>	<p>Introduced by Rep. John Yarmuth (D-KY) – September 27, 2021</p> <p>Passed the House – November 19, 2021</p>	



LEGISLATION	SUMMARY	STATUS	POSITION
<a href="#"><u>S.3034</u></a> <a href="#"><u>Department of the Interior, Environment, and Related Agencies Appropriations Act, 2022</u></a>	Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.	Introduced by Sen. Jeff Merkley (D-OR) – October 20, 2021	
<a href="#"><u>H.R.5653</u></a> <a href="#"><u>Clean Water Allotment Modernization Act of 2021</u></a>	To amend the Federal Water Pollution Control Act to modify certain allotments under that Act, and for other purposes.	Introduced by Rep. Michael Waltz (R-FL) – October 20, 2021	
<a href="#"><u>H.R.5716</u></a> <a href="#"><u>Securing Access for the central Valley and Enhancing (SAVE) Water Resources Act</u></a>	To promote water supply reliability and improved water management for rural communities, the State of California, and the Nation, and for other purposes.	Introduced by Rep. Josh Harder (D-CA) – October 25, 2021	
<a href="#"><u>S.3156</u></a> <a href="#"><u>Federal Agency Climate PREP Act of 2021</u></a>	To require Federal agencies to maintain plans for responding to, mitigating, and adapting to climate change, and for other purposes.	Introduced by Sen. Amy Klobuchar (D-MN) – November 3, 2021	
<a href="#"><u>S.3169</u></a> <a href="#"><u>Keep Food Containers Safe from PFAS Act of 2021</u></a>	To amend the Federal Food, Drug, and Cosmetic Act to prohibit the introduction or delivery for introduction into interstate commerce of food packaging containing intentionally added PFAS, and for other purposes.  <i>Companion bill to H.R.6026.</i>	Introduced by Sen. Maggie Hassan (D-NH) – November 4, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><a href="#"><u>H.R.5987</u></a>  <a href="#"><u>PFAS Definition Improvement Act</u></a></p>	<p>To amend the Toxic Substances Control Act with respect to the PFAS data call, and for other purposes.</p>	<p>Introduced by Rep. Deborah Ross (D-NC) – November 16, 2021</p>	
<p><b>H.R.6010</b>  To ensure that contractor employees on Army Corps projects are paid prevailing wages as required by law, and for other purposes.</p>	<p><i>Text is not yet available.</i></p>	<p>Introduced by Rep. Christopher Smith (R-NJ) – November 17, 2021</p>	
<p><b>H.R.6026</b>  To amend the Federal Food, Drug, and Cosmetic Act to prohibit the introduction or delivery for introduction into interstate commerce of food packaging containing intentionally added PFAS, and for other purposes.</p>	<p>To amend the Federal Food, Drug, and Cosmetic Act to prohibit the introduction or delivery for introduction into interstate commerce of food packaging containing intentionally added PFAS, and for other purposes.</p> <p><i>Companion bill to S.3129.</i></p>	<p>Introduced by Rep. Debbie Dingell (D-MI) – November 18, 2021</p>	
<p><b>H.R.6058</b>  To extend the authority of the Secretary of Defense to transfer funds for a certain study on per- and polyfluoroalkyl substance contamination in drinking water, and for other purposes.</p>	<p><i>Text is not yet available.</i></p>	<p>Introduced by Rep. Madeleine Dean (D-PA) – November 19, 2021</p>	

## INFORMATION ONLY

December 6, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: General Manager

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**Subject : Pure Water Project Las Virgenes-Triunfo: Update**

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**SUMMARY:**

On August 1, 2016, the JPA Board selected Scenario No. 4, use of Las Virgenes Reservoir for indirect potable reuse, as the preferred alternative for the Recycled Water Seasonal Storage Basis of Design Report. The selected alternative was subsequently renamed the *Pure Water Project Las Virgenes-Triunfo*. Staff was also directed to report back to the Board on the next steps for implementation of the project.

Staff released a request for proposals (RFP) for Owner's Advisor/Program Manager services for the Pure Water Project Las Virgenes-Triunfo on May 8, 2020. The selection of an Owner's Advisor/Program Manager to support the effort was an important next step to begin implementation of the Pure Water Program. Utilization of an Owner's Advisor/Program Manager is consistent with the approach taken by other public agencies pursuing potable reuse projects of similar scope and complexity. Among the critical elements of the proposed scope are completion of the preliminary design and environmental documentation in support of the Pure Water Program. The scope of work under the contract includes program management, preparation of preliminary design and/or alternative delivery bridging documents, preparation of all environmental studies and documentation for compliance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA), preparation of studies and documents necessary to secure all required regulatory permits, and support of efforts to secure grant funding or low-interest loans.

On September 8, 2020, the JPA Board accepted a proposal from Jacobs Engineering Group, Inc., and authorized the Administering Agent/General Manager to execute a professional services agreement for Owner's Advisor/Program Manager services for the Pure Water Project Las Virgenes-Triunfo. This report serves to provide a summary of the progress to-date on the work performed by Jacobs Engineering Group, Inc., including major monthly milestones, key program accomplishments, key considerations and a look-ahead of upcoming activities.

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

Prepared by: Eric Schlageter, Principal Engineer

**ATTACHMENTS:**

Monthly Update on Pure Water Project Las Virgenes-Triunfo

To: Las Virgenes-Triunfo JPA Board of Directors  
From: Jennifer Phillips, Jacobs  
Date: November 22, 2021  
Re: Pure Water Project JPA Board Monthly Update

## Pure Water Project Overview

The Pure Water Project (PWP) is an opportunity to proactively address three major challenges facing the Las Virgenes-Triunfo JPA:

- comply with more stringent regulatory requirements for discharging to Malibu Creek,
- balance seasonal variation of recycled water demand, and
- create a valuable resource to supplement the region's water supplies, enabled by California's cutting-edge reservoir water augmentation program.

By 2030, the innovative plan is to have an operational advanced water purification facility (AWPF) to treat tertiary effluent from the Tapia Water Reclamation Facility for indirect potable reuse, and convey the product water to the Las Virgenes Reservoir, where it will be blended with Metropolitan Water District (MWD) supply. The current phase (Phase 1) of the project provides the programmatic process to manage such a large, complicated project, focusing on the technical, regulatory, environmental, financial, and procurement strategies to provide a foundation with more cost and project delivery clarity. Each month the Project team will provide a status report to communicate major milestones, accomplishments for the previous month, planned work for the next month, and potential challenges.

## Monthly Major Milestones

- Finalized draft water augmentation technical memorandum.
- Finalized testing protocols for evaluating Tapia WRF disinfection practices to mitigate disinfection byproduct formation in the feed water to the AWPF.
- Finalized testing protocols for pipe run testing at the Demonstration Facility to simulate water quality conditions and scaling potential for concentrate conveyance.
- Refined preliminary concentrate pipeline alignment for review with Thousand Oaks.

## Key Program Accomplishments Last Month

Following is a summary of the key November 2021 program accomplishments. Many PWP team meetings occurred in November to plan, coordinate and implement the following activities:

### **November Accomplishments:**

#### **Programmatic:**

- Coordinated technical, financial, regulatory and environmental efforts.

**Technical:**

- Met with Tapia WRF staff to identify sampling locations and finalize testing plan to reduce disinfection byproduct formation in the feed to the new AWPf. Minimizing disinfection byproduct formation in the feed will facilitate regulatory compliance with the California Toxics Rule (CTR) for reservoir water augmentation.
- Finalized testing plan for the reverse osmosis concentrate pipe run at the Demonstration Facility to understand scaling potential.
- Finalized the regional concentrate scaling survey of reverse osmosis facilities in Southern California to obtain lessons learned and scaling mitigation strategies to consider.
- Finalized the water augmentation study technical memorandum.
- Met with LVMWD Operations and Maintenance staff to discuss facility non-process needs for the new AWPf.
- Conducted survey mapping of the Agoura Road site and coordinating authorization to conduct survey of the reservoir site.
- Continued facility programming discussions with the architect, civil, process, and operation and maintenance liaison to develop the new AWPf layout, considering constraints, themes, and needs.
- Completed utility information gathering as part of the conveyance alignment study and site evaluation to understand utility locations, city restrictions, and permitting requirements in the potential project areas.
- Refining the alignments for recycled water, purified water and concentrate conveyance.
- Met with Agoura Hills to discuss planning requirements for the Agoura Road AWPf site, including zoning, parking and height limits.

**Regulatory/Environmental:**

- Initiated the environmental evaluation and preparation of the draft Programmatic Environmental Impact Report (PEIR) by mobilizing the interdisciplinary team of resource specialists and environmental planners. Began investigating biological items of focus for the project areas.
- Prepared presentation for next meeting with the Regional Water Quality Control Board (RWQCB) to discuss current discharge locations, monitoring requirements and transition plan to the new AWPf.

**Financial:**

- Began assessing cost allocations for the PWP among the various enterprise funds to support development of the 10-year Infrastructure Investment Plan (IIP).

**Public Outreach:**

- Conducted monthly call to provide clarity on CEQA focused support efforts. Discussed timing of speaker training and PWP updates to LVMWD and TWSD staff.

## Main Considerations

- **Reservoir Operation** – assessing approaches to mitigate algal blooms to allow the reservoir to operate closer to anticipated flows.
- **Water Augmentation and Integration Plan** – finding and securing viable supplemental water sources, and establishing MOUs/Agreements with regional parties and partners over the life of the project.
- **Minimizing disinfection byproducts** – developing cost effective treatment strategies to mitigate formation and achieve regulatory compliance using the Demonstration Plant.
- **Conveyance Coordination** – initiating early discussions with cities and agencies in the alignment corridors to understand desire to work together to minimize schedule impacts. Looking to propose Memorandums of Understanding (MOUs), or other commitment-level approaches as conveyance alignment is finalized over the next year.
- **Brine Management** – establishing MOUs/Agreements with regional parties and partners for brine disposal to the Calleguas Regional Salinity Management Pipeline over the next year. Understand increased costs of other options.
- **Refining budgetary costs for the Pure Water Project** – addressing total costs to deliver the PWP as envisioned by the JPA in today’s market, supply chain, regulatory requirements, escalation considerations, and optimized project delivery for conveyance alignments and treatment approaches.

## Look Ahead

The Project Team is preparing the technical evaluations of each site, initiating testing at Tapia WRF and the Demonstration facility to inform the design, evaluating the hydraulics of the existing recycled water system, preparing conveyance alignments, taking next steps to progress the CEQA work, and proceeding with the strategies outlined in the Program Implementation Plan for December.

The Project Team is focused on the meetings and site visits planned for December:

- Conducting baseline sampling and testing at Tapia WRF for evaluating disinfection byproduct mitigation opportunities for the AWPF feed.
- Meeting with Thousand Oaks to review preliminary concentrate conveyance alignment.
- Meeting with RWQCB to review discharge points and monitoring requirements, with consideration of transition to the AWPF.
- Supporting the build of the concentrate pipe run to conduct pilot testing and understand design considerations for concentrate disposal.
- Meeting with LVWMD staff to discuss AWPF building programming needs.

December 6, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Finance & Administration

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**Subject : Annual Financial Statements and Independent Auditor's Report**

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**SUMMARY:**

The Pun Group, LLP completed the annual audit of the Las Virgenes-Triunfo Joint Powers Authority (JPA) financial statements and issued an opinion that they fairly present the financial position of the JPA as of June 30, 2021.

**RECOMMENDATION(S):**

Receive and file the Fiscal Year 2020-21 JPA Financial Statements and Independent Auditor's Report.

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

**DISCUSSION:**

The JPA's net position increased by \$1.2 million, or 1.28%, during Fiscal Year 2020-21. The net position reflected an increase of \$4.7 million, or 5.0%, since the beginning of Fiscal Year 2019-20 and an increase of \$7.2 million, or 7.88%, since the beginning of Fiscal Year 2018-19.

For Fiscal Year 2020-21, the JPA's operating expenses, not including depreciation, increased \$3.4 million, or by 18.09%, over Fiscal Year 2019-20. Operating expenses reflected increases of \$5.9 million, or 37.0%, over Fiscal Year 2018-19 and \$6.2 million, or 39.78%, over Fiscal Year 2017-18.

Billings to JPA participants increased by \$6.0 million, or 31.7%, in Fiscal Year 2020-21 as compared to the prior year. Billings reflected an increase of \$5.3 million, or 38.58%, as compared to Fiscal Year 2018-19 and an increase of \$5.7 million, or 43.25%, over Fiscal Year 2017-18.



The following table provides highlights from the JPA's Financial Statements.

Condensed Statements of Revenues, Expenses  
and Changes in Net Position  
(in thousands of dollars)

	FY 2020- 21	FY 2019- 20	FY 2018- 19
Recycled Water Sales	\$ 2,638	\$ 2,397	\$ 2,069
Other Operating Revenue	52	47	46
Total Operating Revenue	2,690	2,444	2,115
Depreciation Expense	5,800	5,624	5,721
Other Operating Expense	21,915	18,559	15,990
Total Operating Expense	27,715	24,183	21,711
Operating Loss Before Billings to Participants	(25,025)	(21,739)	(19,596)
Billings to Participants	19,000	13,041	13,710
Non-operating Revenues/ Expenses	228	3,070	162
Net Loss Before Participants' Capital Contributions	(5,796)	(5,628)	(5,724)
Participant Capital Contributions	7,035	9,072	8,229
Change in Net Position	1,239	3,444	2,504
Net Position-Beginning of Year	97,123	93,679	91,175
Net Position-End of Year	<u>\$ 98,362</u>	<u>\$ 97,123</u>	<u>\$ 93,679</u>

A representative from The Pun Group, LLP will be available at the JPA Board meeting to answer questions.

Prepared by: Angela Saccareccia, Finance Manager

**ATTACHMENTS:**

Annual Financial Statements and Independent Auditor's Report

# **Las Virgenes – Triunfo Joint Powers Authority**

## **Financial Statements and Independent Auditors' Reports**

*For the Years Ended June 30, 2021 and 2020*



# Las Virgenes-Triunfo Joint Powers Authority

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## INDEPENDENT AUDITORS' REPORT

To the Board of Directors  
of the Las Virgenes-Triunfo Joint Powers Authority  
Calabasas, California

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the Las Virgenes-Triunfo Joint Powers Authority (the "JPA"), which comprise the statements of net position as of June 30, 2021 and 2020, and the related statements of revenues, expenses and changes in net position, and cash flows for the years then ended, and the related notes to the basic financial statements.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditors' Responsibility***

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### ***Opinion***

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the JPA as of June 30, 2021 and 2020, and the respective changes in its financial position and cash flows thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

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**Other Matters**

*Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis on pages 5 through 9 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

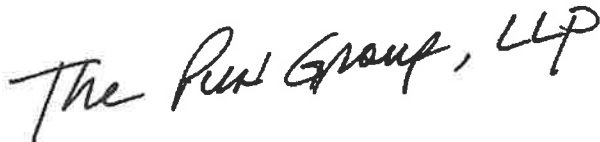
*Other Information*

Our audits were conducted for the purpose of forming an opinion on the financial statements that collectively comprise the JPA's basic financial statements. The Schedule of Changes in Participants' Advance Accounts is presented for purposes of additional analysis and is not a required part of the basic financial statements.

The Schedule of Changes in Participants' Advance Accounts is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Schedule of Changes in Participants' Advance Accounts is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

**Other Reporting Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report dated December 6, 2021, on our consideration of the JPA's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the JPA's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the JPA's internal control over financial reporting and compliance.



Santa Ana, California  
December 6, 2021



Coley Delaney, CPA  
CPA Number: 115598



**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

**Independent Auditors' Report**

To the Board of Directors  
of the Las Virgenes-Triumfo Joint Powers Authority  
Calabasas, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Las Virgenes-Triumfo Joint Power Authority (the "JPA"), which comprise the statements of net position as of June 30, 2021 and 2020, and the related statements of revenues, expenses, and changes in net position and cash flows for the years then ended, and the related notes to the basic financial statements and have issued our report thereon dated December 6, 2021.

**Internal Control Over Financial Reporting**

In planning and performing our audits of the financial statements, we considered the JPA's internal control over financial reporting ("internal control") as a basis for determining audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the JPA's internal control. Accordingly, we do not express an opinion on the effectiveness of the JPA's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the JPA's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

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To the Board of Directors  
of the Las Virgenes-Triunfo Joint Powers Authority  
Calabasas, California  
Page 2

**Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



Santa Ana, California  
December 6, 2021



Coley Delaney, CPA  
CPA Number: 115598

## **MANAGEMENT'S DISCUSSION AND ANALYSIS**

This section of the Joint Powers Authority (JPA) annual financial report presents our analysis of the JPA's financial performance during the Fiscal Years that ended on June 30, 2021 and June 30, 2020. Please read it in conjunction with the Financial Statements, which follow this section.

### **FINANCIAL HIGHLIGHTS**

- The JPA's net position increased by \$1.2 million or 1.28% during FY 2021, this net position represented an increase of \$4.7 million or 5.0% over FY 2019 and an increase of \$7.2 million or 7.88% over FY 2018.
- During FY 2021 the JPA's operating expenses, not including depreciation expense, increased \$3.4 million, or by 18.09% over FY 2019, FY 2021 operating expenses showed an increase of \$5.9 million or 37.0% and \$6.2 million or 39.78% over FY 2019 and FY 2018 respectively.
- Billings to JPA participants increased by \$6.0 million during FY 2021 or 31.7% more than the prior fiscal year, it increased \$5.3 million or 38.58% compared to FY 2019 and increased \$5.7 million or 43.25% over FY 2018.

### **OVERVIEW OF THE FINANCIAL STATEMENTS**

The discussion and analysis are intended to serve as an introduction to Las Virgenes - Triunfo Joint Powers Authority (JPA) financial statements. The JPA's basic financial statements comprise two components: Financial Statements and Notes to the Financial Statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

### **BASIC FINANCIAL STATEMENTS**

The Financial Statements of the JPA report information about the JPA using accounting methods similar to those used by private sector companies. These statements offer short- and long-term financial information about its activities. The Comparative Statements of Net Position (CSNP) includes all of the JPA's assets and liabilities and provides information about the nature and amount of investments in resources (assets) and the obligations to JPA creditors (liabilities). The CSNP also provides the basis for evaluating the capital structure of the JPA.

All of the current year's revenues and expenses are accounted for in the Comparative Statements of Revenues, Expenses and Changes in Net Position. These statements reflect the result of the JPA's operations over the past year.

The final Financial Statements are the Comparative Statements of Cash Flows. The primary purpose of this statement is to provide information about the JPA's cash receipts and cash payments during the reporting period. The statement reports cash receipts, cash payments, and net changes in cash resulting from operations and investments. It also provides answers to such questions as where did cash come from, what was cash used for, and what was the change in cash balance during the reporting period.



## FINANCIAL ANALYSIS OF THE JOINT POWERS AUTHORITY

The financial statements provide information on whether the District, as a whole, is in a stronger or weaker financial position compared to the last year. The Statement of Net Position and the Statement of Revenues, Expenses, and Changes in Net Position provide a means to measure the District's financial health or financial position. Over time, increases or decreases in the District's net position are one indicator of whether its financial health is improving or deteriorating. However, you will need to consider other non-financial factors such as changes in economic conditions, population growth, zoning, and new or changed government legislation.

The FY 2020-21 recycled water sales and sanitation reflect a long-term trend of reduced water usage that began with the 2011-2017 drought. Customer behaviors that changed during the drought, and the JPA's messaging promoting water use efficiency as a way of life, have contributed to a new normal of lower than long-term historical averages of water use that was seen in the current fiscal year.

Actions by the JPA during FY 2020-21 continued to reflect the change in focus which began in FY 2017-18 when the JPA Board approved the Basis of Design Report for indirect potable reuse using Las Virgenes Reservoir. During that time, the JPA Board also took action to minimize the number of new recycled water connections and focused efforts on the efficient use of recycled water. These efforts will ultimately provide the resourced necessary to support the indirect potable reuse project, now known as Pure Water Project Las Virgenes – Triunfo. During FY 2020-21 included the opening of a demonstration project on Las Virgenes Municipal Water District headquarters property.

### NET POSITION

To begin our analysis, a summary of the JPA's Statement of Net Position is presented in Table 1.

TABLE 1  
Condensed Statements of Net Position  
(in thousands of dollars)

	FY 2021	FY 2020	FY 2019
Current Assets	\$ 7,439	\$ 13,990	\$ 10,509
Capital Assets	98,362	97,127	93,680
Total Assets	105,801	111,117	104,189
Due to Participants	5,417	12,532	8,187
Other Liabilities	2,022	1,462	2,323
Total Liabilities	7,439	13,994	10,510
Net Position	\$ 98,362	\$ 97,123	\$ 93,679

The increase in Net Position (and capital assets) is primarily due to an increase in capitalized projects and expenditures less than the participants' contribution.

While the Statement of Net Position shows the change in financial position, the Statement of Revenues, Expenses and Changes in Net Position provides answers as to the nature and source of these changes.

TABLE 2  
Condensed Statements of Revenues, Expenses  
and Changes in Net Position  
(in thousands of dollars)

	FY 2021	FY 2020	FY 2019
Recycled Water Sales	\$ 2,638	\$ 2,397	\$ 2,069
Other Operating Revenue	52	47	46
Total Operating Revenue	2,690	2,444	2,115
Depreciation Expense	5,800	5,624	5,721
Other Operating Expense	21,915	18,559	15,990
Total Operating Expense	27,715	24,183	21,711
<b>Operating Loss Before Billings to Participants</b>	<b>(25,025)</b>	<b>(21,739)</b>	<b>(19,596)</b>
Billings to Participants	19,000	13,041	13,710
Non-operating Revenues/ Expenses	228	3,070	162
<b>Net Loss Before Participants' Capital Contributions</b>	<b>(5,796)</b>	<b>(5,628)</b>	<b>(5,724)</b>
Participant Capital Contributions	7,035	9,072	8,229
Change in Net Position	1,239	3,444	2,504
Net Position-Beginning of Year	97,123	93,679	91,175
<b>Net Position-End of Year</b>	<b>\$ 98,362</b>	<b>\$ 97,123</b>	<b>\$ 93,679</b>

As reflected in Table 2, FY 2021 revenue from recycled water sales increased by \$0.25 million or 10.11% compared to prior fiscal year primarily due to a 11.97% increase in recycled water purchases from Las Virgenes Municipal Water District. Total Operating Expenses not including depreciation, increased 18.1% in FY 2021 from prior fiscal year due to increased direct and allocated labor costs, including pension expenses.

## CAPITAL ASSETS AND DEBT ADMINISTRATION

At the end of FY 2021, the JPA had net capital assets of \$98.4 million compared to \$97.1 million for FY 2020 as shown in Table 3.

TABLE 3  
Capital Assets  
(in thousands of dollars)

	<u>FY 2021</u>	<u>FY 2020</u>	<u>FY 2019</u>
Land & Land Rights	14,368	14,368	14,368
Sewer & Treatment Plant	130,624	129,570	123,688
Compost Plant	78,707	76,218	76,219
Recycled Water System	35,509	34,819	34,819
Construction in Progress	7,739	9,302	6,111
Advanced Water System	4,366	-	-
Subtotal	<u>271,313</u>	<u>264,277</u>	<u>255,205</u>
Accumulated Depreciation	172,951	167,150	161,526
Total Capital Assets	<u>\$ 98,362</u>	<u>\$ 97,127</u>	<u>\$ 93,679</u>

Table 4 below is a summary of some of the major improvements to the system during FY 2021, FY 2020, and FY 2019.

Table 4  
Major Capital Improvement Projects  
(in thousands of dollars)

	<u>FY 2021</u>
Rancho LV Digester Cleaning/Repair	\$ 1,748
Pure Water Demonstration	1,429
Tapia Pgmble Logic Controller	1,249
Cordillera Tank Rehabilitation	927
Tapia Hypochlorite Tank Replacement	<u>619</u>
Total Major Projects FY 2021	\$ 5,972
	<u>FY 2020</u>
Process Air Improvements	\$ 3,640
Pure Water Demonstration Project	3,428
Rancho Las Virgenes Digester Cleaning and Repair	578
Tapia Headworks White Room	318
Summer Season TMDL Compliance	<u>260</u>
Total Major Projects FY 2020	\$ 8,224

Table 4 (cont)  
Major Capital Improvement Projects  
(in thousands of dollars)

	FY 2019
Centrate Equalization Tank	\$ 2,176
Tapia Rehabilitation	1,934
Rancho Las Virgenes Digester Cleaning and Repair	1,901
Rancho Lightine Efficiency Upgrade	358
Tapia Reliability Improvements	138
Pure Water Demonstration Project	131
Total Major Projects FY 2019	\$ 6,638

**LONG TERM DEBT**

The JPA currently has no long-term debt. All funding is provided by the participating agencies.

**CONTACTING THE DISTRICT'S FINANCIAL MANAGER**

This financial report is designed to provide our residents, customers and creditors with a general overview of the JPA's finances and to demonstrate the JPA's accountability for the money it receives. The responsibility for the JPA's accounting and financial reporting rests with the staff of the Las Virgenes Municipal Water District. If you have questions about this report or need additional financial information, contact the Las Virgenes Municipal Water District, Department of Finance and Administration, 4232 Las Virgenes Road, Calabasas, California, 91302.

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**Las Virgenes-Triunfo Joint Powers Authority**  
**Statements of Net Position**  
**June 30, 2021 and 2020**

	2021	2020
<b>ASSETS</b>		
<b>Current assets:</b>		
Cash and cash equivalent	\$ 4,159,622	\$ 10,746,445
Investments	762,147	805,296
Accounts receivable	2,289,417	2,216,387
Interest receivable	31,505	33,722
Prepaid items	196,065	188,328
<b>Total current assets</b>	<b>7,438,756</b>	<b>13,990,178</b>
<b>Noncurrent assets:</b>		
Capital assets, not being depreciated	22,106,730	23,670,352
Capital assets, being depreciated, net	76,255,754	73,456,585
Total capital assets	98,362,484	97,126,937
<b>Total noncurrent assets</b>	<b>98,362,484</b>	<b>97,126,937</b>
<b>Total assets</b>	<b>105,801,240</b>	<b>111,117,115</b>
<b>LIABILITIES</b>		
<b>Current liabilities:</b>		
Accounts and contracts payable and accrued liabilities	2,021,757	1,462,038
Due to participants	5,416,999	12,531,959
<b>Total current liabilities</b>	<b>7,438,756</b>	<b>13,993,997</b>
<b>Total liabilities</b>	<b>7,438,756</b>	<b>13,993,997</b>
<b>NET POSITION</b>		
<b>Investments in Capital Assets by Participants:</b>		
Las Virgenes Municipal Water District	65,742,118	64,831,080
Triunfo Sanitation District	32,620,366	32,295,857
<b>Investments in Capital Assets by Participants</b>	<b>98,362,484</b>	<b>97,126,937</b>
Unrestricted (deficit)	-	(3,819)
<b>Total net position</b>	<b>\$ 98,362,484</b>	<b>\$ 97,123,118</b>

**Las Virgenes-Triunfo Joint Powers Authority**  
**Statements of Revenues, Expenses, and Changes in Net Position**  
**For the Years Ended June 30, 2021 and 2020**

	2021	2020
<b>OPERATING REVENUES:</b>		
Wholesale recycled water sales	\$ 2,638,344	\$ 2,396,775
Other income	52,229	47,367
<b>Total operating revenues</b>	<b>2,690,573</b>	<b>2,444,142</b>
<b>OPERATING EXPENSES:</b>		
Treatment plant	4,569,128	4,860,287
Recycled water transmission and distribution	2,366,095	1,270,102
Compost plant	2,945,751	2,513,607
Sewer	222,638	45,201
Depreciation	5,799,831	5,624,458
General and administrative	11,600,875	9,658,613
Other operating expenses	211,152	211,324
<b>Total operating expenses</b>	<b>27,715,470</b>	<b>24,183,592</b>
<b>OPERATING (LOSS) BEFORE BILLINGS TO PARTICIPANTS</b>	<b>(25,024,897)</b>	<b>(21,739,450)</b>
Billings to participants	19,000,638	13,040,977
<b>OPERATING (LOSS)</b>	<b>(6,024,259)</b>	<b>(8,698,473)</b>
<b>NONOPERATING REVENUES (EXPENSES):</b>		
Interest income (expense)	50,601	131,787
Other revenues (expenses)	177,647	2,938,410
<b>Total nonoperating revenues (expenses)</b>	<b>228,248</b>	<b>3,070,197</b>
<b>NET (LOSS) BEFORE PARTICIPANTS' CAPITAL CONTRIBUTIONS</b>	<b>(5,796,011)</b>	<b>(5,628,276)</b>
Participants' capital contributions	7,035,377	9,071,803
<b>CHANGES IN NET POSITION</b>	<b>1,239,366</b>	<b>3,443,527</b>
<b>NET POSITION:</b>		
Beginning of year	97,123,118	93,679,591
End of year	<b>\$ 98,362,484</b>	<b>\$ 97,123,118</b>

**Las Virgenes-Triunfo Joint Powers Authority**  
**Statements of Cash Flows**  
**For the Years Ended June 30, 2021 and 2020**

	2021	2020
<b>CASH FLOWS FROM OPERATING ACTIVITIES:</b>		
Cash received from participants	\$ 21,565,952	\$ 13,905,174
Cash paid to suppliers for operations	(21,363,657)	(19,553,074)
Other revenue	52,229	47,367
<b>Net cash provided by (used in) operating activities</b>	<b>254,524</b>	<b>(5,600,533)</b>
<b>CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES</b>		
Other revenues	177,647	2,938,410
<b>Net cash provided by noncapital financing activities</b>	<b>177,647</b>	<b>2,938,410</b>
<b>CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:</b>		
Acquisition of capital assets	(7,035,378)	(9,071,804)
Capital contributions	7,035,377	9,071,803
Net cash received from (paid to) participants	(7,114,961)	4,344,700
<b>Net cash provided by capital and related financing activities</b>	<b>(7,114,962)</b>	<b>4,344,699</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES:</b>		
Interest received	95,968	360,641
<b>Net cash provided by investing activities</b>	<b>95,968</b>	<b>360,641</b>
<b>Net change in cash and cash equivalents</b>	<b>(6,586,823)</b>	<b>2,043,217</b>
<b>CASH AND CASH EQUIVALENTS:</b>		
Beginning of year	10,746,445	8,703,228
End of year	<b>\$ 4,159,622</b>	<b>\$ 10,746,445</b>
<b>NONCASH INVESTING ACTIVITIES</b>		
Change in fair value of investments	\$ 27,147	\$ 70,296
<b>RECONCILIATION OF OPERATING (LOSS) TO NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES</b>		
Operating (loss)	\$ (6,024,259)	\$ (8,698,473)
Adjustments to reconcile operating (loss) to net cash provided by operating activities:		
Depreciation	5,799,831	5,624,458
Changes in operating assets and liabilities:		
(Increase) decrease in accounts receivable	(73,030)	(1,532,578)
(Increase) decrease in inventories	-	-
(Increase) decrease in prepaid items	(7,737)	(133,248)
Increase (decrease) in accounts and contracts payable and accrued liabilities	559,719	(860,692)
<b>Net cash provided by (used in) operating activities</b>	<b>\$ 254,524</b>	<b>\$ (5,600,533)</b>



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**Las Virgenes-Triunfo Joint Powers Authority**  
**Notes to the Basic Financial Statements**  
**For the Years Ended June 30, 2021 and 2020**

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**Note 1 – Reporting Entity**

On October 12, 1964, Las Virgenes Municipal Water District (“LVMWD”) and Triunfo Sanitation District (“TSD”) established Las-Virgenes-Triunfo Joint Powers Authority (“JPA”) to construct, operate, maintain and provide for the replacement of a joint sewerage system to serve the Malibu Creek drainage area. The equity of each member is equal to the member’s pro-rata share of capital assets, net of depreciation. LVMWD has been the designated administering agent.

**Note 2 – Summary of Significant Accounting Policies**

***Basis of Presentation***

Financial statement presentation follows the recommendations promulgated by the Governmental Accounting Standards Board (“GASB”) commonly referred to as accounting principles generally accepted in the United States of America (“U.S. GAAP”). GASB is the accepted standard-setting body for establishing governmental accounting and financial reporting standards.

***Measurement Focus, Basis of Accounting and Financial Statements Presentation***

The Financial Statements (i.e., the statement of net position, the statement of revenues, expenses and changes in net position, and statement of cash flows) report information on all of the activities of the JPA.

The Financial Statements are reported using the “*economic resources*” measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Interest associated with the current fiscal period is considered to be susceptible to accrual and so has been recognized as revenue of the current fiscal period.

Operating revenues are those revenues that are generated from the primary operations of the JPA. The JPA reports a measure of operations by presenting the change in net position from operations as "operating income" in the statement of revenues, expenses, and changes in net position. Operating activities are defined by the JPA as all activities other than financing and investing activities (interest expense and investment income), and other infrequently occurring transaction of a non-operating nature. Operating expenses are those expenses that are essential to the primary operations of the JPA. All other expenses are reported as non-operating expenses.

***Cash, Cash Equivalents, and Investments***

Cash and cash equivalents include all highly liquid investments with original maturities of 90 days or less and are carried at cost, which approximates fair value.

The JPA participates in an investment pool managed by the State of California titled Local Agency Investment Fund (LAIF), which has invested a portion of the pool funds in structured notes and asset-backed securities. LAIF’s investments are subject to credit risk with the full faith and credit of the State of California collateralizing these investments. In addition, these structured notes and assets-backed securities are subject to market risk and to change in interest rates. The reported value of the pool is based on net asset value.

Certain disclosure requirements, if applicable for deposit and investment risk, are specified for the following areas:

- Interest rate risk
- Credit risk
  - Overall
  - Custodial credit risk
  - Concentration of credit risk
- Foreign currency risk

**Las Virgenes-Triunfo Joint Powers Authority**  
**Notes to the Basic Financial Statements (Continued)**  
**For the Years Ended June 30, 2021 and 2020**

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**Note 2 – Summary of Significant Accounting Policies (Continued)**

*Fair Value Measurements*

In accordance with U.S. GAAP, investments, unless otherwise specified, recorded at fair value in the Statements of Net Position, are categorized based upon the level of judgment associated with the inputs used to measure their fair value. Levels of inputs are as follows:

- Level 1 — Inputs are unadjusted, quoted prices for identical assets and liabilities in active markets at the measurement date.
- Level 2 — Inputs, other than quoted prices included in Level 1, that are observable for the asset or liability through corroboration with market data at the measurement date.
- Level 3 — Unobservable inputs that reflect management's best estimate of what market participants would use in pricing the asset or liability at the measurement date.

*Accounts Receivable*

Customer accounts receivable consist of amounts owed by private individuals and organizations for services rendered in the regular course of business operations. Receivables are shown net of allowances for doubtful accounts, if any. The JPA also accrues an estimated amount for services that have been provided, but not yet billed. Management has evaluated the accounts and believes they are all collectible.

*Prepaid items*

Payments made to vendors for services that will benefit periods beyond the fiscal year ended are recorded as prepaid items.

*Capital Assets*

Capital assets are valued at historical cost, or estimated historical cost, if actual historical cost was not available. Donated capital assets are valued at acquisition value on the date donated. The JPA policy has set the capitalization threshold for reporting capital assets at \$5,000, all of which must have an estimated useful life in excess of one year. Depreciation is recorded on a straight-line basis over estimated useful lives of the assets, which range from 3 to 100 years.

Plant	10 - 100 Years
Machinery and equipment	3 - 25 Years

Capital assets are shared in accordance with each participant's capacity rights reserved in each component of the joint system. The allocation of costs for projects in process is based upon engineering estimates of the capacity rights and could increase or decrease when the final capacity rights are determined.

**Las Virgenes-Triunfo Joint Powers Authority**  
**Notes to the Basic Financial Statements (Continued)**  
**For the Years Ended June 30, 2021 and 2020**

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**Note 2 – Summary of Significant Accounting Policies (Continued)**

***Net Position***

Net position represents the difference between all other elements in the statement of net position and may be displayed in the following three components:

**Investment in Capital Assets** – This component of net position consists of capital assets, net of accumulated depreciation.

**Restricted** – This component of net position consists of restricted assets reduced by liabilities and deferred inflows of resources related to those assets.

**Unrestricted** – This component of net position is the amount of the assets, deferred outflows of resources, liabilities, and deferred inflows of resources that are not included in the determination of net investment in capital assets or the restricted component of net position.

***Use of Restricted/Unrestricted Net Position***

When both restricted and unrestricted resources are available for use, it is the JPA's policy to use restricted resources first, then unrestricted resources as they are needed.

***Use of Estimates***

The preparation of financial statements in conformity with U.S. GAAP requires management to make estimates and assumptions that affect certain reported amounts and disclosure. Accordingly, actual results could differ from those estimates.

***Accounting Changes***

During fiscal year ended June 30, 2021, the JPA implemented the following new GASB pronouncements:

***GASB Statement No. 84***

In January 2017, GASB issued Statement No. 84, *Fiduciary Activities* (GASB Statement No. 84), to improve guidance regarding the identification of fiduciary activities for accounting and financial reporting purposes and how those activities should be reported. The statement establishes criteria for identifying fiduciary activities of all state and local governments. It also provides for recognition of a liability to the beneficiaries in a fiduciary fund when an event has occurred that compels the government to disburse fiduciary resources. Application of this statement did not have a material effect on the JPA's financial statements for the fiscal year ending June 30, 2021.

***GASB Statement No. 90***

In August 2018, GASB issued Statement No. 90, *Majority Equity Interests – an Amendment of GASB Statements No. 14 and No. 61* (GASB Statement No. 90), to improve the consistency and comparability of reporting a government's majority equity interest in a legally separate organization and to improve the relevance of financial statement information for certain component units. This statement requires that a component unit in which a government has a 100 percent equity interest account for its assets, deferred outflows of resources, liabilities, and deferred inflows of resources at acquisition value at the date the government acquired a 100 percent equity interest in the component unit. Application of this statement did not have a material effect on the JPA's financial statements for the fiscal year ending June 30, 2021.

**Las Virgenes-Triunfo Joint Powers Authority**  
**Notes to the Basic Financial Statements (Continued)**  
**For the Years Ended June 30, 2021 and 2020**

**Note 3 – Cash and Investments**

At June 30, 2021 and 2020, cash and investments are reported in the accompanying statements of net position as follows:

	2021	2020
Cash and cash equivalents	\$ 4,159,622	\$ 10,746,445
Investments	762,147	805,296
	\$ 4,921,769	\$ 11,551,741

At June 30, 2021 and 2020, cash and investments consisted of the followings:

	2021	2020
<b>Deposits:</b>		
Pooled with Las Virgenes Municipal Water District	\$ 404,635	\$ 1,832,760
<b>Investments:</b>		
California Local Agency Investment Fund	3,754,987	8,913,685
U.S. Government Sponsored Agency Security	762,147	805,296
<b>Total cash and investments</b>	<b>\$ 4,921,769</b>	<b>\$ 11,551,741</b>

***Demand Deposits***

At June 30, 2021 and 2020, the carrying amounts of cash deposits were \$404,635 and \$1,832,760, respectively, which were fully insured and/or collateralized with securities held by the pledging financial institutions in the LVMWD's name as discussed below.

The California Government Code requires California banks and savings and loan associations to secure the LVMWD's cash deposits by pledging securities as collateral. This Code states that collateral pledged in this manner shall have the effect of perfecting a security interest in such collateral superior to those of a general creditor. Thus, collateral for cash deposits is considered to be held in the LVMWD's name.

The fair value of pledged securities must equal at least 110% of the LVMWD's cash deposits. California law also allows institutions to secure the LVMWD's deposits by pledging first trust deed mortgage notes having a value of 150% of the LVMWD's total cash deposits. LVMWD may waive collateral requirements for cash deposits, which are fully insured up to \$250,000 by the Federal Deposit Insurance Corporation. LVMWD, however, has not waived the collateralization requirements.

***Local Agency Investment Fund***

The JPA's investments with Local Agency Investment Fund (LAIF) include a portion of the pool funds invested in structured notes and asset-backed securities. These investments include the following:

- **Structured Notes** – debt securities (other than asset-backed securities) whose cash flow characteristics (coupon rate, redemption amount, or stated maturity) depend upon one or more indices and/or that have embedded forwards or options.
- **Asset-Backed Securities** – the bulk of which are mortgage-backed securities, entitle their purchasers to receive a share of the cash flows from a pool of assets such as principal and interest repayments from a pool of mortgages (such as CMO's) or credit card receivables.

**Las Virgenes-Triunfo Joint Powers Authority**  
**Notes to the Basic Financial Statements (Continued)**  
**For the Years Ended June 30, 2021 and 2020**

**Note 3 – Cash and Investments (Continued)**

**Local Agency Investment Fund (Continued)**

LAIF is overseen by the Local Agency Investment Advisory Board, which consists of five members, in accordance with State statute.

As of June 30, 2021, the JPA had \$3,754,987 invested in LAIF, which had invested 1.10% of the pool investment funds in Structured Notes and Asset-Backed Securities compared to \$8,913,685 and 3.37% at June 30, 2020.

**Investments Authorized by the California Government Code and the JPA’s Investment Policy**

The JPA follows LVMWD’s investment policy. The table below identifies the investment types that are authorized for the JPA by the California Government Code (or the LVMWD’s investment policy, where more restrictive). The table also identified certain provisions of the California Code (or the LVMWD’s investment policy, where more restrictive) that address interest rate risk, credit risk, and concentration of credit risk.

Authorized Investment Type	Maximum Maturity	Percentage of Portfolio	Maximum Investment In One Issuer
U.S. Treasury Bills, Bonds and Notes	5 Years	None	None
U.S. Government Sponsored Agency Securities	5 Years	None	None
Time Deposits	1 Year	25%	None
Repurchase Agreements	30 days	10%	None
California Local Agency Investment Fund (LAIF)	None	None	\$50,000,000
Bond issued by Local Agencies or States	5 Years	None	None
Money Market Mutual Funds	None	20%	10%
Certificates of Deposits	5 years	25%	\$250,000

**Disclosures Relating to Fair Value Measurement**

Information about the fair value measurement of the JPA’s investments is as follows:

	2021			2020		
	Significant Other Observable Input (Level 2)	Uncategorized	Total	Significant Other Observable Input (Level 2)	Uncategorized	Total
	California Local Agency Investment Fund	\$ -	\$ 3,754,987	\$ 3,754,987	\$ -	\$ 8,913,685
U.S. Government Sponsored Agency Security	762,147	-	762,147	805,296	-	805,296
<b>Total Investments</b>	<b>\$ 762,147</b>	<b>\$ 3,754,987</b>	<b>\$ 4,517,134</b>	<b>\$ 805,296</b>	<b>\$ 8,913,685</b>	<b>\$ 9,718,981</b>

Investments securities classified in Level 2 of the fair value hierarchy are valued using prices determined by the use of matrix pricing techniques maintained by the pricing vendors for these securities. Matrix pricing is used to value securities based on the securities’ relationship to benchmark quoted prices.

**Disclosures Relating to Interest Rate Risk**

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. One of the ways that the JPA manages its exposure to interest rate risk is by purchasing a combination of shorter term and longer-term investments and by timing cash flows from maturities so that a portion of the portfolio is maturing or coming close to maturity evenly over time as necessary to provide the cash flow and liquidity needed for operations.

**Las Virgenes-Triunfo Joint Powers Authority**  
**Notes to the Basic Financial Statements (Continued)**  
**For the Years Ended June 30, 2021 and 2020**

**Note 3 – Cash and Investments (Continued)**

***Disclosures Relating to Interest Rate Risk (Continued)***

The JPA’s investments of \$4,517,134 and \$9,718,981 at June 30, 2021 and 2020, respectively, made up of investments in LAIF and U.S. Government Sponsored Agency Securities at June 30, 2021 and 2020. Investments in LAIF are highly liquid, as deposits can be converted to cash within twenty-four hours without loss of interest. The investment in U.S. Government-Sponsored Agency Securities matures in the year ending June 30, 2021.

***Disclosures Relating to Credit Risk***

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Investments in LAIF in the amounts of \$3,754,987 and \$8,913,685 at June 30, 2021 and 2020, respectively, are unrated. Investment in U.S. Government Sponsored Agency Securities in the amount of \$762,147 and \$805,296 at June 30, 2021 and 2020, respectively, are unrated.

***Disclosures Relating to Custodial Credit Risk***

The custodial credit risk for investments is the risk that, in the event of the failure of the counterparty (e.g., broker-dealer) to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The California Government Code and LVMWD’s investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for investments. With respect to investments, custodial credit risk generally applies only to direct investments in marketable securities. Custodial credit risk does not apply to a local government’s indirect investment in securities through the use of government investment pools (such as LAIF).

**Note 4 – Capital Assets**

A summary of changes in capital assets for the year ended June 30, 2021 is as follows:

	Balance July 1, 2020	Additions	Deletions	Reclassification	Balance June 30, 2021
Capital assets, not being depreciated:					
Land and land rights	\$ 14,368,150	\$ -	\$ -	\$ -	\$ 14,368,150
Construction in progress	9,302,202	7,035,378	-	(8,599,000)	7,738,580
Total capital assets, not being depreciated	23,670,352	7,035,378	-	(8,599,000)	22,106,730
Capital assets, being depreciated:					
Sewer and treatment plant	129,569,257	-	-	1,054,660	130,623,917
Compost plant and farm	76,218,777	-	-	2,488,521	78,707,298
Recycled water system	34,819,404	-	-	689,679	35,509,083
Advanced water system	-	-	-	4,366,140	4,366,140
Total capital assets, being depreciated	240,607,438	-	-	8,599,000	249,206,438
Less: accumulated depreciation					
Sewer and treatment plant	(90,632,349)	(3,209,517)	-	-	(93,841,866)
Compost plant and farm	(53,478,695)	(1,584,112)	-	-	(55,062,807)
Recycled water system	(23,039,809)	(962,541)	-	-	(24,002,350)
Advanced water system	-	(43,661)	-	-	(43,661)
Total accumulated depreciation	(167,150,853)	(5,799,831)	-	-	(172,950,684)
Total capital assets, being depreciated, net	73,456,585	(5,799,831)	-	8,599,000	76,255,754
Total capital assets, net	\$ 97,126,937	\$ 1,235,547	\$ -	\$ -	\$ 98,362,484

**Las Virgenes-Triunfo Joint Powers Authority**  
**Notes to the Basic Financial Statements (Continued)**  
**For the Years Ended June 30, 2021 and 2020**

**Note 4 – Capital Assets (Continued)**

A summary of changes in capital assets for the year ended June 30, 2020 is as follows:

	Balance July 1, 2019	Additions	Deletions	Reclassification	Balance June 30, 2020
Capital assets, not being depreciated:					
Land and land rights	\$ 14,368,150	\$ -	\$ -	\$ -	\$ 14,368,150
Construction in progress	6,110,992	9,071,804	-	(5,880,594)	9,302,202
Total capital assets, not being depreciated	20,479,142	9,071,804	-	(5,880,594)	23,670,352
Capital assets, being depreciated:					
Sewer and treatment plant	123,688,663	-	-	5,880,594	129,569,257
Compost plant and farm	76,218,777	-	-	-	76,218,777
Recycled water system	34,819,404	-	-	-	34,819,404
Total capital assets, being depreciated	234,726,844	-	-	5,880,594	240,607,438
Less: accumulated depreciation					
Sewer and treatment plant	(87,513,966)	(3,118,383)	-	-	(90,632,349)
Compost plant and farm	(51,931,306)	(1,547,389)	-	-	(53,478,695)
Recycled water system	(22,081,123)	(958,686)	-	-	(23,039,809)
Total accumulated depreciation	(161,526,395)	(5,624,458)	-	-	(167,150,853)
Total capital assets, being depreciated, net	73,200,449	(5,624,458)	-	5,880,594	73,456,585
Total capital assets, net	\$ 93,679,591	\$ 3,447,346	\$ -	\$ -	\$ 97,126,937

**Note 5 – Due to Participants**

During the year ended June 30, 2021 and 2020, additional advances received from the participants were in the amount of \$19,612,743 and \$25,272,164, respectively. The advances received from the participants are used to pay for the operating, capital, and administrative cost of the JPA. At June 30, 2021 and 2020, due to participants were in the amount of \$5,416,999 and \$12,531,959, respectively.

**Note 6 – Participant Contributions**

Cost of the JPA is shared by the participants based on the following methodology. Variable operation and maintenance cost are prorated between the participants based on the average sewage flow contributed to the joint system. Fixed operating and maintenance cost are prorated between the participants based on the participants' respective capacity rights in the facility. Capital costs are prorated between the participants based on the participants' respective capacity rights in the facility. Annual audit costs are shared equally. General and administrative costs are based on the actual cost of labor. Lastly, land acquisition costs are shared based on the capacity rights in the project for which the land is acquired. As of January 1, 2005, the joint system, except for the sewer collection system, is allocated by 70.6% to LVMWD and 29.4% to TSD.



**Las Virgenes-Triunfo Joint Powers Authority**  
**Notes to the Basic Financial Statements (Continued)**  
**For the Years Ended June 30, 2021 and 2020**

**Note 6 – Participant Contributions (Continued)**

The following is the summary of the contributions made by the participants for the years ended June 30, 2021 and 2020:

		2021			
		Operating Contribution	Percentage	Capital Contribution	Percentage
	LVMWD	\$ 13,005,183	68.4%	\$ 4,966,976	70.6%
	TSD	5,995,455	31.6%	2,068,401	29.4%
	Total	\$ 19,000,638	100.0%	\$ 7,035,377	100.0%

		2020			
		Operating Contribution	Percentage	Capital Contribution	Percentage
	LVMWD	\$ 8,920,048	68.4%	\$ 6,404,693	70.6%
	TSD	4,120,929	31.6%	2,667,110	29.4%
	Total	\$ 13,040,977	100.0%	\$ 9,071,803	100.0%

**Note 7 – Risk Management**

The JPA is covered under the LVMWD’s insurance policies. The LVMWD retained Tolman & Wiker Insurance Service, LLC for general liability, property, auto and physical damage. The coverage for the general liability provided for \$11 million per occurrence and \$61 million for the aggregate, with a \$50,000 self-insured retention limit per occurrence. The coverage for the property provided for \$61 million per occurrence with a self-insured retention limit of \$50,000 per occurrence.

During the past three fiscal years, none of the above programs of protection have had settlement or judgments that exceeded pooled or insured coverage. There have been no significant reductions in pooled or insured liability cover from coverage in the prior year.

**Note 8 – Commitment and Contingencies**

**Lawsuits**

The JPA is a defendant in various lawsuits. Although the outcome of these lawsuits is not presently determinable, it is the opinion of the JPA’s legal counsel and the JPA’s management that resolution of these matters will not have a material adverse effect on the financial condition of the JPA.

**Las Virgenes-Triunfo Joint Powers Authority**  
**Notes to the Basic Financial Statements (Continued)**  
**For the Years Ended June 30, 2021 and 2020**

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**Note 8 – Commitment and Contingencies (Continued)**

***Commitments***

As of June 30, 2021, the JPA had material construction commitments evidenced by contractual commitments with contractors in the amount of \$6,731,430.

<b>Project Name</b>	<b><u>Contractual Commitment</u></b>
Pure Water Project	\$ 5,290,303
SCADA Upgrade for Tapia	754,482
Various construction projects	<u>686,645</u>
Total	<u><u>\$ 6,731,430</u></u>

As of June 30, 2020, the JPA had material construction commitments evidenced by contractual commitments with contractors in the amount of \$12,565,438.

<b>Project Name</b>	<b><u>Contractual Commitment</u></b>
Pure Water Project Demonstration	<u>\$ 12,565,438</u>
Total	<u><u>\$ 12,565,438</u></u>

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**SUPPLEMENTARY INFORMATION**

**Las Virgenes-Triunfo Joint Powers Authority**  
**Schedule of Changes in Participants' Advance Accounts**  
**For the Years Ended June 30, 2021 and 2020**

	Construction Funds		Operating Funds	
	Tapia Plant and Truck Sewers		Operations and Maintenance	
	Las Virgenes Municipal Water District	Triunfo Sanitation District	Las Virgenes Municipal Water District	Triunfo Sanitation District
Due to (from) participants - July 1, 2020	\$ 443,982	\$ 82,549	\$ 2,319,689	\$ 1,114,684
Advance from participants	-	-	13,117,862	6,328,764
Interfund activities with participants	-	-	-	-
Constructions costs allocated	(9,876)	(4,113)	-	-
Constructions reclass to operating expenses	-	-	-	-
Change in fair market value of LAIF	14,200	3,400	-	-
Change in fair market value of LAIF - prior year	(58,634)	(11,662)	-	-
Grant income	-	-	-	-
Other miscellaneous income	-	-	-	-
Billings to participants for operating expenses	-	-	(13,117,863)	(6,049,347)
Billings to participants from replacement fund interest income	-	-	-	-
Interest income from (to) participants	6,440	1,197	-	-
Adjustment billing to participants for operating fund	-	-	-	-
Recycled water billings to Triunfo Sanitation District	-	-	-	(646,629)
Due to (from) participants - June 30, 2021	<u>\$ 396,112</u>	<u>\$ 71,371</u>	<u>\$ 2,319,688</u>	<u>\$ 747,472</u>

(Continued)

	Construction Funds		Operating Funds	
	Tapia Plant and Truck Sewers		Operations and Maintenance	
	Las Virgenes Municipal Water District	Triunfo Sanitation District	Las Virgenes Municipal Water District	Triunfo Sanitation District
Due to (from) participants - July 1, 2019	\$ 426,033	\$ 79,255	\$ 2,319,689	\$ 1,077,498
Advance from participants	-	14,224	9,126,529	4,755,428
Interfund activities with participants	-	-	-	-
Constructions costs allocated	(45,869)	(19,101)	-	-
Constructions reclass to operating expenses	-	-	-	-
Change in fair market value of LAIF	58,634	11,662	-	-
Change in fair market value of LAIF - prior year	(3,377)	(5,194)	-	-
Grant income	-	-	-	-
Other miscellaneous income	-	-	-	-
Billings to participants for operating expenses	-	-	(9,126,529)	(4,120,929)
Billings to participants from replacement fund interest income	-	-	-	-
Interest income from (to) participants	8,561	1,703	-	-
Adjustment billing to participants for operating fund	-	-	-	-
Recycled water billings to Triunfo Sanitation District	-	-	-	(597,313)
Due to (from) participants - June 30, 2020	<u>\$ 443,982</u>	<u>\$ 82,549</u>	<u>\$ 2,319,689</u>	<u>\$ 1,114,684</u>

(Continued)

**Las Virgenes-Triunfo Joint Powers Authority**  
**Schedule of Changes in Participants' Advance Accounts (Continued)**  
**For the Years Ended June 30, 2021 and 2020**

	Operating Funds		Replacement of	
	Capital Assets			
	Las Virgenes Municipal Water District	Triunfo Sanitation District	Total	
		2021	2020	
Due to (from) participants - July 1, 2020	\$ 4,751,734	\$ 3,819,321	\$ 12,531,959	\$ 8,187,259
Advance from participants	340,661	(174,544)	19,612,743	25,272,164
Interfund activities with participants	-	-	-	-
Constructions costs allocated	(4,957,100)	(2,064,288)	(7,035,377)	(9,071,803)
Constructions reclass to operating expenses	-	-	-	-
Change in fair market value of LAIF	-	-	17,600	70,296
Change in fair market value of LAIF - prior year	-	-	(70,296)	(8,571)
Grant income	-	-	-	-
Other miscellaneous income	-	-	-	-
Billings to participants for operating expenses	-	-	(19,167,210)	(13,247,458)
Billings to participants from replacement fund interest income	112,680	53,892	166,572	1,917,121
Interest income from (to) participants	-	-	7,637	10,264
Adjustment billing to participants for operating fund	-	-	-	-
Recycled water billings to Triunfo Sanitation District	-	-	(646,629)	(597,313)
Due to (from) participants - June 30, 2021	<u>\$ 247,975</u>	<u>\$ 1,634,381</u>	<u>\$ 5,416,999</u>	<u>\$ 12,531,959</u>

(Concluded)

	Operating Funds		Replacement of	
	Capital Assets			
	Las Virgenes Municipal Water District	Triunfo Sanitation District	Total	
		2020	2019	
Due to (from) participants - July 1, 2019	\$ 1,752,739	\$ 2,532,045	\$ 8,187,259	\$ 5,285,279
Advance from participants	8,030,806	3,345,177	25,272,164	25,109,541
Interfund activities with participants	-	-	-	-
Constructions costs allocated	(6,358,824)	(2,648,009)	(9,071,803)	(8,229,325)
Constructions reclass to operating expenses	-	-	-	-
Change in fair market value of LAIF	-	-	70,296	8,571
Change in fair market value of LAIF - prior year	-	-	(8,571)	33,867
Grant income	-	-	-	-
Other miscellaneous income	-	-	-	228,581
Billings to participants for operating expenses	-	-	(13,247,458)	(13,803,284)
Billings to participants from replacement fund interest income	1,327,013	590,108	1,917,121	92,766
Interest income from (to) participants	-	-	10,264	26,132
Adjustment billing to participants for operating fund	-	-	-	-
Recycled water billings to Triunfo Sanitation District	-	-	(597,313)	(564,869)
Due to (from) participants - June 30, 2020	<u>\$ 4,751,734</u>	<u>\$ 3,819,321</u>	<u>\$ 12,531,959</u>	<u>\$ 8,187,259</u>

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December 6, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Facilities & Operations

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**Subject : Multi-Site Battery Energy Storage System Project: Award**

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**SUMMARY:**

On October 6, 2020, after reviewing a feasibility study to add new solar photovoltaic and battery energy storage improvements at multiple facilities, the JPA Board accepted a proposal from TerraVerde Energy, LLC, authorized application of Self-Generation Incentive Program (SGIP) funding and approved the issuance of a Request for Proposals (RFP) for the Multi-Site Battery Energy Storage System Project. After evaluating responses to the RFP, TerraVerde and staff recommend awarding the following two project elements to Tesla, Inc.: (1) a 1.324-megawatt solar photovoltaic and 1,252-kilowatt-hour battery storage system on approximately 2.9 acres at the Rancho Las Virgenes Composting Facility; and (2) a 2,682-kilowatt-hour battery storage system at the Recycled Water Pumping Station (RWPS).

The Rancho solar and battery storage system requires no initial capital investment and consists of a power purchase agreement at \$0.10 per kilowatt-hour with 0% escalation over a 25-year term. The system results in an estimated cost-savings of \$2.9 million to the JPA. The battery storage system at the RWPS requires an initial capital investment of \$1.38 million, which is offset by SGIP funding, in the amount of \$1.17 million, over the term of a five-year reimbursement program. With a net capital investment of \$210,000, the system results in an estimated cost-savings of \$1.1 million to the JPA.

For construction and implementation support, TerraVerde provided a proposal for professional services in the amount of \$161,725. Tesla will reimburse the JPA for approximately \$150,000 of TerraVerde's support as a part of the proposed power purchase agreement for the solar installation at Rancho. Staff recommends authorization and approval to proceed with the two above-described project elements as part of the Multi-Site Battery Energy Storage System Project.

**RECOMMENDATION(S):**

Conduct a public hearing and upon its conclusion: (1) find that the work is exempt from the provisions of the California Environmental Quality Act; (2) pass, approve and adopt proposed Resolution No. 15, authorizing and approving the execution of all necessary agreements in the forms approved by JPA Counsel; and (3) authorize the Administering Agent/General Manager to execute a scope change for TerraVerde Energy, LLC, in the amount of \$161,725, to provide construction and installation support services for the Multi-Site Battery Energy Storage System Project.



## **RESOLUTION NO. 15**

### **A RESOLUTION OF THE GOVERNING BOARD OF THE LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY MAKING FINDINGS, AUTHORIZING AND APPROVING EXECUTION OF A SOLAR POWER PURCHASE AGREEMENT WITH BATTERY ENERGY STORAGE SERVICES, A BATTERY ENERGY STORAGE SYSTEM (BESS) SUPPLY AND INSTALLATION AGREEMENT, A BESS SERVICES AGREEMENT AND A PERFORMANCE DATA PROVIDER (PDP) SERVICES AGREEMENT WITH TESLA, INC.**

(Reference is hereby made to Resolution No. 15 on file in the JPA's Resolution Book and by this reference the same is incorporated herein.)

#### **FISCAL IMPACT:**

Yes

#### **ITEM BUDGETED:**

No

#### **FINANCIAL IMPACT:**

There is no capital investment required for the proposed solar and battery energy storage system at Rancho. However, the battery energy storage system at the RWPS requires an initial capital investment of \$1.3 million. If approved, funding for the system would come from two sources: (1) SGIP grant funding totaling \$1.17 million over five years; and (2) reallocation of the currently-approved appropriation include in the adopted Fiscal Year 2021-22 Budget. The initial cost and on-going cost-savings shall be allocated 70.6% to LVMWD and 29.4% to Triunfo Water and Sanitation District.

#### **DISCUSSION:**

The proposed solar and battery energy storage system (BESS) proposals include a 0% escalation rate for the duration of the agreements (25 years for the solar-plus-BESS and 15 years for the BESS only), providing an excellent opportunity to hedge against long-term escalation in electricity costs. The proposals also provide significant environmental benefits and increase the reliability of the JPA facilities via backup power supplied from the batteries. The estimated cost-savings shown on TerraVerde's Pro Forma (copy attached) are based on a very conservative annual 3% escalation in electricity costs. The annual increase in electricity costs over the past several years has far exceeded the 3% estimated. As a result, the JPA will realize increased cost-savings when the electricity rates escalate more than the 3% annual projection reflected in the Pro Forma.

California Government Code Sections 4217.10 through 4217.18 allow public agencies, including water districts, to enter into energy services contracts, which include energy services contracts for the design and installation of solar photovoltaic and battery energy storage projects, without a formal competitive bidding process. In December 2020, the JPA issued a request for proposals (RFP) and conducted a selection process with the assistance of TerraVerde Energy (TerraVerde) to obtain proposals for the design and installation of a solar

photovoltaic and battery energy storage system. California Government Code section 4217.12 allows the JPA to select the proposal that best serves the JPA's interests. Following the RFP process, and additional due diligence and reference checks, Tesla, Inc. is recommended as the selected contractor to install, operate and retain ownership of the solar photovoltaic and battery energy storage system at the Rancho Las Virgenes Composting Facility, and to supply, install and operate the battery energy storage system at the Recycled Water Pump Station.

Prior to approving the solar power purchase agreement with battery energy storage services, the battery energy storage system (BESS) supply and installation agreement, the BESS services agreement, and the performance data provider ("PDP") services agreement, the JPA's Board must fulfill the following two requirements under Government Code Section 4217.12:

- Hold a regularly scheduled public hearing on the solar power purchase agreement with battery energy storage services, the BESS supply and installation agreement, the BESS services agreement, and the PDP services agreement, and post a public notice of which must be given at least two weeks prior to the public hearing. The notice of the public hearing was posted on Monday, November 22, 2021.
- Find that the anticipated cost to the JPA for thermal or electrical energy or conservation services provided by the project under the solar power purchase agreement with battery energy storage services, the BESS supply and installation agreement, the BESS services agreement, and the PDP services agreement will be less than the anticipated marginal cost to the JPA for thermal, electrical, or other energy that would have been consumed by the JPA in the absence of those purchases. Based on the Cash Savings Pro Forma that TerraVerde has provided (see copy attached), there is support for this finding.

TerraVerde also provided a Cash Saving Pro Forma analysis for a third project element, a 4,648-kilowatt-hour battery energy storage system at the Tapia Water Reclamation Facility. The project would require an initial investment of \$2.35 million, which would be partially offset by SGIP grant reimbursement of \$1.58 million over five years. As a result, the net cost to the JPA would be \$770,000. The total estimated cost-savings would be \$1.2 million to the JPA over 15 years. Staff does not currently recommend proceeding with this project element for the following reasons:

- The SGIP reimbursement is much less (67% of initial cost as compared to 85% reimbursement for the BESS at RWPS).
- The rate of return is also less than that of BESS at REWP (9% vs. 14%).
- The large initial capital investment of \$2.35 million may negatively impact cash flow needs for the Pure Water Project Las Virgenes-Triunfo.
- There may be future opportunities to install additional BESS as battery costs are driven down by mass adoption of electricity storage and electrification of the transportation system.

A California Environmental Quality Act (CEQA) Initial Study was performed for the recommended project. Based on the results of the study, the proposed project elements

qualify for a categorical exemption based on Sections 15301, 15303 and 15304a of CEQA for minor modifications and alterations to existing facilities and land. If approved, the Administering Agent/General Manager will file a Notice of Exemption with the Los Angeles County Clerk's Office and State Office of Planning and Research.

Prepared by: John Zhao, P.E., Director of Facilities and Operations

**ATTACHMENTS:**

Proposed Resolution No. 15  
Cash Saving Pro Forma  
CEQA Initial Study  
CEQA Notice of Exemption  
TerraVerde Proposal

**RESOLUTION NO. 15**

**A RESOLUTION THE GOVERNING BOARD  
OF THE LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY  
MAKING FINDINGS ON ENERGY SAVINGS  
AND DETERMINING OTHER MATTERS IN CONNECTION WITH  
A SOLAR POWER PURCHASE AGREEMENT WITH BATTERY ENERGY STORAGE  
SERVICES, A BATTERY ENERGY STORAGE SYSTEM (“BESS”) SUPPLY AND  
INSTALLATION AGREEMENT, A BESS SERVICES AGREEMENT, AND A  
PERFORMANCE DATA PROVIDER (“PDP”) SERVICES AGREEMENT**

**WHEREAS**, it is the policy of the State of California and the intent of the State Legislature to promote all feasible means of energy conservation and all feasible uses of alternative energy supply sources; and

**WHEREAS**, Las Virgenes-Triunfo Joint Powers Authority (“JPA”) desires to reduce the steadily rising costs of meeting the energy needs at its facilities; and

**WHEREAS**, Government Code section 4217.12(a)(1) authorizes a public agency to enter into an energy service contract with respect to an energy conservation facility on terms that the public agency’s governing board determines are in the best interests of the public agency and if the governing board finds that the anticipated cost to the public agency for the energy provided by the energy conservation facility under the energy contract will be less than the anticipated marginal cost to the JPA of thermal, electrical or other energy that would have been consumed by the JPA in the absence of those purchases; and

**WHEREAS**, TerraVerde Energy, LLC (“TerraVerde”), has provided the JPA with analysis showing the benefits of implementing certain energy conservation measures through the installation of a photovoltaic energy generating facility and battery energy storage facilities, and TerraVerde’s analysis (“Analysis”) is attached hereto as Exhibit A and made part hereof by this reference; and

**WHEREAS**, the JPA proposes to enter into a solar power purchase agreement with battery energy storage services, a BESS supply and installation agreement, a BESS services agreement, and a PDP services agreement and related contract documents (“The Agreements”) with Tesla, Inc. (“Company”), pursuant to which Company will design, construct, install and operate certain energy saving improvements consisting of a photovoltaic energy generating facility and battery energy storage facilities and arrange with the local utility for interconnection of the facilities, which will generate energy savings for the sites on which such facilities are located (“Project”); and

**WHEREAS**, the sites where such facilities will be located are: Rancho Las Virgenes Composting Facility, JPA Recycled Water Remote Pumping Station; and

**WHEREAS**, the Analysis includes data showing that the anticipated cost to the JPA for the electrical energy provided by the Project will be less than the anticipated cost to the JPA of

electrical energy that would have been consumed by the JPA in the absence of such measures; and

**WHEREAS**, the Board proposes to enter into the solar power purchase agreement with battery energy storage services, the BESS supply and installation agreement, the BESS services agreement, and the PDP services agreement substantially in the form presented at this meeting, subject to such changes, insertions or omissions as the JPA's Administering Agent/General Manager or designee reasonably deems necessary following the Board's adoption of this Resolution; and

**WHEREAS**, pursuant to Government Code section 4217.12, On December 6, 2021, the Board has held a public hearing, public notice of which was given at least two weeks in advance, to receive public comment; and

**WHEREAS**, the JPA desires to enter into the Power Purchase Agreements and Cost Reimbursement Agreement, which Company would provide, design and install the photovoltaic energy generating facility pursuant to the terms and conditions of the Power Purchase Agreements.

**NOW, THEREFORE**, based upon the above-referenced recitals, the Board hereby finds, determines and orders as follows:

1. The above recitals are true and correct.
2. In accordance with Government Code section 4217.12, and based on data provided by the Analysis, the Board finds that the anticipated cost to the JPA for electrical energy provided by the Project under the Power Purchase Agreements will be less than the anticipated marginal cost to the JPA of electrical energy that would have been consumed in the absence of those purchases.
3. In accordance with Government Code section 4217.12 and based upon all available information reviewed by the Board in connection herewith, the Board finds that the terms of the Power Purchase Agreements and BESS Supply and Installation Agreement are in the best interests of the JPA.
4. The Board hereby approves the proposed Tesla solar power purchase agreement with battery energy storage services, a BESS supply and installation agreement, a BESS services agreement, and a PDP services agreement and related contract documents, all of which shall be subject to such changes, insertions or omissions as the Administering Agent/General Manager or their designee reasonably deems necessary.
5. The Administering Agent/General Manager or designee is hereby authorized and directed to negotiate any further changes, insertions and omissions to the solar power purchase agreement with battery energy storage services, a BESS supply and installation agreement, a BESS services agreement, and a PDP services agreement and related contract documents as they reasonably deems necessary, and thereafter to execute and deliver the solar power purchase

agreement with battery energy storage services, a BESS supply and installation agreement, a BESS services agreement, and a PDP services agreement and related contract documents following the Board's adoption of this Resolution. The Administering Agent/General Manager or designee is further authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and said agreements.

The foregoing Resolution was adopted, signed, and approved at a meeting of the Governing Board of the Las Virgenes-Triunfo Joint Powers Authority on December 6, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Ray Tjulander, Chair

ATTEST:

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Jay Lewitt, Vice Chair

APPROVED AS TO FORM:

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Legal Counsel

**EXHIBIT A**  
**ANALYSIS OF BENEFITS**

[Attached]

# Cash Flow

Scenario: #1 - NEM 2.0: Solar Power Purchase Agreement and Battery Savings to Provider - Composting Facility

Year	Electricity		Utility Savings					Expenses				Cash Position							Term
	Annual Solar Production (kWh)	Solar Savings per kWh Produced	Savings from Solar	Savings from Battery due to Demand Reduction	Savings from Battery due to Arbitrage	Battery Savings (Total)	Subtotal: Annual Utility Bill Savings	PPA Payments	Battery Payments to Provider	Asset Management Service (Solar & Battery)	Subtotal: Annual Operating Expenses	Net Benefits (Solar)	Net Benefits (Battery)	Net Benefits (Total)	Renewable Energy Certificates (RECs)	Cash Contribution	Cumulative Cash Position	Conservative Cumulative Cash Position	
2022	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (32,392)	\$ (32,392)	\$ (32,392)	0
2023	2,323,140	\$ 0.0800	\$ 185,957	\$ 66,197	\$ 12,397	\$ 78,594	\$ 264,551	\$ (209,083)	\$ (26,772)	\$ (25,231)	\$ (261,086)	\$ (46,357)	\$ 49,822	\$ 3,465	\$ 22,831	\$ -	\$ (6,096)	\$ (32,551)	1
2024	2,311,524	\$ 0.0824	\$ 190,578	\$ 68,183	\$ 11,653	\$ 79,836	\$ 270,414	\$ (208,037)	\$ (26,772)	\$ (25,988)	\$ (260,798)	\$ (41,387)	\$ 51,004	\$ 9,617	\$ 23,346	\$ -	\$ 26,867	\$ (26,630)	2
2025	2,299,967	\$ 0.0849	\$ 195,314	\$ 70,229	\$ 11,157	\$ 81,385	\$ 276,700	\$ (206,997)	\$ (26,772)	\$ (26,768)	\$ (260,537)	\$ (36,329)	\$ 52,492	\$ 16,163	\$ 23,462	\$ -	\$ 66,492	\$ (14,675)	3
2026	2,288,467	\$ 0.0875	\$ 200,168	\$ 72,335	\$ 10,785	\$ 83,120	\$ 283,288	\$ (205,962)	\$ (26,772)	\$ (27,571)	\$ (260,305)	\$ (31,180)	\$ 54,163	\$ 22,983	\$ 23,578	\$ -	\$ 113,053	\$ 3,558	4
2027	2,277,025	\$ 0.0876	\$ 199,537	\$ 74,506	\$ 11,357	\$ 85,863	\$ 285,399	\$ (204,932)	\$ (26,772)	\$ (28,398)	\$ (260,102)	\$ (31,543)	\$ 56,840	\$ 25,297	\$ 23,695	\$ -	\$ 162,045	\$ 24,010	5
2028	2,265,639	\$ 0.0903	\$ 204,495	\$ 76,741	\$ 11,155	\$ 87,895	\$ 292,390	\$ (203,908)	\$ (26,772)	\$ (29,250)	\$ (259,930)	\$ (26,344)	\$ 58,805	\$ 32,461	\$ 23,412	\$ -	\$ 217,918	\$ 50,643	6
2029	2,254,311	\$ 0.0930	\$ 209,577	\$ 79,043	\$ 11,087	\$ 90,130	\$ 299,707	\$ (202,888)	\$ (26,772)	\$ (30,128)	\$ (259,788)	\$ (21,051)	\$ 60,970	\$ 39,919	\$ 23,930	\$ -	\$ 281,767	\$ 84,522	7
2030	2,243,040	\$ 0.0958	\$ 214,785	\$ 81,414	\$ 11,019	\$ 92,434	\$ 307,218	\$ (201,874)	\$ (26,772)	\$ (31,031)	\$ (259,677)	\$ (15,661)	\$ 63,202	\$ 47,541	\$ 24,048	\$ -	\$ 353,356	\$ 125,389	8
2031	2,231,824	\$ 0.0986	\$ 220,122	\$ 83,857	\$ 10,952	\$ 94,808	\$ 314,930	\$ (200,864)	\$ (26,772)	\$ (31,962)	\$ (259,599)	\$ (10,171)	\$ 65,503	\$ 55,332	\$ 24,167	\$ -	\$ 432,856	\$ 173,396	9
2032	2,220,665	\$ 0.1016	\$ 225,592	\$ 86,372	\$ 10,884	\$ 97,256	\$ 322,849	\$ (199,860)	\$ (26,772)	\$ (32,921)	\$ (259,553)	\$ (4,579)	\$ 67,875	\$ 63,295	\$ 24,287	\$ -	\$ 520,438	\$ 228,693	10
2033	2,209,562	\$ 0.1046	\$ 231,198	\$ 88,963	\$ 10,817	\$ 99,780	\$ 330,978	\$ (198,861)	\$ (26,772)	\$ (33,909)	\$ (259,541)	\$ 1,117	\$ 70,320	\$ 71,437	\$ 24,007	\$ -	\$ 615,882	\$ 291,040	11
2034	2,198,514	\$ 0.1078	\$ 236,943	\$ 91,632	\$ 10,546	\$ 102,178	\$ 339,122	\$ (197,866)	\$ (26,772)	\$ (34,926)	\$ (259,564)	\$ 6,919	\$ 72,638	\$ 79,557	\$ 24,528	\$ -	\$ 719,968	\$ 361,213	12
2035	2,187,522	\$ 0.1110	\$ 242,831	\$ 94,381	\$ 10,276	\$ 104,657	\$ 347,489	\$ (196,877)	\$ (26,772)	\$ (35,974)	\$ (259,623)	\$ 12,832	\$ 75,034	\$ 87,866	\$ 24,650	\$ -	\$ 832,483	\$ 438,979	13
2036	2,176,584	\$ 0.1143	\$ 248,866	\$ 97,213	\$ 10,005	\$ 107,218	\$ 356,084	\$ (195,893)	\$ (26,772)	\$ (37,053)	\$ (259,718)	\$ 18,857	\$ 77,509	\$ 96,366	\$ 24,772	\$ -	\$ 953,621	\$ 524,509	14
2037	2,165,701	\$ 0.1178	\$ 255,050	\$ 100,129	\$ 9,735	\$ 109,864	\$ 364,914	\$ (194,913)	\$ (26,772)	\$ (38,165)	\$ (259,850)	\$ 24,997	\$ 80,067	\$ 105,064	\$ 24,894	\$ -	\$ 1,083,579	\$ 617,976	15
2038	2,154,873	\$ 0.1213	\$ 261,388	\$ 103,133	\$ 13,521	\$ 116,654	\$ 378,042	\$ (193,939)	\$ (26,772)	\$ (39,310)	\$ (260,020)	\$ 31,256	\$ 86,766	\$ 118,022	\$ 24,617	\$ -	\$ 1,226,218	\$ 722,811	16
2039	2,144,098	\$ 0.1249	\$ 267,884	\$ 106,227	\$ 12,709	\$ 118,936	\$ 386,820	\$ (192,969)	\$ (26,772)	\$ (40,489)	\$ (260,230)	\$ 37,635	\$ 88,955	\$ 126,590	\$ 25,141	\$ -	\$ 1,377,950	\$ 835,860	17
2040	2,133,378	\$ 0.1287	\$ 274,541	\$ 109,414	\$ 12,169	\$ 121,582	\$ 396,123	\$ (192,004)	\$ (26,772)	\$ (41,704)	\$ (260,480)	\$ 44,139	\$ 91,505	\$ 135,643	\$ 25,266	\$ -	\$ 1,538,859	\$ 957,157	18
2041	2,122,711	\$ 0.1325	\$ 281,363	\$ 112,696	\$ 11,763	\$ 124,459	\$ 405,822	\$ (191,044)	\$ (26,772)	\$ (42,955)	\$ (260,771)	\$ 50,769	\$ 94,282	\$ 145,051	\$ 25,391	\$ -	\$ 1,709,301	\$ 1,087,017	19
2042	2,112,097	\$ 0.1365	\$ 288,355	\$ 116,077	\$ 11,357	\$ 127,435	\$ 415,789	\$ (190,089)	\$ (26,772)	\$ (44,243)	\$ (261,104)	\$ 57,530	\$ 97,155	\$ 154,685	\$ 25,516	\$ -	\$ 1,889,502	\$ 1,225,639	20
2043	2,101,537	\$ 0.1406	\$ 295,520	\$ 119,559	\$ 11,155	\$ 130,714	\$ 426,234	\$ (189,138)	\$ (26,772)	\$ (45,571)	\$ (261,481)	\$ 64,424	\$ 100,330	\$ 164,753	\$ 25,243	\$ -	\$ 2,079,499	\$ 1,373,012	21
2044	2,091,029	\$ 0.1448	\$ 302,864	\$ 123,146	\$ 11,087	\$ 134,233	\$ 437,097	\$ (188,193)	\$ (26,772)	\$ (46,938)	\$ (261,902)	\$ 71,454	\$ 103,741	\$ 175,195	\$ 25,770	\$ -	\$ 2,280,463	\$ 1,530,267	22
2045	2,080,574	\$ 0.1492	\$ 310,390	\$ 126,841	\$ 11,019	\$ 137,860	\$ 448,250	\$ (187,252)	\$ (26,772)	\$ (48,346)	\$ (262,370)	\$ 78,625	\$ 107,256	\$ 185,881	\$ 25,897	\$ -	\$ 2,492,241	\$ 1,697,220	23
2046	2,070,171	\$ 0.1537	\$ 318,103	\$ 130,646	\$ 10,952	\$ 141,598	\$ 459,701	\$ (186,315)	\$ (26,772)	\$ (49,796)	\$ (262,884)	\$ 85,939	\$ 110,878	\$ 196,817	\$ 26,025	\$ -	\$ 2,715,084	\$ 1,874,092	24
2047	2,059,820	\$ 0.1583	\$ 326,008	\$ 134,565	\$ 10,884	\$ 145,449	\$ 471,458	\$ (185,384)	\$ (26,772)	\$ (51,290)	\$ (263,446)	\$ 93,400	\$ 114,612	\$ 208,012	\$ 26,154	\$ -	\$ 2,949,249	\$ 2,061,112	25
	<b>54,723,773</b>	<b>\$ 0.1131</b>	<b>\$ 6,187,431</b>	<b>\$ 2,413,501</b>	<b>\$ 280,439</b>	<b>\$ 2,693,940</b>	<b>\$ 8,881,370</b>	<b>\$ (4,925,140)</b>	<b>\$ (669,300)</b>	<b>\$ (919,918)</b>	<b>\$ (6,514,358)</b>	<b>\$ 415,291</b>	<b>\$ 1,951,721</b>	<b>\$ 2,367,013</b>	<b>\$ 614,629</b>	<b>\$ (32,392)</b>	<b>\$ 2,949,249</b>	<b>\$ 2,061,112</b>	



## Cash Flow

Scenario: #2 - Battery Cash Purchase - JPA Recycled Water Remote Pumping Station

Year	Electricity		Utility Savings			Expenses			Cash Position					Term		
	Annual Existing Solar Production (kWh)		Savings from Battery due to Demand Reduction	Savings from Battery due to Arbitrage	Battery Savings (Total)	Subtotal: Annual Utility Bill Savings	Asset Management Service (Battery)	Other Expenses	Subtotal: Annual Operating Expenses	Net Benefits (Battery)	Grant/SGIP	Cash Contribution	Total Cash		Cumulative Cash Position	Conservative Cumulative Cash Position
2022	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (1,376,455)	\$ (1,376,455)	\$ (1,376,455)	\$ (1,376,455)	0
2023	1,663,766	\$ 8,478	\$ 13,154	\$ 21,632	\$ 21,632	\$ 21,632	\$ (1,000)	\$ (7,232)	\$ (8,232)	\$ 13,400	\$ 585,250	\$ -	\$ 598,650	\$ (777,805)	\$ (779,969)	1
2024	1,655,447	\$ 17,053	\$ 92,382	\$ 109,435	\$ 109,435	\$ 109,435	\$ (1,030)	\$ (7,350)	\$ (8,380)	\$ 101,055	\$ 117,050	\$ -	\$ 218,105	\$ (559,701)	\$ (572,808)	2
2025	1,647,170	\$ 17,564	\$ 88,451	\$ 106,015	\$ 106,015	\$ 106,015	\$ (1,061)	\$ (7,471)	\$ (8,531)	\$ 97,484	\$ 117,050	\$ -	\$ 214,534	\$ (345,167)	\$ (368,875)	3
2026	1,638,934	\$ 18,091	\$ 85,503	\$ 103,594	\$ 103,594	\$ 103,594	\$ (1,093)	\$ (7,593)	\$ (8,686)	\$ 94,908	\$ 117,050	\$ -	\$ 211,958	\$ (133,209)	\$ (167,277)	4
2027	1,630,740	\$ 18,634	\$ 82,554	\$ 101,188	\$ 101,188	\$ 101,188	\$ (1,126)	\$ (7,718)	\$ (8,844)	\$ 92,344	\$ 117,050	\$ -	\$ 209,394	\$ 76,185	\$ 31,999	5
2028	1,622,586	\$ 19,193	\$ 81,080	\$ 100,273	\$ 100,273	\$ 100,273	\$ (1,159)	\$ (6,646)	\$ (7,805)	\$ 92,468	\$ 117,050	\$ -	\$ 209,518	\$ 285,703	\$ 231,489	6
2029	1,614,473	\$ 19,769	\$ 80,589	\$ 100,357	\$ 100,357	\$ 100,357	\$ (1,194)	\$ (6,776)	\$ (7,970)	\$ 92,387	\$ -	\$ -	\$ 92,387	\$ 378,090	\$ 313,840	7
2030	1,606,401	\$ 20,362	\$ 80,097	\$ 100,459	\$ 100,459	\$ 100,459	\$ (1,230)	\$ (6,909)	\$ (8,139)	\$ 92,320	\$ -	\$ -	\$ 92,320	\$ 470,410	\$ 396,115	8
2031	1,598,369	\$ 20,973	\$ 79,606	\$ 100,579	\$ 100,579	\$ 100,579	\$ (1,267)	\$ (7,044)	\$ (8,311)	\$ 92,268	\$ -	\$ -	\$ 92,268	\$ 562,678	\$ 478,325	9
2032	1,590,377	\$ 21,602	\$ 79,114	\$ 100,716	\$ 100,716	\$ 100,716	\$ (1,305)	\$ (7,182)	\$ (8,487)	\$ 92,229	\$ -	\$ -	\$ 92,229	\$ 654,907	\$ 560,482	10
2033	1,582,425	\$ 22,250	\$ 78,623	\$ 100,873	\$ 100,873	\$ 100,873	\$ (1,344)	\$ (7,323)	\$ (8,667)	\$ 92,206	\$ -	\$ -	\$ 92,206	\$ 747,113	\$ 642,601	11
2034	1,574,513	\$ 22,917	\$ 76,657	\$ 99,575	\$ 99,575	\$ 99,575	\$ (1,384)	\$ (7,466)	\$ (8,851)	\$ 90,724	\$ -	\$ -	\$ 90,724	\$ 837,838	\$ 723,368	12
2035	1,566,640	\$ 23,605	\$ 74,692	\$ 98,297	\$ 98,297	\$ 98,297	\$ (1,426)	\$ (7,613)	\$ (9,039)	\$ 89,258	\$ -	\$ -	\$ 89,258	\$ 927,096	\$ 802,797	13
2036	1,558,807	\$ 24,313	\$ 72,726	\$ 97,039	\$ 97,039	\$ 97,039	\$ (1,469)	\$ (7,762)	\$ (9,231)	\$ 87,809	\$ -	\$ -	\$ 87,809	\$ 1,014,905	\$ 880,902	14
2037	1,551,013	\$ 25,043	\$ 70,761	\$ 95,803	\$ 95,803	\$ 95,803	\$ (1,513)	\$ (7,914)	\$ (9,427)	\$ 86,376	\$ -	\$ -	\$ 86,376	\$ 1,101,281	\$ 957,698	15
	<b>24,101,659</b>	<b>\$ 299,847</b>	<b>\$ 1,135,989</b>	<b>\$ 1,435,836</b>	<b>\$ 1,435,836</b>	<b>\$ 1,435,836</b>	<b>\$ (18,599)</b>	<b>\$ (110,000)</b>	<b>\$ (128,599)</b>	<b>\$ 1,307,236</b>	<b>\$ 1,170,500</b>	<b>\$ (1,376,455)</b>	<b>\$ 1,101,281</b>	<b>\$ 1,101,281</b>	<b>\$ 957,698</b>	

## Cash Flow

Scenario: #3 - Battery Cash Purchase - Tapia Water Reclamation Facility

Year	Utility Savings				Expenses			Cash Position				Conservative Cumulative Cash Position	
	Savings from Demand Reduction	Savings from Battery due to Arbitrage	Battery Savings (Total)	Subtotal: Annual Utility Bill Savings	Asset Management Service (Battery)	Other Expenses	Subtotal: Annual Operating Expenses	Net Benefits (Battery)	Grant/SGIP	Cash Contribution	Total Cash		Cumulative Cash Position
2022	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (2,349,908)	\$ (2,349,908)	\$ (2,349,908)	\$ (2,349,908)
2023	\$ 132,400	\$ 9,052	\$ 141,452	\$ 141,452	\$ (1,000)	\$ (11,652)	\$ (12,652)	\$ 128,800	\$ 790,550	\$ -	\$ 919,350	\$ (1,430,558)	\$ (1,444,704)
2024	\$ 136,372	\$ 8,509	\$ 144,881	\$ 144,881	\$ (1,030)	\$ (11,857)	\$ (12,887)	\$ 131,994	\$ 158,110	\$ -	\$ 290,104	\$ (1,140,454)	\$ (1,169,088)
2025	\$ 140,463	\$ 8,147	\$ 148,610	\$ 148,610	\$ (1,061)	\$ (12,065)	\$ (13,126)	\$ 135,484	\$ 158,110	\$ -	\$ 293,594	\$ (846,861)	\$ (890,355)
2026	\$ 144,677	\$ 7,875	\$ 152,552	\$ 152,552	\$ (1,093)	\$ (12,278)	\$ (13,371)	\$ 139,181	\$ 158,110	\$ -	\$ 297,291	\$ (549,569)	\$ (608,319)
2027	\$ 26,943	\$ 119,348	\$ 146,291	\$ 146,291	\$ (1,126)	\$ (12,495)	\$ (13,620)	\$ 132,671	\$ 158,110	\$ -	\$ 290,781	\$ (258,789)	\$ (332,167)
2028	\$ 27,751	\$ 117,217	\$ 144,968	\$ 144,968	\$ (1,159)	\$ (11,516)	\$ (12,675)	\$ 132,293	\$ 158,110	\$ -	\$ 290,403	\$ 31,614	\$ (56,261)
2029	\$ 28,584	\$ 116,507	\$ 145,090	\$ 145,090	\$ (1,194)	\$ (11,742)	\$ (12,936)	\$ 132,155	\$ -	\$ -	\$ 132,155	\$ 163,769	\$ 61,384
2030	\$ 29,441	\$ 115,796	\$ 145,237	\$ 145,237	\$ (1,230)	\$ (11,972)	\$ (13,201)	\$ 132,036	\$ -	\$ -	\$ 132,036	\$ 295,805	\$ 178,897
2031	\$ 30,324	\$ 115,086	\$ 145,410	\$ 145,410	\$ (1,267)	\$ (12,206)	\$ (13,473)	\$ 131,937	\$ -	\$ -	\$ 131,937	\$ 427,742	\$ 296,293
2032	\$ 31,234	\$ 114,376	\$ 145,610	\$ 145,610	\$ (1,305)	\$ (12,445)	\$ (13,750)	\$ 131,860	\$ -	\$ -	\$ 131,860	\$ 559,602	\$ 413,592
2033	\$ 32,171	\$ 113,665	\$ 145,836	\$ 145,836	\$ (1,344)	\$ (12,689)	\$ (14,033)	\$ 131,803	\$ -	\$ -	\$ 131,803	\$ 691,405	\$ 530,811
2034	\$ 33,136	\$ 110,824	\$ 143,960	\$ 143,960	\$ (1,384)	\$ (12,938)	\$ (14,322)	\$ 129,638	\$ -	\$ -	\$ 129,638	\$ 821,043	\$ 646,053
2035	\$ 34,130	\$ 107,982	\$ 142,112	\$ 142,112	\$ (1,426)	\$ (13,192)	\$ (14,617)	\$ 127,495	\$ -	\$ -	\$ 127,495	\$ 948,538	\$ 759,337
2036	\$ 35,154	\$ 105,140	\$ 140,294	\$ 140,294	\$ (1,469)	\$ (13,450)	\$ (14,919)	\$ 125,376	\$ -	\$ -	\$ 125,376	\$ 1,073,913	\$ 870,683
2037	\$ 36,209	\$ 102,299	\$ 138,507	\$ 138,507	\$ (1,513)	\$ (13,714)	\$ (15,227)	\$ 123,281	\$ -	\$ -	\$ 123,281	\$ 1,197,194	\$ 980,113
	<b>\$ 898,990</b>	<b>\$ 1,271,823</b>	<b>\$ 2,170,813</b>	<b>\$ 2,170,813</b>	<b>\$ (18,599)</b>	<b>\$ (186,212)</b>	<b>\$ (204,811)</b>	<b>\$ 1,966,002</b>	<b>\$ 1,581,100</b>	<b>\$ (2,349,908)</b>	<b>\$ 1,197,194</b>	<b>\$ 1,197,194</b>	<b>\$ 980,113</b>

## Disclaimers and Assumptions

- 1) Projections of future savings are calculated based on patterns of previous electricity usage with billing data from November 2019 through October 2020, and assume that historical usage patterns hold at the same level over the life of the project.
- 2) Projections are subject to tariff eligibility over the life of the installation. This analysis uses SCE rates published June 2021.
- 3) This analysis assumes the electrical service will not require significant upgrades.
- 4) Projections for Composting Plant are based on interconnection under NEM 2.0 tariff. Remaining capacity under NEM 2.0 is subject to availability.
- 5) Because there is an existing cogeneration system at Composting Plant, the main meter must be served on a standby rate. This analysis does not include the positive financial impact of switching to the most optimal post-solar rate if the meter were not served on standby (i.e. if the cogeneration system were removed such that there could be a rate change off of standby).
- 6) NEM projects are grandfathered for 20 years. Savings shown beyond year 20 are subject to change based on future NEM structure.
- 7) Additional District costs include third-party consultants and inspectors, totaling \$206,725 across all three sites. The vendor is expected to reimburse \$152,708 of that total.
- 8) Other Expenses includes insurance, PDP, and other O&M.
- 9) Asset Management Services include system performance monitoring, warranty enforcement, and detailed energy & financial reporting.
- 10) Renewable Energy Credits (RECs) have been included in this analysis as potential revenue, however, by selling the RECs they cannot be claimed for clean energy use.
- 11) No part of TerraVerde Energy's deliverables, messaging, presentation or anything else shared with its clients should be construed by the client or any other entity as advice on scope for future contracts, work orders or other engagements.

## **1.0 INTRODUCTION**

### **1.1 PURPOSE**

This Initial Study checklist has been prepared to determine the appropriate document to comply with the California Environmental Quality Act (CEQA). Specifically, to identify any potentially significant impacts that may prevent use of a categorical exemption.

## **2.0 PROJECT DESCRIPTION**

The Las Virgenes Municipal Water District's (LVMWD) proposed Solar-Battery Project (Project) is comprised of new components at three existing LVMWD facilities to provide electrical generation and storage capability. These new components would include:

- Photo-voltaic solar panel array and battery storage system at the Rancho Las Virgenes Composting Facility
- Battery storage system at the Tapia Water Reclamation Facility
- Battery storage system at the Recycled Water Pumping Facility at the LVMWD Headquarters site

### **2.1 SITE LOCATION AND DESCRIPTION**

The three affected LVMWD facilities are the Rancho Las Virgenes Composting Facility, Tapia Water Reclamation Facility and Recycled Water Pumping Facility (at the LVMWD Headquarters site) (see Figures 1 through 4). Figure 5 provides photographs of the sites where Project components would be located.

#### **2.1.1 Rancho Las Virgenes Composting Facility**

This facility is located approximately 0.2 miles east of Las Virgenes Road within the City of Calabasas and is accessed from a private road at the southern terminus of Lost Hills Road. The proposed photo-voltaic solar array would be located in an area of artificial fill adjacent to an unimproved storm water detention basin. A treated wastewater spray disposal area is located immediately west of the detention basin. The proposed battery storage system would be located within a paved area within or immediately adjacent to the existing electrical enclosure. The Composting Facility is located on parcel no. 4455-025-900 and has been zoned by the City as Public Facilities (PF). The proposed photo-voltaic solar panel array would be located on parcel no. 4455-026-900 and has been zoned as Open Space (OS).

#### **2.1.2 Tapia Water Reclamation Facility**

This facility is located approximately 0.2 miles west of Malibu Canyon Road within unincorporated Los Angeles County and is accessed from a private road off of Malibu Canyon Road. The proposed battery storage system would be located at the northwestern corner of this Facility on parcel no. 4462-032-901. The Tapia Water Reclamation Facility has been zoned by Los Angeles County as Institutional (IT).

### 2.1.3 Recycled Water Pumping Facility

This facility is located approximately at 4232 Las Virgenes Road within the City of Calabasas adjacent to the LVMWD Headquarters. The proposed battery storage system would be located along the northern boundary of the Recycled Water Pumping Facility on parcel no. 2069-011-901 and has been zoned by the City as Public Facilities (PF).

## 2.2 PROJECT COMPONENTS

### 2.2.1 Rancho Las Virgenes Composting Facility

**Photo-voltaic Solar Array.** A photo-voltaic solar array is proposed to be constructed and operated at the Rancho Las Virgenes Composting Facility (see Figure 2). The solar panels would be composed of tempered glass with aluminum alloy frames, with a fixed tilt and ground-mounted. The proposed solar array would produce approximately 1.324 megawatts DC electricity, and cover an area of approximately 2.9 acres.

In addition, a 10-foot setback around the solar array would be provided for maintenance purposes. Access to the solar array would be provided from the existing unpaved road used to access the treated wastewater spray disposal area, no access road improvements are proposed. A 20-foot-wide fire access road with hammerhead turnaround would be provided along the western margin of the solar array. An approximately 340 foot-long buried electrical conduit would be installed between the solar array and the existing electrical meter and point of connection to 16.5 kilovolt power, within the existing electrical enclosure at the Composting Facility. Additional electrical equipment would be provided at the solar array adjacent to the fire access road.

**Battery Storage System.** A 1252 kilowatt-hour battery storage system with transformer would be installed within or immediately adjacent to the existing electrical enclosure at the Composting Facility to provide approximately two hours of emergency backup power.

### 2.2.2 Tapia Water Reclamation Facility

A 4648 kilowatt-hour battery storage system with transformer would be installed at the Tapia Water Reclamation Facility (see Figure 3). A buried electrical conduit would be installed between the transformer and the existing electrical meter and point of connection to 4160 volt power. The proposed battery storage system, transformer and conduit would be located in an existing paved area or adjacent building. Ground disturbance would be limited to a very small trench required to install the conduit. The proposed battery storage system would provide approximately two hours of emergency backup power.

### 2.2.3 Recycled Water Pumping Facility

A 2682 kilowatt-hour battery storage system with 480 volt switch-gear would be installed at the Recycled Water Pumping Facility (see Figure 4). A buried electrical conduit (about 30 feet) would be installed between the switch-gear and the existing electrical meter and point of connection to 480 volt power. The proposed battery storage system, switch-gear and conduit would be located at the toe of gradual slope between existing facilities and the perimeter fence and adjacent to an existing paved area. Ground disturbance would be limited an area of about 10 feet by 40 feet, needed to create a level area and a retaining wall. The proposed battery storage system would provide approximately two hours of emergency backup power.

## **2.3 CONSTRUCTION**

### **2.3.1 Rancho Las Virgenes Composting Facility**

Vegetation would be removed from the proposed solar array site using a small dozer or wheeled loader. The artificial fill would be leveled only as needed to install the solar panels. Excessive grading to make the entire site level or at the same elevation is not required. The solar panels would be primarily installed using hand crews. However, a small truck-mounted crane may be used to position the panels while they are bolted in place. The panel supports would be driven piers, concrete pouring on-site is not proposed. A backhoe would be used to excavate the trench for the buried conduit, which would be about 12 inches wide and 24 inches deep. Once the electrical conduit is installed the trench would be backfilled to restore pre-project ground contours. The overall construction period for the solar array is anticipated to be about four months.

The battery storage system would be installed using hand crews and a small truck-mounted crane. The battery storage system would be installed concurrently with the solar array.

### **2.3.2 Tapia Water Reclamation Facility**

The battery storage system would be installed using hand crews and a small truck-mounted crane. A backhoe (or equivalent) would be used to excavate and backfill the trench for the buried electrical conduit. The overall construction period is anticipated to be about two weeks.

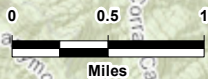
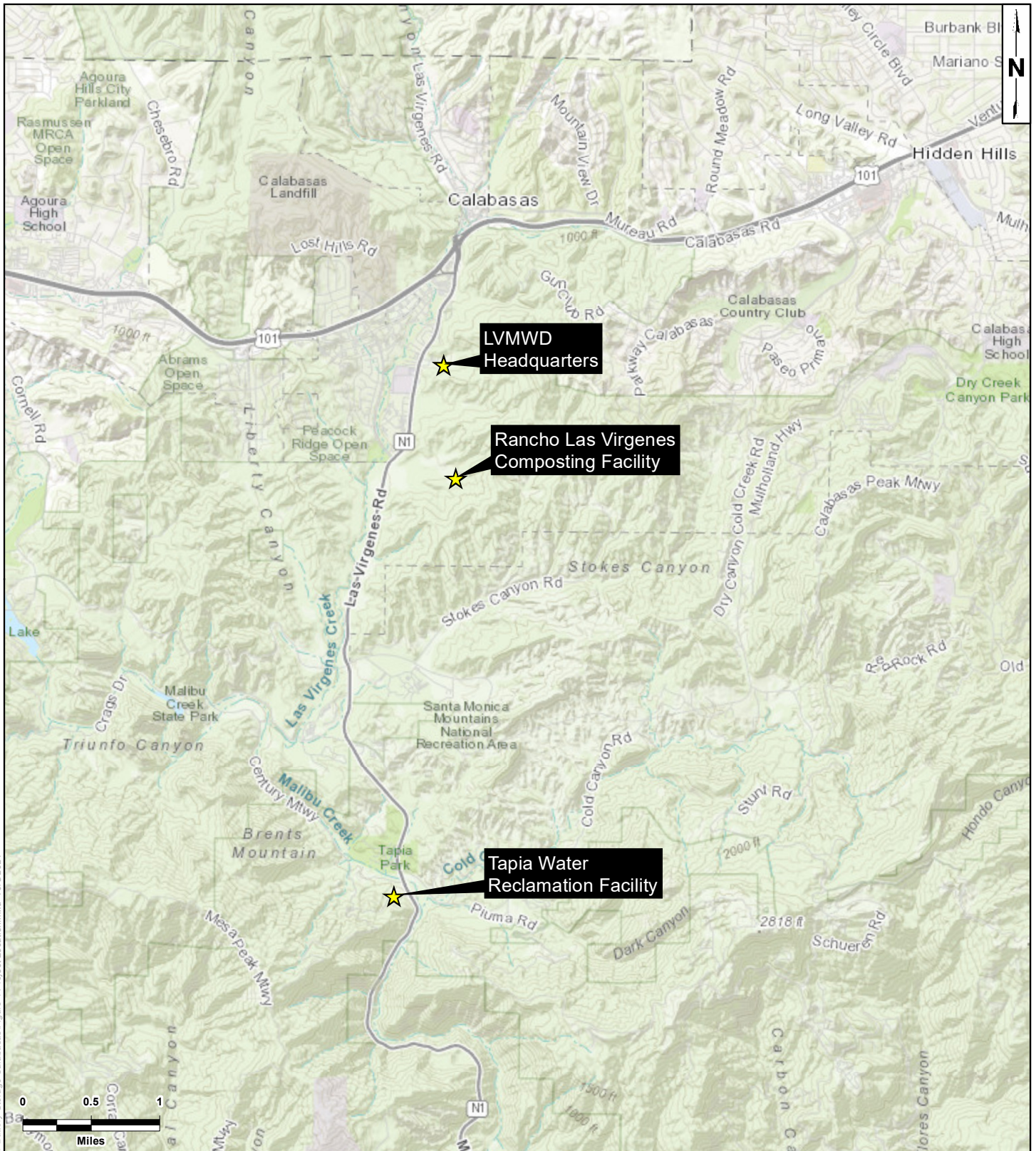
### **2.3.3 Recycled Water Pumping Facility**

The battery storage system would be installed using hand crews and a small truck-mounted crane. A backhoe (or equivalent) would be used to excavate and backfill the trench for the buried electrical conduit. The overall construction period is anticipated to be about two weeks.

## **2.4 OPERATION**

The solar array would require periodic cleaning of the panels to maintain efficiency. In addition, the cables and connections would be inspected regularly. Panel cleaning would occur about four times per year. Weed management would also be conducted within the solar array, including herbicide application several times per year. Herbicide would be applied by a licensed pesticide applicator and avoid nearby native vegetation.

The battery storage systems would require periodic inspection and maintenance.



**LEGEND:**

★ Project Site

**MAP EXTENT:**



Source: Esri Online Topo Basemap  
 Coordinate System: NAD 1983 StatePlane California V FIPS 0405 Feet  
 Notes: This map was created for informational and display purposes only.



PROJECT NAME: <b>LVMWD SOLAR-BATTERY PROJECT LOS ANGELES COUNTY, CALIFORNIA</b>	
PROJECT NUMBER: 2102-2611	DATE: October 2021

**PROJECT LOCATION**

FIGURE  
**1**

Z:\GIS\Projects\GIS\_Maps\Map Project\Phase II Solar Battery Storage Calabasas\Figure 1 Project Location.mxd 10/8/2021



**SYSTEM SUMMARY**

**PHOTOVOLTAIC (PV) SYSTEM**

SYSTEM TOTALS	
DC RATING	1324.32 kW-DC-STC
AC RATING	1020.00 kW-AC
MODULE	
TYPE	BIFACIAL PERC
STC RATING	445 W-STC
QUANTITY	2976
INVERTER	
TYPE	STRING
OUTPUT RATING	60.0 kW

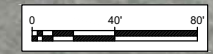
**BATTERY ENERGY STORAGE SYSTEM (BESS)**

SYSTEM TOTALS	
NAMEPLATE POWER	626 kVA
OUTPUT POWER	626 kW
ENERGY RATING	1252 kWh
BATTERY	
PRODUCT TYPE	MEGAPACK
DAY 1 QTY	1
MAX CMA ENCL. QTY	0
DISCHARGE	2 HR
INVERTER 1	
MANUFACTURER	TESLA
OUTPUT RATING	626 kVA
QUANTITY	1

**GENERAL NOTES**

- PRELIMINARY INDICATIVE LAYOUT. FINAL DESIGN TO BE DETERMINED AFTER SITE SURVEY AND REVIEW OF EXISTING CONDITIONS.
- SYSTEM TO BE DESIGNED AND INSTALLED TO LOCAL JURISDICTION AND UTILITY REQUIREMENTS.
- THE INDICATIVE EQUIPMENT LAYOUTS SHOW THE MINIMUM FOOTPRINT RECOMMENDED BY TESLA. ADDITIONAL AREA WILL BE REQUIRED FOR CONSTRUCTION OF THE PROJECT.
- SCOPE:
  - MEGAPACK UNITS
  - TESLA SITE CONTROLLER
  - TRANSFORMERS
  - SCADA EQUIPMENT
- LONG TERM MAINTENANCE ACCESS WILL BE REQUIRED. 6' (1.83M) MINIMUM FRONT CLEARANCE REQUIRED FOR MAINTENANCE ACCESS.

SITE PLAN



Z:\GIS\Projects\GIS\_Maps\Map\_Project\Phase II Solar Battery Storage California Figure 2 Composting Facility.mxd 10/19/2021

Source: Tesla  
Notes: This map was created for informational and display purposes only.



PROJECT NAME: LVMWD SOLAR-BATTERY PROJECT LOS ANGELES COUNTY, CALIFORNIA	
PROJECT NUMBER: 2102-2611	DATE: October 2021

RANCHO LAS VIGENES COMPOSTING FACILITY SOLAR ENERGY SITE PLAN

FIGURE  
2



Z:\GIS\Projects\GIS\_Maps\Map\_Project\Phase II Solar Battery Storage Calabasas\Figure 3 Reclamation Facility.mxd 11/08/2021



### SYSTEM SUMMARY

BATTERY ENERGY STORAGE SYSTEM (BESS)	
SYSTEM TOTALS	
NAMEPLATE POWER	2324 kVA
OUTPUT POWER	2324 kW
ENERGY RATING	4648 kWh
BATTERY	
PRODUCT TYPE	MEGAPACK
DAY 1 QTY	2
MAX CMA ENCL. QTY	0
DISCHARGE	2 HR
INVERTER 1	
MANUFACTURER	TESLA
OUTPUT RATING	1162
QUANTITY	2

### GENERAL NOTES

- PRELIMINARY INDICATIVE LAYOUT. FINAL DESIGN TO BE DETERMINED AFTER SITE SURVEY AND REVIEW OF EXISTING CONDITIONS.
- SYSTEM TO BE DESIGNED AND INSTALLED TO LOCAL JURISDICTION AND UTILITY REQUIREMENTS.
- THE INDICATIVE EQUIPMENT LAYOUTS SHOW THE MINIMUM FOOTPRINT RECOMMENDED BY TESLA. ADDITIONAL AREA WILL BE REQUIRED FOR CONSTRUCTION OF THE PROJECT.
- SCOPE:
  - MEGAPACK UNITS
  - TESLA SITE CONTROLLER
  - TRANSFORMERS
  - SCADA EQUIPMENT
- LONG TERM MAINTENANCE ACCESS WILL BE REQUIRED. 6' (1.83M) MINIMUM FRONT CLEARANCE REQUIRED FOR MAINTENANCE ACCESS.

Source: Tesla  
Notes: This map was created for informational and display purposes only.



PROJECT NAME: LVMWD SOLAR-BATTERY PROJECT LOS ANGELES COUNTY, CALIFORNIA	
PROJECT NUMBER: 2102-2611	DATE: November 2021

TAPIA WATER RECLAMATION FACILITY  
BATTERY STORAGE SYSTEM PLAN

FIGURE  
3



**SYSTEM SUMMARY**


<b>BATTERY ENERGY STORAGE SYSTEM (BESS)</b>	
SYSTEM TOTALS	
NAMEPLATE POWER	1341 kVA
OUTPUT POWER	1341 kW
ENERGY RATING	2682 kWh
BATTERY	
PRODUCT TYPE	MEGAPACK
DAY 1 QTY	1
MAX CMA ENCL. QTY	0
DISCHARGE	2 HR
INVERTER 1	
MANUFACTURER	TESLA
OUTPUT RATING	1341 kVA
QUANTITY	1

**GENERAL NOTES**

- PRELIMINARY INDICATIVE LAYOUT. FINAL DESIGN TO BE DETERMINED AFTER SITE SURVEY AND REVIEW OF EXISTING CONDITIONS.
- SYSTEM TO BE DESIGNED AND INSTALLED TO LOCAL JURISDICTION AND UTILITY REQUIREMENTS.
- THE INDICATIVE EQUIPMENT LAYOUTS SHOW THE MINIMUM FOOTPRINT RECOMMENDED BY TESLA. ADDITIONAL AREA WILL BE REQUIRED FOR CONSTRUCTION OF THE PROJECT.
- SCOPE:  
 A. MEGAPACK UNITS  
 B. TESLA SITE CONTROLLER  
 C. TRANSFORMERS  
 D. SCADA EQUIPMENT
- LONG TERM MAINTENANCE ACCESS WILL BE REQUIRED. 6' (1.83M) MINIMUM FRONT CLEARANCE REQUIRED FOR MAINTENANCE ACCESS.

F:\GIS\Projects\GIS\_Maps\Map\_Project\Phase II Solar Battery Storage California Figure 4 LVMWD Headquarters.mxd 10/29/2021

Source: Tesla  
 Notes: This map was created for informational and display purposes only.

 <b>padre</b> associates, inc. ENGINEERS, GEOLOGISTS & ENVIRONMENTAL SCIENTISTS	PROJECT NAME: LVMWD SOLAR-BATTERY PROJECT LOS ANGELES COUNTY, CALIFORNIA		LVMWD HEADQUARTERS BATTERY STORAGE SYSTEM PLAN	FIGURE <b>4</b>
	PROJECT NUMBER: 2102-2611	DATE: October 2021		

Las Virgenes Municipal Water District  
Solar-Battery Project



a. Proposed solar array site, with detention basin in foreground



b. Electrical enclosure at the Composting Facility (new battery site)



c. Battery storage system site at Tapia Water Reclamation Facility



d. Battery storage system site at Recycled Water Pumping Facility

### 3.0 ENVIRONMENTAL IMPACT ANALYSIS

This section provides a brief assessment of the potential environmental impacts associated with the project. The analysis is organized by environmental issue area (e.g., aesthetics, agricultural resources, air quality). Each issue area begins with a checklist, which identifies criteria that have been used to assess the significance or insignificance of each potential impact. The checklists used in this Initial Study were taken from the 2021 update to the State CEQA Guidelines prepared by the Association of Environmental Professionals. The checklists also indicate the conclusions made regarding the potential significance of each impact. Brief explanations of each conclusion are provided after the checklists.

Impact classifications used in the checklists are the following:

- **Potentially Significant Impact.** An impact that could be significant, and requires further study in an Environmental Impact Report (EIR).
- **Less than Significant Impact with Mitigation.** An impact that is potentially significant, but can feasibly be mitigated to a less than significant level with measures identified in the Initial Study.
- **Less than Significant Impact.** An impact that would not be significantly adverse.
- **No Impact.** Applied when the Project would not result in any impact to a specific issue area.

#### 3.1 AESTHETICS

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urban areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. There are no designated scenic vistas in proximity to proposed Project components. Scenic highways are addressed under part b.

- b. Las Virgenes Road has been designated a scenic corridor by the City of Calabasas in their 2030 General Plan. Malibu Canyon Road is identified as a State-designated County scenic highway in the County’s Santa Monica Mountains Land Use Plan. The proposed solar array and battery storage system at the Rancho Las Virgenes Composting Facility would not be visible from Las Virgenes Road due to intervening topography and the existing electrical enclosure. The proposed battery storage system at the LVMWD Headquarters site would not be visible from Las Virgenes Road due to intervening structures and topography. The proposed battery storage system at the Tapia Water Reclamation Facility would not be visible from Malibu Canyon Road due to intervening structures and topography. In any case, removal of trees or rock outcroppings is not proposed.
- c. The proposed Project would not degrade the visual character of any public views and would not conflict with City or County regulations affecting scenic quality.
- d. The proposed solar panels would be provided with an anti-reflective coating to reduce glare. In any case, local topography (small ridgeline north of the Composting Facility) would block views from nearby residential areas to the northwest.

**3.2 AGRICULTURAL AND FORESTRY RESOURCES**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of forest land, timberland or timberland zoned Timberland Production?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. Prime farmland as designated by the California Department of Conservation is located approximately 200 feet west of the proposed solar array site which located is an area designated as “Other Land”. The Tapia Water Reclamation Facility and Recycled Water Pumping Facility are both located in areas designated as “Urban and Built-up Land”. The Project would not result in the conversion of farmland to non-agricultural use and no loss of farmland soils would occur.

- b. The Project would not conflict with any agriculturally zoned areas or any Williamson Act contracts.
- c. The Project would not conflict with any area zoned for forestry use, and would not cause any forest land or timberlands to be rezoned.
- d. The proposed Project would not result in the loss or conversion of forest land to non-forest uses.
- e. Projects that involve public infrastructure (e.g., roads, power, water, sewer) in a previously undeveloped area may lead to inducement of population growth and associated conversion of agricultural lands or forest lands. The proposed Project is limited to new energy production and storage facilities to serve existing land uses and would not support new development or population growth.

### 3.3 AIR QUALITY

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. Projects that cause local populations to exceed population forecasts in the South Coast Air Quality Management District's (SCAQMD) 2016 Air Quality Management Plan may be inconsistent, as exceeding population forecasts can result in the generation of emissions beyond those which have been projected in the 2016 Air Quality Management Plan. The proposed Project would not provide a new source of energy or other public services that may induce land development or population growth. Overall, the proposed Project would have no effect on implementation of the 2016 Air Quality Management Plan and progress towards attainment of ozone and particulate matter air quality standards.

- b. The proposed Project would not result in any additional air pollutant emissions, except for a few dozen vehicle trips per year for solar panel cleaning, inspection of cables and weed management. Installation of the proposed energy production and storage facilities would generate temporary air pollutant emissions, primarily exhaust emissions from heavy-duty trucks, worker vehicles and heavy equipment (wheeled loader, backhoe, etc.). Operation and construction air pollutant emissions would not exceed the SCAQMD’s significance thresholds, would not be cumulatively considerable and would not affect attainment of air quality standards.
- c. There are no sensitive receptors (such as residences or schools) in close proximity to Project component sites where substantial air pollutant emissions may occur. Therefore, impacts to sensitive receptors would be less than significant.
- d. Odors are generated by the existing Composting Facility but are mostly controlled by a bio-filter system. The proposed Project would not result in the generation of any new or modified odors.

**3.4 BIOLOGICAL RESOURCES**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a.** Based on a review of the California Natural Diversity Data Base, special-status plant or wildlife species have not been reported in the vicinity of the Composting Facility or the LVMWD Headquarters site. Vegetation removal required as part of installation of the proposed solar array at the Composting Facility would be limited to non-native weedy species that have colonized the artificial fill at the site. Vegetation removal for installation of the proposed battery storage system at the Recycled Water Pumping Facility would be limited about 400 square feet of a weedy, regularly mowed area dominated by non-native grasses. Affected vegetation does not provide habitat for special-status species.

Review of the California Natural Diversity Data Base indicates arroyo chub and western pond turtle (both California Species of Special Concern) have been reported from Malibu Creek in the vicinity of the Tapia Water Reclamation Facility. The proposed battery storage system would be located in a paved area or existing building within this Facility behind a masonry wall separating the Facility from Malibu Creek (see Figure 5.c). The construction and operation of the battery storage facility would not affect wildlife habitat of Malibu Creek. Therefore, no impact to these species would occur as a result of Project implementation.

- b.** Riparian habitat occurs in Malibu Creek, adjacent to the Tapia Water Reclamation Facility. The proposed Project would have no effect on this habitat.
- c.** The U.S. Fish & Wildlife Service National Wetlands Inventory identifies wetlands (riverine, intermittent streambed, temporarily flooded) at the proposed solar array site in the form of two ephemeral swales draining to the storm water detention basin located immediately west of the site. These features are no longer present. In any case, the solar panels would be elevated such that storm water run-off from the small watershed (about 120 acres) east of the site would flow under the panels during major storm events and continue to flow into the detention basin. No loss of wetlands would occur.

The U.S. Fish & Wildlife Service National Wetlands Inventory identifies wetlands (riverine, intermittent streambed, temporarily flooded) within the ephemeral drainage that flows into a detention basin located just east of the LVMWD Headquarters site. The detention basin is also considered wetlands by the National Wetlands Inventory. The proposed battery storage system at the Recycled Water Pumping Facility would be located approximately 350 feet west of the detention basin and would have no effect on wetlands.

The U.S. Fish & Wildlife Service National Wetlands Inventory identifies wetlands within Malibu Creek and tributary drainages located east and west of the Tapia Water Reclamation Facility. The proposed battery storage system would be located in a paved area or adjacent building within this Facility and would have no effect on wetlands.



- d. Wildlife movement may occur between open space areas east of the Composting Facility and Malibu Creek State Park located to the west. However, this movement is expected to be focused in areas of native vegetation such as ridgelines located to the north and south. Focused wildlife movement through the proposed solar array site is not anticipated such that construction and operation of this Project component is not anticipated to adversely affect wildlife movement in the area.

Wildlife movement may be focused along Malibu Creek as it provides habitat, cover and favorable topography (as compared to adjacent steep slopes). The proposed battery storage system at the Tapia Water Reclamation Facility would not result in any habitat loss or disturbance and would not reduce the value of Malibu Creek as a wildlife movement corridor.

The proposed battery storage system located at the Recycled Water Pumping Facility is not located in proximity to any known or likely wildlife movement corridors and would not result in any habitat loss or disturbance. Therefore, this Project component is not anticipated to adversely affect wildlife movement in the area.

- e. The proposed Project would not result in any removal of protected trees or otherwise conflict with any City policies protecting biological resources.
- f. The Project site is not subject to a habitat conservation plan or other conservation plan. Therefore, no adverse impacts related to compliance with habitat conservation plans are anticipated.

### 3.5 CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. The results of a cultural resources records search conducted by the Central Coast Information Center was received on October 5, 2021 and did not identify any historic resources within the Project component sites or a 1/4-mile search radius. The proposed Project does not involve the removal of any structures or other features that may be considered historic; therefore, impacts to historic resources are not anticipated.

**b.** The cultural resources records search did not identify any archeological resources within the Project component sites or a 1/4-mile search radius. Project-related ground disturbance would be limited to previously disturbed areas:

- The proposed photo-voltaic solar array at the Composting Facility would be located in an area supporting artificial fill.
- The proposed battery storage system at the Composting Facility would be located in an area disturbed by construction of the electrical enclosure.
- The proposed battery storage system at the Tapia Water Reclamation Facility would be located in an area disturbed by construction of this Facility.
- The proposed battery storage system at the Recycled Water Pumping Facility would be located in an area disturbed by construction of this Facility.

Therefore, no unreported archaeological resources would be affected.

**c.** The cultural resources records search did not identify any archeological sites that may contain human remains within the Project component sites or a 1/4-mile search radius. Project-related ground disturbance would be limited to previously disturbed areas. Therefore, no human remains would be disturbed.

**3.6 ENERGY**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
<b>a.</b> Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a.** The proposed Project would consume non-renewable energy in the form of fuels for vehicles and equipment used to construct the proposed solar panel array and battery storage systems. This energy use would not be wasteful, inefficient or unnecessary.

**b.** The proposed Project would provide renewable solar energy for use by the Composting Facility and other users on the regional power grid. It would not conflict with any State or local plan for renewable energy or energy efficiency.

### 3.7 GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
<b>a.</b> Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b.</b> Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>c.</b> Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>e.</b> Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>f.</b> Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a.** No earthquake faults have been recorded in close proximity to any Project components. Seismic hazards identified by the California Department of Conservation's EQZApp application are limited to areas mapped as earthquake-induced landslide hazard areas located east of the proposed solar array site. This facility would not be manned, such that no increase in hazards to the public or private property would occur should a landslide occur.

**b.** Due to the very small area of ground disturbance associated with installation of Project components, soil erosion or loss of topsoil is not anticipated. The ground surface under the solar array would remain earthen; however, weed growth is anticipated to prevent substantial soil erosion by storm water run-off.

- c. The Project site is not located in a subsidence zone. As such, the Project is not expected to generate impacts associated with land subsidence. See response a. for discussion of issues related to liquefaction and landslides.
- d. The soil of the LVMWD Headquarters site (including the proposed battery storage system) and Composting Facility has been mapped as Botella loam (2 to 9 percent slopes) which considered to have a moderate shrink-swell potential (expansive). The proposed Project components at these sites would not be sensitive to expansive soils and would not result in any risk to life or property.
- e. Septic waste disposal systems are not proposed as part of the Project; therefore, no impacts would result.
- f. The only Project component that involves substantial ground disturbance is installation of the electrical conduit at the proposed solar array site. Based on the Geological Map of the Calabasas Quadrangle, the solar array site is underlain by recent alluvial floodplain deposits, with no potential to harbor intact paleontological resources. In addition, artificial fill has been placed over this site in the past. However, the conduit would extend north into areas underlain by the Upper Topanga Formation, which is considered to have a high potential for producing significant paleontological resources. The conduit would be installed at a relatively shallow depth within soils mapped as Linne-Los Osos, warm Calcic haploxerepts association and not extending into the Upper Topanga Formation. Therefore, impacts to unreported paleontological resources are not anticipated.

**3.8 GREENHOUSE GAS EMISSIONS**

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. Construction of the proposed Project components would generate greenhouse gas emissions, primarily in the form of CO<sub>2</sub> exhaust emissions from the use of off-road construction equipment and on-road vehicles. Project GHG emissions would be short-term and substantially less than the SCAQMD's interim significance threshold of 10,000 metric tons. Therefore, construction-related GHG emissions are considered a less than significant impact on global climate change.
- b. The proposed Project would provide renewable solar power which would replace electricity produced using conventional means that generate greenhouse gases, and would not conflict with any plans or policies regulating these emissions.

**3.9 HAZARDS AND HAZARDOUS MATERIALS/RISK OF UPSET**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. The proposed Project would not use, transport or dispose of hazardous materials; however, diesel fuel may be brought on-site using a maintenance truck to fuel on-site construction equipment. No storage of diesel fuel would occur on-site. Therefore, significant hazards to the public or environment related to hazardous materials would not occur.
- b. There are two underground fuel storage tank leakage cases at the LVMWD Headquarters site and one at the Tapia Water Reclamation Facility on file with the State Water Resources Control Board. Each of these cases have been cleaned up to State standards and has been closed. Contaminated soil or groundwater is not anticipated to be encountered during Project construction activities. Therefore, release of hazardous materials to the environment would not occur.

- c. The nearest school to the Project component sites is the A.E. Wright Middle School, located 0.2 miles southwest of the proposed battery storage system at the Recycled Water Pumping Facility and 0.6 miles northwest of the proposed solar array site. The proposed Project would not involve the use of hazardous materials, hazardous waste or result in hazardous emissions.
- d. No hazardous materials sites compiled pursuant to Government Code Section 65962.5 are located in the Project area. The proposed Project would not affect any such sites or result in a related hazard to the public or the environment.
- e. The nearest airport to the proposed Project components is the Santa Monica Airport, located approximately 15.3 miles to the east-southeast of the Tapia Water Reclamation Facility. The proposed Project does not involve any change in land use or other features that could increase safety or noise hazards resulting from airport proximity.
- f. The proposed Project would not involve any change in land use or impair the use of any roadways for emergency response or evacuation.
- g. Proposed facilities would not be manned and would not involve any habitable structures that may increase the number of persons subject to wildland fires. The proposed solar array would be provided with a 10-foot setback from any flammable vegetation and weed management would be conducted to minimize the accumulation of flammable vegetation within the solar array. None of the Project components involve any flammable materials. The proposed battery storage systems would be located in paved areas removed from any flammable vegetation, should any upset conditions occur that may represent an ignition source. Overall, the Project-related increase in the risk of loss, injury or death from wildland fires would be less than significant.

**3.10 HYDROLOGY AND WATER QUALITY**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:				

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
1. Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Substantially increase the rate or amount of surface run-off in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. The proposed Project would not result in any discharges that may affect surface water or groundwater quality.
- b. The proposed Project would not require a source of water. However, small amounts of water may be used for dust control during construction of the solar array. Such water would be provided by LVMWD, which is supplied water by the Metropolitan Water District of Southern California. This small temporary water use would not deplete water supplies or impede sustainable management of affected groundwater basins.
- c. The Project would not alter existing drainage patterns or alter the course of a stream or river. Rainfall would flow from the proposed solar panels to the adjacent soil surface and infiltrate. Any increase in storm water run-off would be minimal and be captured in the adjacent detention basin. A substantial increase in erosion, siltation or off-site storm water run-off would not occur. The proposed battery storage systems would not increase the area of impervious surfaces or increase storm water run-off. No new or modified storm water drainage systems are needed to serve the proposed facilities. Flood flows generated by the small watershed east of the solar array site would not be impeded or redirected.
- d. None of the proposed Project components would not be located in a designated flood hazard zone, tsunami inundation hazard zone or seiche hazard area. No Project-related increase in public exposure to flood, tsunami, seiche or water pollutant hazards would occur.
- e. See the discussion under part b. above.

### 3.11 LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. The proposed Project would not divide an established community.
- b. The proposed solar array may not be consistent with the City’s Municipal Code regarding development in open space areas. However, the proposed Project would not conflict with any policies or regulations adopted to avoid or mitigate adverse environmental effects.
- c. The Project site is not subject to a habitat conservation plan or natural community conservation plan and would not conflict with any such plan.

### 3.12 MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Result in the loss or availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. The nearest active oil wells (Moorpark Oil Field) are located approximately 13 miles northwest of the LVMWD Headquarters site. The Project component sites are not located in a mineral resource area and would not hamper the extraction of such resources in the region. Therefore, no impacts to such resources would occur as result of Project implementation.
- b. The proposed Project would not adversely affect petroleum production or other mineral resource production sites, or the availability of these resources.



**3.13 NOISE**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. For a project within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. The nearest noise-sensitive receptors to any of the Project components are multi-family residences located 350 feet north of the proposed battery storage system at the LVMWD Headquarters site. However, a ridgeline north of the site would attenuate any construction and operational noise. Due to distance and attenuation by intervening structures and/or topography, the City’s noise standards (Section 17.20.160 of the Municipal Code) would not be violated by any Project component. In addition, Project construction activities would be conducted in accordance with City requirements (7 a.m. to 6 p.m. Monday-Friday, and 8 a.m. to 5 p.m. on Saturday). Therefore, Project-generated noise would not exceed any standards.
- b. Project construction would generate ground-borne noise and vibration. Estimated peak particle velocity would be 0.003 inches/second at the nearest residence, which would not be perceptible. Therefore, Project-related ground-borne noise and vibration would be less than significant.
- c. The Project site is not located in proximity to a public or private airport and would not increase the exposure of the public to aviation noise.

**3.14 POPULATION AND HOUSING**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. The proposed Project would provide a new source of renewable energy (electricity); however, the availability of electricity is not limiting development such that the Project would not induce development or population growth.
- b. No people or housing would be displaced by the proposed Project such that construction of replacement housing would not be necessary.

**3.15 PUBLIC SERVICES**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. The proposed Project would not provide or increase the demand for public services or facilities. Therefore, no impacts to schools, parks and other public facilities or increased demand for such facilities would occur.

**3.16 RECREATION**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. The proposed Project would not result in population growth and would not increase the use of existing neighborhood or regional parks, or any other recreational facilities. As such, the proposed Project would not result in the accelerated physical deterioration of any recreational facilities.

b. The proposed Project would not involve the construction or expansion of any recreational facilities. Thus, the Project would not have any impacts on the physical environment associated with the construction or use of recreational facilities.

**3.17 TRANSPORTATION**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Would the project conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. The proposed Project does not include any land uses that may create demand for transportation facilities and would not conflict with local or regional transportation planning.

- b. The proposed Project would generate vehicle trips associated with construction and operation of proposed components. Projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less than significant transportation impact (Governor’s Office of Planning and Research, 2018). Project-related trip generation would be much less than 110 trips per day, such that the Project would be consistent with Section 15064.3 of the State CEQA Guidelines.
- c. The proposed Project would not involve any changes to roadways or incompatible uses of existing roadways. Therefore, no Project-related increases in traffic hazards would occur.
- d. The proposed Project would not require emergency services or create conditions that would impede emergency access for adjacent land uses.

**3.18 TRIBAL CULTURAL RESOURCES**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
<b>a.</b> Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe that is:				
1. Listed or eligible for listing in the California Register of Historic Resources, or in the local register of historic resources as defined in Public Resources Code Section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to subdivision c. of Public Resources Code Section 5024.1 In applying the criteria set forth in subdivision c. of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. The cultural resources records search did not identify any archeological or tribal resources within the Project component sites or a 1/4-mile search radius. Project-related ground disturbance would be limited to previously disturbed areas. Therefore, tribal resources (if present) would not be disturbed.

Tribal notification letters were mailed by LVMWD on October 6, 2021 to three tribal contacts (Fernandeno Tataviam Band of Mission Indians, Desert Cahuilla Indians, Gabrieleno Band of Mission Indians) pursuant to Public Resource Code 21080.3.1.b. No response requesting tribal consultation has been received by LVMWD.

**3.19 UTILITIES AND SERVICE SYSTEMS**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
a. Require or result in the construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. The proposed Project would not involve any new land uses that may require the construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas or telecommunications facilities.
- b. Small amounts of potable water would be used for dust control during construction activities. However, this temporary consumption would not affect the LVMWD's ability to meet the demand for existing and reasonably foreseeable development.
- c. The proposed Project would not generate municipal wastewater and would not affect the capacity of any wastewater treatment provider.
- d. A small amount of solid waste would be generated by Project construction, mostly materials packaging. These materials would be recycled to the extent feasible and would not affect the capacity of local landfills or impair attainment of State-mandated municipal solid waste reduction goals.

- e. The LVMWD complies with all federal, state and local statutes relating to solid waste, and would continue to do so during the construction and operation of Project monitoring wells. As such, no impacts of this type are expected to result.

**3.20 WILDFIRE**

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project?				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. All three Project sites are located within Very High Fire Hazard Severity Zones as designated by the California Department of Forestry and Fire Protection. The proposed Project would not impair emergency response or evacuation.
- b. The Project would not involve any habitable structures or have any occupants.
- c. None of the Project components involve any flammable materials and would not require any new roads or firebreaks, or other supporting infrastructure or increased maintenance of existing infrastructure.
- d. The proposed Project would not increase the risk of people or structures to wildfire-related flooding and landslides.

# Notice of Exemption

Form D

**To:** Office of Planning and Research  
P.O. Box 3044, Room 212  
Sacramento, CA 95812-3044

**From:** (Public Agency) \_\_\_\_\_

County Clerk  
County of \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
(Address)

Project Title: \_\_\_\_\_

Project Location - Specific: \_\_\_\_\_

Project Location – City: \_\_\_\_\_ Project Location – County: \_\_\_\_\_

Description of Nature, Purpose and Beneficiaries of Project: \_\_\_\_\_

Name of Public Agency Approving Project: \_\_\_\_\_

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

**Exempt Status: (check one)**

Ministerial (Sec. 21080(b)(1); 15268);

Declared Emergency (Sec. 21080(b)(3); 15269(a));

Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

Categorical Exemption. State type and section number: \_\_\_\_\_

Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt: \_\_\_\_\_

Lead Agency

Contact Person: \_\_\_\_\_ Area Code/Telephone/Extension: \_\_\_\_\_

**If filed by applicant:**

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency

Date received for filing at OPR: \_\_\_\_\_

Signed by Applicant

Revised 2005



September 27, 2021

Mr. John Zhao, P.E.  
Director, Engineering & Operations  
Las Virgenes Municipal Water District  
4232 Las Virgenes Road  
Calabasas, CA 91302

Re: LVMWD NEM Solar & BESS Project Implementation - Proposal for Professional Technical Support Services

Dear Mr. Zhao,

In support of the implementation of Las Virgenes Municipal Water District’s NEM solar PV & battery energy storage projects (BESS), TerraVerde Energy (TerraVerde) offers the following proposal for professional technical support services associated with managing the design, construction, installation, commissioning, and performance validation of the proposed solar PV & BESS projects at the following sites:

Site	Address	Solar PV Size (KWdc)	Solar PV System Type	BESS Capacity		Interconnection Voltage
				(KW)	(KWh)	
Composting Facility	3700 Las Virgenes Rd	1,325	Fixed-Tilt	626	1,252	16.5 KV
Tapia Treatment Plant	731 Malibu Canyon Rd	N/A	N/A	2,324	4,648	4160 V
JPA Recycled Water Pump Sta	4232 Las Virgenes Rd	N/A	N/A	1,341	2,682	480 V

This proposal includes a scope of Owner’s Rep Technical Support Services requested by the District for the implementation stages of the Project; starting with execution of the Design/Build contracts for the projects (expected November 2021) and completion of a CEQA study process & MND filing associated with the JPA Board’s approval of the projects, and ending at post-PTO project close-out (estimated Q3, 2022) for all three sites.

The primary purpose of TerraVerde’s Technical Support Services is to ensure compliance to the terms and conditions of the contract documents, project specifications, and general conditions by the Contractor/Installer/Equipment Manufacturer (“Contractor”) during all phases of the design, construction, installation, commissioning, and close-out of the projects, including all critical path project schedule elements, and compliance to the applicable Interconnection Agreements with Southern California Edison (SCE).

TerraVerde will operate as an integrated member of LVMWD’s project management team which will include District Staff, LVMWD’s Civil Engineering consultant, Electrical Inspectors, and TerraVerde; and will provide technical support to manage the Contractor through all phases of implementation (the Contractor is responsible for supplying, all necessary resources, materials and equipment to: design, construct, install,



commission, operate and maintain the NEM solar PV & battery storage systems. These tasks will include, but not limited to: project planning, weekly project schedule updates, project status meetings, submittals & RFIs, contract terms compliance, sub-contractor management, SCE interconnection applications & agreements, SGIP incentive applications & project advancement milestone compliance, site due diligence, permitting requirements, design, engineering, procurement, delivery, site safety & site security plan compliance, site preparations, construction, equipment installation, interconnection, commissioning, SCE PTO, controls programming, performance validation, operations, maintenance, and warranties).

TerraVerde will be responsible for the following tasks:

#### **A. Project Kickoff and Communications:**

1. Facilitate and lead three kick-off meetings with the “project team” (Contractor, Contractor’s sub-contractors as applicable, LVMWD Staff, LVMWD’s consultants as applicable, and TerraVerde). First kickoff mtg: Post-contract execution/pre-design due diligence scope. Second kickoff mtg: Design/engineering scope. Third kickoff mtg: Construction/Equipment installation scope. TerraVerde will create and distribute meeting agendas and will take minutes and distribute after the meetings. Agendas may include, but are not limited to: designated primary contacts, roles & responsibilities, communication & correspondence protocols, review of project scopes, review of contract terms (including Technical Specifications & General Conditions), project schedule and near-term project milestones, District’s site operations and site preparation scopes as applicable, Contractor’s mobilization & work plans, Contractor’s safety plan, District’s requirements for site access, security, and safety, work inspection requirements and process, SCE Interconnection Applications & Agreements status, submittals reviews & responses, RFI processing, project schedule update process, conflict & issue resolution process. In addition, TerraVerde will oversee and report on the commissioning process, PTO process, COD process, project closeout process, SGIP incentive applications/reservations status & project advancement milestones.
2. Oversee project progress status meetings/calls (every 2 weeks) and preparation/distribution of meeting agendas and meeting minutes through all phases of the project.
3. Oversee project schedule (3-week look ahead) update process and distribution of Contractor’s updated schedules to the applicable contacts through all phases of the project (in conjunction with project progress status meetings).
4. Maintain an RFI log and share with District Staff.
5. Maintain Submittals log and share with District Staff.
6. Oversee scope responsibilities for Contractor and District/Consultant (TerraVerde) per Exhibit A of the contract throughout the projects.
7. Oversee Contractor’s billing milestones (achievement of milestone scopes) throughout the projects.
8. Assist LVMWD staff with formal District communication (letters to Contractor) regarding contract issues as needed.
9. Assist LVMWD staff with preparation of project status presentations to Committees and the Board as needed.

#### **B. Pre-design Activities:**

10. Lead a transition planning process (first kickoff mtg) to facilitate a smooth transition from Board approval of contracts through completion of the pre-design activities, including coordination of: Contractor’s site due diligence, LVMWD Engineering and Operations staff roles & responsibilities,

site access & site safety requirements, scheduling, SCE Interconnection Applications, SGIP incentives reservation tracking, and mobilization planning.

11. Review the “Tesla Energy Controls & Communications Manual” and make District aware of any infrastructure concerns, and/or potential impacts to solar PV operations & NEM credit (Composting Facility project).
12. Oversee Contractor’s site due diligence and pre-design activities in coordination with District staff & Plant Operations and manage RFIs and questions as needed.
13. Manage the dissemination of site-specific information (site plans, electrical as-builts & SLDs, geotechnical data, civil plans & drainage requirements, CEQA mitigation requirements, known easements, and entitlements information) to Contractor on an as needed basis.
14. Assist LVMWD staff with review & response to all submittals from Contractor during the pre-design process.
15. Provide guidance to LVMWD staff on the proposed microgrid configuration and expected back-up capacity/duration as applicable.
16. Assist LVMWD staff in reviewing Contractor’s site due diligence findings and provide guidance in responding to and resolving documented issues that may impact design and/or construction.
17. Assist LVMWD staff in reviewing/approving site-specific site preparations scope and work plans (civil work, equipment pads, fencing & bollards, trenching, existing equipment/infrastructure upgrades and/or relocations, etc.).

#### **C. Interconnection Activities:**

18. Oversee Interconnection strategy and planning for each project site.
19. Oversee SCE Interconnection Application processes and required submittals, as applicable.
20. Oversee execution of SCE Interconnection Agreements.
21. Oversee achievement of SCE IA milestones, including customer information delivery and coordination of Contractor’s interconnection design/build scope.
22. Assist LVMWD staff to review designs required for any site-specific switchgear upgrades/modifications to accommodate BESS/microgrid interconnection, as applicable.
23. Assist LVMWD staff to review and approve SCE’s design for interconnection facilities & distribution facilities upgrades/modifications, as applicable; and oversee coordination of SCE field work, if required.
24. Oversee SCE signoff and issuance of Permit to Operate (PTO) for each project/site.
25. Assist LVMWD staff with proper rate tariff implementation for each site as applicable (based on TerraVerde’s financial analysis during project closeout).
26. Advise District staff on any potential impacts to NEM credits (under NEM 1.0) for the existing 1MW NEM solar PV project (interconnected at the JPA Recycled Pump Station switchgear located at LVMWD HQ site). And confirm no impact to SCE TOU period grandfathering eligibility for the same existing NEM solar project.

#### **D. Project Management, Design Review & Approval:**

27. Facilitate and lead a design process kickoff meeting and biweekly design status meetings/calls to ensure Contractor’s schedule compliance. Provide an overview of the design review protocols.
28. Oversee Contractor’s compliance to engineering and design requirements as described in the Technical Specifications & Equipment Specifications.
29. Assist LVMWD staff with the design review process for 50%, 90%, and 100% design reviews for each site/project, and manage communication of all required changes/updates with Contractor.

30. Oversee Contractor's RFIs & submittals during the design process and assist LVMWD staff with review & responses.
31. Oversee Contractor's compliance to critical SGIP incentive reservation milestone schedules during the design process, as applicable.
32. Oversee Contractor's compliance to equipment specifications and performance monitoring specifications as described in the Technical Specifications.
33. Oversee Contractor's progress and completion of all design/engineering milestones and assist District with NTP communication to initiate construction.

#### **E. Project Management, Construction & Equipment Installation:**

34. Facilitate and lead a construction process kickoff meeting and weekly construction status meetings/calls to ensure Contractor's schedule compliance. Provide an overview of the construction and equipment installation scopes (including Contractor's Health & Safety Plan and Site Access Plan), and projected schedules.
35. Oversee Contractor's compliance to construction standards and requirements as described in the Technical Specifications.
36. If applicable, oversee the Cost Reimbursement Agreement schedule of payments and milestones.
37. Assist LVMWD staff with Contractor coordination and communication to minimize impact on site operations (and existing NEM solar project operation), as applicable.
38. Assist LVMWD staff with review, comments, responses, and approvals of Contractor's submittals & RFIs during the procurement, construction, and commissioning process.
39. Oversee Contractor's permitting requirements as applicable.
40. Oversee the change order submittal, review, and response process, including confirmation of change order request/need rational, financial analysis, and recommendations to LVMWD staff.
41. Assist with coordination of District's electrical inspections\* for each site as needed.
42. Assist in confirming the installation of Solar PV arrays and BESS equipment, transformers, BESS control programming, Data Acquisition Systems, monitoring systems, and NGOMs, per the Technical Specifications and SCE's interconnection requirements (per TerraVerde's standard practice, oversight of compliance to contract specifications, i.e.: equipment installations, will be facilitated via the weekly construction meetings, not via on-site supervision).

#### **F. Project Management, BESS Commissioning & Project Closeout:**

43. Review Solar PV system & BESS commissioning protocols with Contractor and District staff.
44. Assist District staff in reviewing & coordinating outage plans & schedules as needed.
45. Review the testing, start-up, and commissioning process & data collection for each site/project for compliance with the Technical Specifications.
46. If applicable, oversee Contractor's review of BESS control programming/microgrid configuration with District staff.
47. Confirm monitoring system configuration, operation, data transfer, and District's connection to the system.
48. Confirm SCE PTO signoff and assist District staff in reviewing test data & commissioning records, if required.
49. Oversee implementation of the Performance Monitoring & Reporting Service (PMRS) as described in the Technical Specifications.
50. Oversee completion of Contractor's Punchlist items for each project/site.



- 51. Oversee compliance to project closeout process and delivery of all as-built documentation and related information described in the Technical Specifications.
- 52. Confirm project handoff to Operations & Maintenance/Asset Management Provider and startup of 10yr preventive maintenance contract.
- 53. Confirm completion of all SGIP incentive reservation milestones and SCE’s approval for initial incentive payment.

**G. Project Economics Updates:**

- 54. Provide updated project financials and net savings proformas during design/build phases as needed based on any changes to project scope, Solar PV and/or BESS capacities, or operations plan/schedule, or SCE rate schedule changes that occur during design or construction.
- 55. Provide end of project savings proformas based on as-built conditions for each site/project.

\*: LVMWD will retain a professional electrical inspector to inspect all medium voltage and 480V connections and electrical equipment installations for compliance to all applicable codes and standards. TerraVerde will assist with coordination of Contractor and Electrical Inspector for the inspections, and will include the Electrical Inspector’s scope, schedule, and deliverables in overseeing the schedule coordination for each site/project.

TerraVerde maintains safety procedures that are consistent with LVMWD’s Safety Program and will adhere to the District’s safety protocols and site access procedures while on LVMWD operating plant sites and District-owned properties.

**Consulting Services Fee**

TerraVerde’s not-to-exceed (NTE) fixed-fee, including estimated expenses is: **\$161,725.00**

Note: This price includes the ACWA Preferred Provider discount.

Invoicing will be based on the Billing Milestones shown below. Level of effort adjustment will be made based on requested changes to proposal scope and/or deliverables, and billing milestones will be adjusted accordingly.

**Deliverables and Billing Milestones**

<u>Description of Milestone/Deliverable</u>	<u>% of Proposal</u>
1. Completion of 1 <sup>st</sup> project kickoff mtg (for pre-design activities) + distribution of mtg minutes	3%
2. Completion of 2 <sup>nd</sup> project kickoff mtg (for design review & approval process) + distribution of mtg minutes	7%
3. Completion & submittal of Interconnection Applications & receipt confirmation from SCE (all sites)	5%
4. Completion of 90% design review by TerraVerde and the District for all sites	20%
5. Completion of final (100%) design approval by District *	15%
6. Completion of permitting process, site preparations scopes, and equipment pads*	10%
7. Construction substantial completion milestone achieved*	15%
8. PTO milestone achieved for all projects*	8%
9. Completion of systems start-up & commissioning process*	7%
10. Completion of project closeout process and handoff to O&M/AMS provider	5%
11. Delivery of final “as-built” net savings proformas for all projects/sites	5%
<b>Total:</b>	<b>100%</b>



\*: In the event construction delays and/or related equipment or Utility delays cause individual project (sites) milestones to lag greater than 60 days, TerraVerde will submit invoices for the applicable portion of work completed (the calculated percentage of the relevant billing milestone).

We trust LVMWD will find our industry leading experience, analytical capabilities, and knowledge of solar PV and BESS project execution to be an excellent fit for the implementation of LVMWD's NEM Solar and BESS projects. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Ross".

Kevin Ross, VP Business Development

**TerraVerde Energy**

949-212-6555

[Kevin@terraverde.energy](mailto:Kevin@terraverde.energy)

December 6, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Facilities & Operations

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**Subject : Tapia Water Reclamation Facility HVAC System Replacement: Award**

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**SUMMARY:**

The heating and air conditioning (HVAC) system at the Tapia Water Reclamation Facility was installed in the late 1960s and early 1970s. Routine preventative maintenance of the HVAC equipment has greatly extended the useful life of the system and served the facility well. At this time, the HVAC system and its components have reached the end of their useful life and require replacement. Staff recommends award of a purchase order to replace the equipment with a modern HVAC system that will be substantially more reliable and efficient.

**RECOMMENDATION(S):**

Accept the quotation from Gordian Group and authorize the Administering Agent/General Manager to issue a purchase order, in the amount of \$393,506.01, for replacement of the HVAC system at the Tapia Water Reclamation Facility.

**FISCAL IMPACT:**

Yes

**ITEM BUDGETED:**

Yes

**FINANCIAL IMPACT:**

The total cost of the work is estimated to be \$393,506.01, which includes a 10% contingency. Sufficient funds are available in the adopted the Fiscal Year 2021-22 JPA Budget for this work.

**DISCUSSION:**

Staff solicited the attached quotation from Gordian Group for replacement of the HVAC system at the Tapia Water Reclamation Facility. Gordian Group is the competitively-selected vendor for HVAC services through the Sourcewell Government Cooperative Purchasing Program. Sourcewell competitively bids construction tasks with preset unit prices and specifications for general construction services including materials, equipment and labor

costs. The California Government Code authorizes public agencies to procure materials and services through cooperative purchasing agreements like those established by Sourcewell. Utilizing the Sourcewell Government Cooperative Purchasing Program helps to maximize cost-savings for the District and minimize staff resources for the procurement process. The procurement method is specifically authorized by the LVMWD's Purchasing Policy as it ensures competitive pricing, provides access highly-qualified specialty contractors and lowers overall costs by taking advantage of volume discounts.

Gordian Group proposes to partner with ACCO Mechanical and Baker Electric to complete the work. These are well-respected HVAC and electrical contracting firms capable of handling the engineering design, plans and construction work. Gordian Group has previously partnered with other local public agencies and successfully completed the work. Staff recommends award of a purchase order to Gordian Group through the Sourcewell Government Cooperative Purchasing Program due to the nature of the work; the firm's design, engineering and construction expertise; and the current market sourcing issues.

Prepared by: Jim Korkosz, Facilities Manager

**ATTACHMENTS:**

Quotation for HVAC System Replacement at Tapia





**Detailed Scope of Work**

---

**To:** Andy Lufkin  
ACCO Engineered Systems  
888 East Walnut Street  
Pasadena, CA 91101  
(424) 201-0153

**From:** Shawn Triplett  
Las Virgenes Municipal Water District  
4232 Las Virgenes Rd.  
Calabasas, CA 91302  
(818) 251-2250

**Date Printed:** October 01, 2021

**Work Order Number:** 095468.00

**Work Order Title:** LVMWD - HVAC replacement at offsite facility

**Brief Scope:** Replace 1 HVAC System.

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Preliminary

Revised

Final

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The following items detail the scope of work as discussed at the site. All requirements necessary to accomplish the items set forth below shall be considered part of this scope of work.

***See attached***

Subject to the terms and conditions of eziQC Contract **CA-08-SL-CM-A-030618-AES**.

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Las Virgenes Municipal Water District

\_\_\_\_\_  
Date



ACCO ENGINEERED SYSTEMS | 2201 Park Place, Suite #400 | El Segundo, CA 90245

# **Las Virgenes Municipal Water District**

4232 Las Virgenes Rd.

Calabasas, CA, 91302

September 28, 2021

RE: LVMWD  
4232 Las Virgenes Road  
Calabasas, CA 91302



**engineered  
systems**  
**Mechanical Services**  
818 / 730-5845 Cell  
2201 Park Place  
Suite # 400  
El Segundo, CA 90245

September 28, 2021

**Erika Cline**

Cell: (323) 537-3083

Email: [e.cline@gordian.com](mailto:e.cline@gordian.com)

**Subject: LV Municipal Water District – Offsite Facility HVAC Upgrades**

Based on the multiple site walks at Las Virgenes Main Office, ACCO recommends upgrading the existing HVAC system per the scope of work below.

**Equipment:**

1. Furnish (2) New Variable Refrigerant Flow Heat Recovery Outdoor Units
2. Furnish (8) New Indoor Air Handling Units

**MECHANICAL SCOPE OF WORK**

1. Furnish and install (8) new indoor air handling unit sized to serve each zone on the 1<sup>st</sup> floor and 2<sup>nd</sup> floor
  - a. New units to be internally isolated. Stamped seismic attachment details to be provided with shop drawings
2. Furnish and install (2) New Outdoor Variable Refrigerant Flow Heat Recovery Units
3. Fabricate and install ductwork connections as needed to accommodate the new indoor air handling units. Ductwork to be fabricated by ACCO at our local sheet metal manufacturing facility
  - a. Above mentioned ductwork to be insulated per title 24 building energy efficiency standard requirements
4. Fabricate and install new Refrigerant Piping for each air handling unit and the outdoor units. Piping to be fabricated by ACCO at our local piping manufacturing facility
  - a. Above mentioned piping to be insulated per title 24 building energy efficiency standard requirements
5. Fabricate and install new condensate drain piping to approved receptacle
6. Use ACCO in-house certified personnel to perform pre and post airflow readings at the existing equipment and for the new air handling units. Upon completion, a certified stamped report will be furnished
7. Perform start-up of new equipment. ACCO will include internal commissioning using in-house certified personnel. Upon completion, a certified stamped report will be furnished
8. ACCO will provide stamped shop drawings for review and approval
9. ACCO will provide all maintenance and operational manuals at the completion of the project.

**MECHANICAL CONTROLS SCOPE OF WORK**

1. Install New Tridium JACE-8000 w/ Control Enclosure (Ethernet/IP Address by others)
2. Integration to New Tridium Energy Management System at the Main Office

**Low Voltage Install and Integration of the following:**

3. VRV Global Controllers



4. Heat Recovery Condensing Unit – Downstairs
  - a) Branch Selector
  - b) (3) Indoor Air Handling Units
  - c) Thermostats
5. Heat Recovery Condensing Unit – Upstairs
  - a) Branch Selector
  - d) (5) Indoor Air Handling Units
  - b) (5) Thermostats

### **ELECTRICAL SCOPE OF WORK**

#### **First Floor**

1. Demo existing connections to AHU and CU. Save conduit and wire for connection to new CU. All other conduit and wire will be removed back to source.
2. Install new gutter box next to existing MCC. Install new EMT conduit from existing AHU breaker in MCC to supply (3) new FC's.
3. Make tap in gutter box and install (3) new 30A fused disconnects. Install new EMT conduit and wire out to new FCU's.
4. Install 2 pole toggle switches at new FCU's.
5. Using existing 20/1 breaker, install new EMT conduit and wire to new Branch Selector.
6. Install new EMT conduit and wire from Branch Selector out to (3) new FCU's.
7. Install new 60A disconnect at new exterior Condensing Unit. Reconnect existing underground conduit and wire. Existing breaker will be reused.
8. Install new load side conduit and wire in flex conduit, connect to new CU.
9. Using existing underground conduit, install new control/interlock wire to new Branch Selector.
10. Install EMT conduit and wire from new FC's for T-Stat, located within 25' on new FC.
11. Verify voltage and rotation at completion of scope.

#### **Second Floor**

1. Demo existing connections to AHU and CU. Save conduit and wire for connection to new CU. All other conduit and wire will be removed back to source.
2. Install new gutter box next to existing MCC. Install new EMT conduit from existing AHU breaker in MCC to supply (5) new FC's.
3. Make tap in gutter box and install (5) new 30A fused disconnects. Install new EMT conduit and wire out to new FCU's.
4. Install 2 pole toggle switches at new FCU's.
5. Using existing 20/1 breaker, install new EMT conduit and wire to new Branch Selector.
6. Install new EMT conduit and wire from Branch Selector out to (5) new FCU's.
7. Install new 60A disconnect at new exterior Condensing Unit. Reconnect existing underground conduit and wire. Existing breaker will be reused.
8. Install new load side conduit and wire in flex conduit, connect to new CU.
9. Using existing underground conduit, install new control/interlock wire to new Branch Selector.
10. Install EMT conduit and wire from new FC's for T-Stat, located within 25' on new FC.
11. Verify voltage and rotation at completion of scope.

RE: LVMWD  
4232 Las Virgenes Road  
Calabasas, CA 91302



**engineered  
systems**  
**Mechanical Services**  
818 / 730-5845 Cell  
2201 Park Place  
Suite # 400  
El Segundo, CA 90245

**Clarifications:**

1. Majority of construction will be performed after normal working hours
2. Project is inclusive of certified payroll and prevailing wages.
3. **ACCO assumes the systems we are connecting to are mechanically sound**
4. **Existing concrete pad may be modified to accommodate new equipment**
5. **Parking is assumed to be provided onsite**
6. This job covers only those items listed in the above scope of work no work outside the scope of work will be performed without prior approval from customer's representation.
7. ACCO's bid/budget price does not include any premiums or allowances as a result of continued, ongoing, or additional effects from the COVID-19 pandemic. Potential cost and schedule impacts stem primarily from existing or future government actions or orders enacted to combat the spread of the virus. Additional costs may include delays in providing labor, materials, or equipment, including any, or any additional costs arising from disruption of ACCO's supply chain for materials and equipment. In addition, our price also excludes further costs arising from current governmental orders being expanded or extended beyond their original expiration dates.
8. The COVID-19 pandemic continues to be fluid, and, as such, the bid price does not include delays or additional costs incurred in providing labor, materials, or equipment as a result of continued, ongoing, or additional effects from the COVID-19 pandemic, including any existing or future government actions or orders enacted to combat the spread of the virus, or any additional costs arising from disruption of ACCO's supply chain for materials and equipment. The bid price excludes additional costs arising from current governmental orders being expanded or extended beyond the original expiration dates.

**Exclusions:**

1. Abatement or any work around hazardous materials. ACCO assumes area to be fully abated & cleared of asbestos.
2. Concealed system issues / existing unforeseen conditions or repairs for code upgrades to existing systems.

**PRICING:** \_\_\_\_\_ **\$Per eziQC Task Catalog**

**Proposal Terms:**

This proposal is valid for 30 days unless otherwise indicated. Thank you for this opportunity to quote this project and we look forward to working with you. Should you have any questions or require additional information, please call.

Respectfully,  
**ACCO Engineered Systems**

Andy Lufkin  
Senior Project Manager  
(818) 730-5845

Oscar Villalobos  
Service Sales Engineer  
(424) 394-8559

## Contractor's Price Proposal - Summary

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**Date:** October 01, 2021

**Re:** IQC Master Contract #: CA-08-SL-CM-A-030618-AES  
Work Order #: 095468.00  
Owner PO #:  
Title: LVMWD - HVAC replacement at offsite facility  
Contractor: ACCO Engineered Systems  
Proposal Value: \$393,506.01

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<b>Section - 01</b>	<b>\$21,335.61</b>
<b>Section - 05</b>	<b>\$29,396.02</b>
<b>Section - 23</b>	<b>\$329,411.03</b>
<b>Section - 26</b>	<b>\$13,363.35</b>
<b>Proposal Total</b>	<b>\$393,506.01</b>

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This total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding.

# Contractor's Price Proposal - Detail

Date: October 01, 2021

Re: IQC Master Contract #: CA-08-SL-CM-A-030618-AES  
 Work Order #: 095468.00  
 Owner PO #:  
 Title: LVMWD - HVAC replacement at offsite facility  
 Contractor: ACCO Engineered Systems  
 Proposal Value: \$393,506.01

Sect.	Item	Mod.	UOM	Description	Line Total
Labor	Equip.	Material	(Excludes)		

## Section - 01

1	01 22 16 00 0002		EA	Reimbursable Fees Reimbursable Fees will be paid to the contractor for eligible costs. The base cost of the Reimbursable Fee is \$1.00. Insert the appropriate quantity to adjust the base cost to the actual Reimbursable Fee (e.g. quantity of 125 = \$125.00 Reimbursable Fee). If there are multiple Reimbursable Fees, list each one separately and add a comment in the "note" block to identify the Reimbursable Fee (e.g. sidewalk closure, road cut, various permits, extended warrantee, expedited shipping costs, etc.). A copy of each receipt shall be submitted with the Price Proposal.	\$9,047.09																
				<table border="0"> <tr> <td>Installation</td> <td>Quantity</td> <td></td> <td>Unit Price</td> <td></td> <td>Factor</td> <td>=</td> <td>Total</td> </tr> <tr> <td></td> <td>7,689.18</td> <td>x</td> <td>1.00</td> <td>x</td> <td>1.1766</td> <td>=</td> <td>9,047.09</td> </tr> </table>	Installation	Quantity		Unit Price		Factor	=	Total		7,689.18	x	1.00	x	1.1766	=	9,047.09	
Installation	Quantity		Unit Price		Factor	=	Total														
	7,689.18	x	1.00	x	1.1766	=	9,047.09														
				PAYMENT AND PERFORMANCE BONDS PER SOURCEWELL AGREEMENT 2% OF \$388,378.38 X 2% = \$5730.99																	
2	01 22 20 00 0079		HR	Manufacturer Technical Advisor For oversight of installation of special manufactured equipment. Advisor to be requested by and cost to be approved by Owner only.	\$4,902.40																
				<table border="0"> <tr> <td>Installation</td> <td>Quantity</td> <td></td> <td>Unit Price</td> <td></td> <td>Factor</td> <td>=</td> <td>Total</td> </tr> <tr> <td></td> <td>40.00</td> <td>x</td> <td>100.00</td> <td>x</td> <td>1.2256</td> <td>=</td> <td>4,902.40</td> </tr> </table>	Installation	Quantity		Unit Price		Factor	=	Total		40.00	x	100.00	x	1.2256	=	4,902.40	
Installation	Quantity		Unit Price		Factor	=	Total														
	40.00	x	100.00	x	1.2256	=	4,902.40														
				Rigging of new equipment (1) foreman + (2) Journeyman will be guiding equipment operator when the equipment is being removed. (1) foreman + (1) Journeyman will be on attaching rigging equipment to equipment & securely fastening it per equipment submittal (5) Techs x (8) Hours = 40 Hours																	
3	01 22 23 00 0009		WK	60' Engine Powered, Telescoping Boom Manlift	\$3,471.24																
				<table border="0"> <tr> <td>Installation</td> <td>Quantity</td> <td></td> <td>Unit Price</td> <td></td> <td>Factor</td> <td>=</td> <td>Total</td> </tr> <tr> <td></td> <td>2.00</td> <td>x</td> <td>1,416.14</td> <td>x</td> <td>1.2256</td> <td>=</td> <td>3,471.24</td> </tr> </table>	Installation	Quantity		Unit Price		Factor	=	Total		2.00	x	1,416.14	x	1.2256	=	3,471.24	
Installation	Quantity		Unit Price		Factor	=	Total														
	2.00	x	1,416.14	x	1.2256	=	3,471.24														
4	01 22 23 00 0983		DAY	10,000 LB Telescopic Boom, Hi-Reach, Rough Terrain Construction Forklift With Full-Time Operator	\$3,093.76																
				<table border="0"> <tr> <td>Installation</td> <td>Quantity</td> <td></td> <td>Unit Price</td> <td></td> <td>Factor</td> <td>=</td> <td>Total</td> </tr> <tr> <td></td> <td>2.00</td> <td>x</td> <td>1,262.14</td> <td>x</td> <td>1.2256</td> <td>=</td> <td>3,093.76</td> </tr> </table>	Installation	Quantity		Unit Price		Factor	=	Total		2.00	x	1,262.14	x	1.2256	=	3,093.76	
Installation	Quantity		Unit Price		Factor	=	Total														
	2.00	x	1,262.14	x	1.2256	=	3,093.76														
5	01 74 19 00 0016		EA	40 CY Dumpster (5 Ton) "Construction Debris" Includes delivery of dumpster, rental cost, pick-up cost, hauling, and disposal fee. Non-hazardous material.	\$821.12																
				<table border="0"> <tr> <td>Installation</td> <td>Quantity</td> <td></td> <td>Unit Price</td> <td></td> <td>Factor</td> <td>=</td> <td>Total</td> </tr> <tr> <td></td> <td>1.00</td> <td>x</td> <td>669.97</td> <td>x</td> <td>1.2256</td> <td>=</td> <td>821.12</td> </tr> </table>	Installation	Quantity		Unit Price		Factor	=	Total		1.00	x	669.97	x	1.2256	=	821.12	
Installation	Quantity		Unit Price		Factor	=	Total														
	1.00	x	669.97	x	1.2256	=	821.12														
				Dumpster for construction materials																	

**Subtotal for Section - 01** **\$21,335.61**

## Section - 05

6	05 12 23 00 0143		LF	7/8" Vertical Fillet Weld	\$29,396.02																
				<table border="0"> <tr> <td>Installation</td> <td>Quantity</td> <td></td> <td>Unit Price</td> <td></td> <td>Factor</td> <td>=</td> <td>Total</td> </tr> <tr> <td></td> <td>300.00</td> <td>x</td> <td>79.95</td> <td>x</td> <td>1.2256</td> <td>=</td> <td>29,396.02</td> </tr> </table>	Installation	Quantity		Unit Price		Factor	=	Total		300.00	x	79.95	x	1.2256	=	29,396.02	
Installation	Quantity		Unit Price		Factor	=	Total														
	300.00	x	79.95	x	1.2256	=	29,396.02														
				brazing of refrigerant piping																	

**Subtotal for Section - 05** **\$29,396.02**

## Section - 23

**Contractor's Price Proposal - Detail Continues..**

**Work Order Number:** 095468.00  
**Work Order Title:** LVMWD - HVAC replacement at offsite facility

**Section - 23**

7	23 01 20 91 0024	EA	Shut Down Existing Interior Piping SystemIncludes lock out/tag out and average line tracing. Use when valves are greater than 25' from work. When the shut-off valves for multiple lines are located with a 10' radius, the quantity used shall be one.						\$438.20	
			Installation	Quantity	Unit Price	Factor	=	Total		
				2.00	178.77	1.2256	=	438.20		
			Shut Down refrigerant piping systems							
8	23 01 60 71 0003	LB	Recovery And Recharging Of RefrigerantIncludes cleaning refrigerant gas prior to recharging.						\$1,919.29	
			Installation	Quantity	Unit Price	Factor	=	Total		
				120.00	13.05	1.2256	=	1,919.29		
			Recovery of refrigerant in the existing systems and charge of refrigerant in the new system							
9	23 05 93 00 0003	EA	Balancing Heating And Ventilating Units						\$1,071.98	
			Installation	Quantity	Unit Price	Factor	=	Total		
				2.00	437.33	1.2256	=	1,071.98		
			startup of new equipment							
10	23 05 93 00 0013	EA	Balancing Variable Volume Air Handling Unit						\$11,221.99	
			Installation	Quantity	Unit Price	Factor	=	Total		
				8.00	1,144.54	1.2256	=	11,221.99		
			Start-up and balance of new equipment							
11	23 07 13 00 0034	SF	1" Thick, Aluminum Foil/Mylar Film, Multi-Layer Sheet Elastomeric Insulation						\$34,598.69	
			Installation	Quantity	Unit Price	Factor	=	Total		
				1,500.00	16.42	1.2256	=	30,186.53		
			Demolition	Quantity	Unit Price	Factor	=	Total		
				1,500.00	2.40	1.2256	=	4,412.16		
			new insulation for ductwork to be installed							
12	23 07 19 00 0033	LF	1" Diameter Pipe, 2" Thick Calcium Silicate Insulation						\$3,242.94	
			Installation	Quantity	Unit Price	Factor	=	Total		
				200.00	12.65	1.2256	=	3,100.77		
			Demolition	Quantity	Unit Price	Factor	=	Total		
				40.00	2.90	1.2256	=	142.17		
			New insulation for piping to be installed							
13	23 09 23 00 0003	HR	EMCS Site Inspection Of Existing Facilities						\$2,108.03	
			Installation	Quantity	Unit Price	Factor	=	Total		
				8.00	215.00	1.2256	=	2,108.03		
			Site inspection and investigation							
14	23 09 23 00 0005	HR	EMCS System Engineering, Schematic Design And Layout						\$11,178.94	
			Installation	Quantity	Unit Price	Factor	=	Total		
				40.00	228.03	1.2256	=	11,178.94		
			Controls schematic and layout							
15	23 09 23 00 0006	HR	EMCS System Software Programming And Graphics Programming						\$22,357.89	
			Installation	Quantity	Unit Price	Factor	=	Total		
				80.00	228.03	1.2256	=	22,357.89		
			Programming the controls and graphics for the new units							
16	23 09 23 00 0012	PNT	EMCS Pre-Functional TestsPriced per controller . Task used after warranty period only.						\$1,003.52	
			Installation	Quantity	Unit Price	Factor	=	Total		
				40.00	20.47	1.2256	=	1,003.52		
			building automation controls							



**Contractor's Price Proposal - Detail Continues..**

**Work Order Number:** 095468.00  
**Work Order Title:** LVMWD - HVAC replacement at offsite facility

**Section - 23**

17	23 09 23 00 0013	PNT	EMCS Functional Performance Tests (Field Based Tests / Trend Analysis)Priced per controller. Task used after warranty period only.						\$1,324.63
		Installation	Quantity	Unit Price	Factor	=	Total		
			40.00	27.02	1.2256		1,324.63		
			x	x					
			building automation controls						
18	23 09 23 00 0014	PNT	EMCS Programming / GraphicsPriced per controller. Task used after warranty period only.						\$1,324.63
		Installation	Quantity	Unit Price	Factor	=	Total		
			40.00	27.02	1.2256		1,324.63		
			x	x					
			building automation controls						
19	23 09 23 00 0015	PNT	EMCS As-Built / Operation And Maintenance Manuals / TrainingPriced per controller. Task used after warranty period only.						\$1,003.52
		Installation	Quantity	Unit Price	Factor	=	Total		
			40.00	20.47	1.2256		1,003.52		
			x	x					
			building automation controls						
20	23 09 23 00 0017	PNT	EMCS Field TestPriced per point. Task used after warranty period only.						\$5,591.19
		Installation	Quantity	Unit Price	Factor	=	Total		
			40.00	114.05	1.2256		5,591.19		
			x	x					
			building automation controls						
21	23 09 23 00 0018	PNT	EMCS Field Checkout And StartupPriced per point. Task used after warranty period only.						\$5,591.19
		Installation	Quantity	Unit Price	Factor	=	Total		
			40.00	114.05	1.2256		5,591.19		
			x	x					
			building automation controls						
22	23 09 23 00 0019	PNT	EMCS Field CommissioningPriced per point. Used when the owner requires an independent commissioning firm.						\$5,591.19
		Installation	Quantity	Unit Price	Factor	=	Total		
			40.00	114.05	1.2256		5,591.19		
			x	x					
			building automation controls						
23	23 09 23 00 0020	EA	EMCS Field Balance SupportPriced per controller. Task used after warranty period only.						\$4,790.63
		Installation	Quantity	Unit Price	Factor	=	Total		
			40.00	97.72	1.2256		4,790.63		
			x	x					
			Start-up and balance controls support						
24	23 09 23 00 0024	EA	Mount An AHU Control Enclosure On Block, Masonry Or Gypsum Wall						\$2,012.36
		Installation	Quantity	Unit Price	Factor	=	Total		
			8.00	197.10	1.2256		1,932.53		
			x	x					
		Demolition	Quantity	Unit Price	Factor	=	Total		
			2.00	32.57	1.2256		79.84		
			x	x					
			Controls installation						
25	23 09 23 00 0025	EA	Install AHU Power Supply In A Control Enclosure						\$1,565.02
		Installation	Quantity	Unit Price	Factor	=	Total		
			8.00	143.33	1.2256		1,405.32		
			x	x					
		Demolition	Quantity	Unit Price	Factor	=	Total		
			2.00	65.15	1.2256		159.70		
			x	x					
			Controls installation						
26	23 09 23 00 0027	EA	Install And Wire Room Sensor						\$607.04
		Installation	Quantity	Unit Price	Factor	=	Total		
			8.00	53.77	1.2256		527.20		
			x	x					
		Demolition	Quantity	Unit Price	Factor	=	Total		
			2.00	32.57	1.2256		79.84		
			x	x					
			Controls installation						

**Contractor's Price Proposal - Detail Continues..**

**Work Order Number:** 095468.00  
**Work Order Title:** LVMWD - HVAC replacement at offsite facility

**Section - 23**

27	23 09 23 00 0028	EA	Install And Wire Duct Sensor						\$782.55
			Installation	Quantity	Unit Price	Factor	=	Total	
				8.00	71.67	1.2256		702.71	
			Demolition	Quantity	Unit Price	Factor	=	Total	
			Controls installation	2.00	32.57	1.2256		79.84	
28	23 09 23 00 0042	EA	Install And Wire AHU Damper Actuator						\$2,267.73
			Installation	Quantity	Unit Price	Factor	=	Total	
				8.00	215.00	1.2256		2,108.03	
			Demolition	Quantity	Unit Price	Factor	=	Total	
			Controls installation	2.00	65.15	1.2256		159.70	
29	23 09 23 00 0043	EA	Install And Wire AHU Smoke Detector Or Fire Alarm Relay						\$1,349.78
			Installation	Quantity	Unit Price	Factor	=	Total	
				8.00	125.44	1.2256		1,229.91	
			Demolition	Quantity	Unit Price	Factor	=	Total	
			Controls installation	2.00	48.90	1.2256		119.86	
30	23 09 23 00 0047	EA	Install And Wire AHU Magnahelic						\$1,836.95
			Installation	Quantity	Unit Price	Factor	=	Total	
				8.00	179.21	1.2256		1,757.12	
			Demolition	Quantity	Unit Price	Factor	=	Total	
			Controls installation	2.00	32.57	1.2256		79.84	
31	23 09 23 00 0473	EA	Programmable BACnet MS/TP Thermostat With 8 Button Keypad And LCD Display For DX Unit, Fan Coils And RTU (Delta Controls DAC-T305-G2B)						\$4,121.62
			Installation	Quantity	Unit Price	Factor	=	Total	
				8.00	417.11	1.2256		4,089.68	
			Demolition	Quantity	Unit Price	Factor	=	Total	
			New thermostat	2.00	13.03	1.2256		31.94	
32	23 23 13 00 0005	EA	5/8" Refrigeration Ball Valve, Sweated						\$409.62
			Installation	Quantity	Unit Price	Factor	=	Total	
				8.00	39.56	1.2256		387.88	
			Demolition	Quantity	Unit Price	Factor	=	Total	
			refrigerant piping materials	2.00	8.87	1.2256		21.74	
33	23 23 13 00 0006	EA	7/8" Refrigeration Ball Valve, Sweated						\$544.46
			Installation	Quantity	Unit Price	Factor	=	Total	
				8.00	53.09	1.2256		520.54	
			Demolition	Quantity	Unit Price	Factor	=	Total	
			refrigerant piping materials	2.00	9.76	1.2256		23.92	
34	23 23 13 00 0034	EA	5/8" Solenoid Valve, Refrigeration						\$897.34
			Installation	Quantity	Unit Price	Factor	=	Total	
				8.00	89.30	1.2256		875.57	
			Demolition	Quantity	Unit Price	Factor	=	Total	
			refrigerant piping materials	2.00	8.88	1.2256		21.77	
35	23 23 13 00 0036	EA	7/8" Solenoid Valve, Refrigeration						\$1,124.22
			Installation	Quantity	Unit Price	Factor	=	Total	
				8.00	112.22	1.2256		1,100.29	
			Demolition	Quantity	Unit Price	Factor	=	Total	
			refrigerant piping materials	2.00	9.76	1.2256		23.92	
36	23 23 16 00 0017	LF	5/8" Outside Diameter Type L Drawn, ACR Copper Tubing						\$612.80
			Installation	Quantity	Unit Price	Factor	=	Total	
				100.00	5.00	1.2256		612.80	
			refrigerant piping materials						

**Contractor's Price Proposal - Detail Continues..**

**Work Order Number:** 095468.00  
**Work Order Title:** LVMWD - HVAC replacement at offsite facility

**Section - 23**

37	23	23	16	00	0019	LF	7/8" Outside Diameter Type L Drawn, ACR Copper Tubing								\$968.22	
							Installation	Quantity	Unit Price	Factor	=	Total				
								100.00	7.90	1.2256		968.22				
								x	x							
								refrigerant piping materials								
38	23	23	16	00	0203	EA	7/8" In x 1-3/8" Out, 15 To 20 Ton, Thermostatic Expansion Valve								\$1,068.18	
							Installation	Quantity	Unit Price	Factor	=	Total				
								2.00	435.78	1.2256		1,068.18				
								x	x							
								refrigerant piping materials								
39	23	23	23	00	0009	LB	Refrigerant R-410A								\$953.03	
							Installation	Quantity	Unit Price	Factor	=	Total				
								120.00	6.48	1.2256		953.03				
								x	x							
								New refrigerant charge for the system								
40	23	31	13	13	0004	LB	Sheet Metal Ductwork, Medium Pressure, Field Fabricated, Galvanized, Field Assemble And Install								\$78,560.96	
							Installation	Quantity	Unit Price	Factor	=	Total				
								5,000.00	10.07	1.2256		61,708.96				
								x	x							
							Demolition	Quantity	Unit Price	Factor	=	Total				
								5,000.00	2.75	1.2256		16,852.00				
								x	x							
								new sheet metal for the newly installed equipment and coil								
41	23	31	13	13	0004	0088	For >2,000 To 5,000, Add								\$2,389.92	
							Installation	Quantity	Unit Price	Factor	=	Total				
								5,000.00	0.39	1.2256		2,389.92				
								x	x							
42	23	73	13	00	0010	EA	2,000 CFM Single Zone Air Handling Unit, Built-Up, Constant Volume, Horizontal / Vertical, Draw-Through Fan								\$78,914.72	
							Installation	Quantity	Unit Price	Factor	=	Total				
								8.00	7,160.71	1.2256		70,209.33				
								x	x							
							Demolition	Quantity	Unit Price	Factor	=	Total				
								8.00	887.87	1.2256		8,705.39				
								x	x							
								New indoor Air handling units per zone serving level 1 and level 2								
43	23	73	13	00	0010	0558	For Flat Filter Box And Throwaway Filters, Add								\$6,399.10	
							Installation	Quantity	Unit Price	Factor	=	Total				
								8.00	652.65	1.2256		6,399.10				
								x	x							
44	23	81	49	00	0010	EA	10 Ton, 11.1 EER, Outdoor Heat Pump UnitPrecharged with refrigerant capable of charging the system with a 20' length of piping.								\$11,981.33	
							Installation	Quantity	Unit Price	Factor	=	Total				
								1.00	9,099.18	1.2256		11,151.96				
								x	x							
							Demolition	Quantity	Unit Price	Factor	=	Total				
								1.00	676.71	1.2256		829.38				
								x	x							
								New outdoor VRF Unit.								
45	23	81	49	00	0011	EA	15 Ton, 10.9 EER, Outdoor Heat Pump UnitPrecharged with refrigerant capable of charging the system with a 20' length of piping.								\$15,685.63	
							Installation	Quantity	Unit Price	Factor	=	Total				
								1.00	12,008.83	1.2256		14,718.02				
								x	x							
							Demolition	Quantity	Unit Price	Factor	=	Total				
								1.00	789.50	1.2256		967.61				
								x	x							
								New outdoor VRF Unit.								

**Subtotal for Section - 23**

**\$329,411.03**

**Section - 26**

46	26	01	20	91	0002	EA	Lock Out/Tag Out Local Disconnect								\$266.20	
							Installation	Quantity	Unit Price	Factor	=	Total				
								10.00	21.72	1.2256		266.20				
								x	x							
								Lock out tag out disconnect								

**Contractor's Price Proposal - Detail Continues..**

**Work Order Number:** 095468.00  
**Work Order Title:** LVMWD - HVAC replacement at offsite facility

**Section - 26**

47	26 05 23 00 0023	MLF	#18/7 Conductor, Low Volt Thermostat Cable						\$1,904.95	
			Installation	Quantity	Unit Price	Factor	=	Total		
				2.00	649.14	x		1,591.17		
			Demolition	2.00	128.01	x		313.78		
			New wiring for tstat							
48	26 28 16 00 0183	EA	200 Amp, 600 Volt Class, 3 Phase, 3 Wire, 3 Blades And Fuseholders, Heavy Duty Fusible, NEMA 3R Enclosure, Neutral Kit, Bolt-On Hubs, Safety Switch						\$5,877.39	
			Installation	Quantity	Unit Price	Factor	=	Total		
				2.00	1,996.20	x		4,893.09		
			Demolition	2.00	401.56	x		984.30		
			New disconnects							
49	26 28 16 00 0638	EA	Removal And Reinstallation Of Up To 100 Amp Safety Disconnect Switch						\$5,314.81	
			Installation	Quantity	Unit Price	Factor	=	Total		
				10.00	433.65	x		5,314.81		
			Remove and replace disconnect							

**Subtotal for Section - 26** **\$13,363.35**

**Proposal Total** **\$393,506.01**

This total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding.

December 6, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Facilities & Operations

**Subject : Pump Replacement for Westlake Wells Nos. 1 and 2: Change Order**

**SUMMARY:**

Las Virgenes Municipal Water District, acting as Administering Agent of the Las Virgenes-Triunfo Joint Powers Authority, hired General Pump Company to replace the pumps for Westlake Well Nos. 1 and 2. The work is being performed through a purchase order, in the original amount of \$22,958.31, which was only intended to replace the pump for Well No. 2. On August 2, 2021, the JPA Board authorized a change order, in the amount of \$33,302.10, to also replace the pump for Well No. 1.

Following removal of the pumps for Well Nos. 1 and 2, along with the discharge (column) piping, it was discovered that substantial corrosion had deteriorated the threaded ends of the piping (see attached photos). As a result, staff recommends authorization to approve a change order to General Pump Company, in the amount of \$62,347.88, to replace the corroded discharge piping and perform one additional video inspection.

**RECOMMENDATION(S):**

Authorize the Administering Agent/General Manager to approve a change order to General Pump Company, in the amount of \$62,347.88, for the replacement of pumps and appurtenant equipment for Westlake Well Nos. 1 and 2.

**FISCAL IMPACT:**

Yes

**ITEM BUDGETED:**

No

**FINANCIAL IMPACT:**

The cost of this action is \$62,347.88, increasing the not-to-exceed amount of the purchase order to \$118,608.29. Sufficient funds are available in the adopted Fiscal Year 2021-22 JPA Budget. The cost of the work is allocated 70.6% to LVMWD and 29.4% to Triunfo Water and Sanitation District.

## **DISCUSSION:**

The JPA owns and operates two wells in Westlake Village that pump impaired groundwater to the Tapia Water Reclamation Facility via the sewer collection system. The wells are operated seasonally to increase the supply of source water to Tapia for recycling during the warm summer months when recycled water demands are highest. The additional source water supplied to Tapia reduces the amount of potable supplement required for the recycled water system. The total savings from the local well water can offset up to \$350,000 worth of imported water each year.

In 2008, General Pump Company, headquartered in San Dimas, installed the existing pumps for Westlake Well Nos. 1 and 2. After 13 years of service, both pumps are beginning to fail and require replacement. The 13-year service life is considered normal for this type of pump based on the service history of the two units.

Prepared by: John Gil, Electrical/Instrumentation Supervisor

## **ATTACHMENTS:**

Corroded Discharge Piping - Photo No. 1

Corroded Discharge Piping - Photo No. 2

Proposed Change Order









159 N. ACACIA STREET \* SAN DIMAS, CA 91773  
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**WELL & PUMP SERVICE SINCE 1952**

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Las Virgenes Municipal Water District  
 4232 Las Virgenes Road  
 Calabasas, California 91302-1994

November 17, 2021

Attn: John Gil

**Re: Westlake Well No. 1 - GPC Job No.: 81267**

General Pump Company (GPC) has completed the removal and inspection of the pumping equipment. As a result, we have updated the cost estimate below to reflect current replacement requirements.

We assumed the column pipe were to be reused and the and submersible cable would be replaced and the well did not require any cleaning. Turns out that 15 pieces of the 20 pieces of column do require replacement. However, the video of the well looks good.

The amended cost estimate is as follows:

**Shop Time**

- |                                                        |          |          |
|--------------------------------------------------------|----------|----------|
| • Load-Unload materials and equipment as needed.       |          | 10 Hours |
| • Preform splice of cables and connection to equipment |          | 6 Hours  |
| • Engineering support                                  | 10 Hours | Included |

***16 Hours Total Estimated Shop Labor @ \$112.00/Hour      \$1,792.00***

**Field Labor**

- Mobilize crew and equipment to site, set up rig, remove existing pump equipment, load pump and transport to shop for replacement.
- Mobilize to site, Install new submersible pump, motor, with existing cable and riser pipe.
- Mobilize to site, start pump, run pump and test performance
- Overtime/man hour >8 weekdays and Saturdays up to 8 hours

16 Hours 3 Man Crew and equipment @ \$624.00/Hour	\$9,984.00
4 Hours 2 Man Crew and equipment @ \$351.00/Hour	\$1,404.00
00 Hours Overtime at \$69.00 per man Hour	\$0.00

***Total Field Labor      \$11,388.00***



**Materials/Rentals (Taxable);**

• 20HP GF pump end 400 GPM @ 120' TDH	\$2,762.00
• 20 HP Submersible Motor	\$,865.00
• Replacement #8 Submersible Cable	\$9,273.00
• 15 Pieces 5" X 20' Epoxy coated and lined column with couplings	\$36,275.00
• Replacement SST Airline	\$955.00
• Bolting and gasket kit, and field consumables	\$55.00
• Electrical components to splice motor leads	\$137.00
• Miscellaneous consumables including fittings, tape, banding etc.	\$364.00
• Estimated Freight	\$2,635.00
• Estimated Local Tax	\$5,117.19

***Total Materials/Rentals (Taxable)*** **\$60,438.19**

**Outside Services:**

• Video Log Well (Lump Sum)	\$1,200.00
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***Total Outside Services*** **\$1,200.00**

***Total Estimated Project cost*** **\$74,818.19**

GPC's Standard Terms and Conditions apply and all invoices. At the discretion of accounting, a 20-day preliminary notice *may* be filed. This is not a lien nor a reflection on the integrity of any person or business, but simply a notice as prescribed in California Civil Code sections 3097 and 3098. Warranty for work and materials are restricted to parts and materials replaced as part of this project.

Should you have any questions or need additional information regarding the above summary and associated costs, please do not hesitate to contact us.

Sincerely,

**GENERAL PUMP COMPANY, INC.**

*Ray Reece*

General Manager

December 6, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Facilities & Operations

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**Subject : Tapia Tertiary Filter Media Replacement: Authorization of Purchase Order**

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**SUMMARY:**

One of the scheduled projects included in the adopted Fiscal Year 2021-22 Budget is the replacement of media in the tertiary filters at the Tapia Water Reclamation Facility. The tertiary filters are used to remove particulate matter before disinfection and discharge of the effluent. For Fiscal Year 2021-22, the media for Filter Nos. 7 and 8 is scheduled for replacement. Staff recommends issuing a purchase order to Karbonous, Inc., in the amount of \$92,914, for the work.

**RECOMMENDATION(S):**

Authorize General Manager/Administering Agent to issue a purchase order to Karbonous, Inc., in the amount of \$92,914, for replacement of the media in Filter Nos. 7 and 8 at the Tapia Water Reclamation Facility.

**FISCAL IMPACT:**

Yes

**ITEM BUDGETED:**

Yes

**FINANCIAL IMPACT:**

The total cost of the work is \$92,914, reflecting an increase of approximately 12.7% as compared to the pricing to perform similar work last year for Filter Nos. 5 and 6.

**DISCUSSION:**

There are 12 tertiary filters at Tapia that need media replacement approximately every 12 to 15 years due to a loss of anthracite from backwashing and a decrease in performance due to continued use. For Fiscal Year 2021-22, the media for Filter Nos. 7 and 8 is scheduled for replacement. The last time the media was replaced in these filters was 2008. Each filter contains approximately four feet of anthracite placed over a one foot layer of gravel that separates the anthracite from the underdrain.

A request for quotations was advertised on LVMWD's website, and the following two bids were received for the work.

Carbon Activated Corp.	\$ 164,897.00
Karbonous, Inc.	\$ 92,914.00

Staff recommends issuing a purchase order to Karbonous, Inc., for the work.

Prepared by: Brett Dingman, Water Reclamation Manager