



Notice and Agenda of a Regular Meeting

Wednesday, March 27, 2024 at 5:00 p.m.

This meeting is available via teleconference
To join the Zoom meeting, use this link:

<https://us02web.zoom.us/j/88208695795?pwd=bm94K2RpaStSOUNsU3Z5NVhnT0JxUT09>

Meeting ID: 882 0869 5795 • Passcode: 697560

One tap mobile: +16699009128,,88208695795#,,,,*697560#

Dial in:

1 (669) 900-9128 US (San Jose) • Meeting ID: 882 0869 5795

View presentation material at <http://www.passwateralliance.com/>

Participating agencies:

City of Banning	High Valleys Water District
City of Beaumont	Mission Springs Water District
Banning Heights Mutual Water Company	Morongo Band of Mission Indians
Beaumont Basin Watermaster	Riverside County - EDA / RCFCD
Beaumont-Cherry Valley Water District	San Gorgonio Pass Water Agency
Cabazon Water District	South Mesa Water Company
City of Calimesa	Yucaipa Valley Water District

1. Call to Order - Roll Call
2. Public Comments

3. Consent Calendar

- A. Approval of Alliance Meeting Minutes from January 24, 2024

4. Presentations / Discussion Items

- A. Beaumont Basin Watermaster report (Art Vela or Dan Jagers)
B. San Geronio Pass Water Agency activities update (Lance Eckhart)
C. Revised Draft Regulation – Making Conservation a California Way of Life

https://www.waterboards.ca.gov/board_info/calendar/docs/2024/mar/notice_conservation2_031224.pdf

5. Comments and Updates by the Elected Official or Agency Representative

	Agency	Representative	Representative
A	City of Banning	Rick Minjares	Alberto Sanchez
B	City of Beaumont	Jessica Voigt	
C	Banning Heights Mutual Water Company		
D	Beaumont-Cherry Valley Water District	Daniel Slawson	Lona Williams
E	Cabazon Water District	Diana Morris	Taffy Brock
F	City of Calimesa	Wynonna Duvall	John Manley
G	High Valleys Water District	Sam Hughes	Stan Houghton
H	Mission Springs Water District	Amber Duff	
I	Morongo Band of Mission Indians	John Covington	
J	Riverside County EDA / Flood Control	Jason Uhley	Julianna Adams
K	South Mesa Water Company		
L	Yucaipa Valley Water District	Joyce McIntire	

6. Suggested Presentations and Topics for Future Meetings

- Briefing on San Geronio Pass Groundwater Sustainability Plan
- Update and Discussion Regarding Funding for the Sites Reservoir Project
- Discussion Regarding Funding for the Delta Conveyance Project
- Discussion Regarding Funding for the Regional Cabazon/Banning Backbone Project
- PFAS
- Lead and Copper Rule

7. Future Meeting Dates

Meeting time is 5 p.m.

- May 22, 2024
- July 24, 2024
- September 25, 2024

8. Adjournment

**MEETING MINUTES OF THE
San Gorgonio Pass Regional Water Alliance
January 24, 2024 at 5:00 p.m.**

Meeting Attendees

Agency	Representative	
City of Banning	Rick Minjares Art Vela	Present
City of Beaumont	Thaxton Van Belle Jessica Voigt David Fenn	Present
Banning Heights Mutual Water Company		Absent
Beaumont Basin Watermaster	Dan Jagers	Present
Beaumont-Cherry Valley Water District	Daniel Slawson Dan Jagers Robert Rasha	Present
Cabazon Water District	Taffy Brock Melissa Carlin	Present
City of Calimesa		Absent
High Valleys Water District	Sam Hughes	Present
Mission Springs Water District	Amber Duff	Present
Morongo Band of Mission Indians		Absent
Riverside County EDA / Flood Control	Jason Uhley	Present
San Gorgonio Pass Water Agency	Ron Duncan Lance Eckhart Kevin Walton Larry Smith	Present
South Mesa Water Company		Absent
Yucaipa Valley Water District		Absent

1. Call to Order - Roll Call

Chairman Daniel Slawson called to order the regular meeting of the San Gorgonio Pass Regional Water Alliance at 5:00 p.m. Roll call was conducted of the attendees and is reflected in the list of meeting participants above.

2. Public Comments: None.

3. Consent Calendar

- A. Approval of Alliance Meeting Minutes from September 27, 2023
The Consent Calendar was approved by the following vote:

MOVED: Slawson	SECONDED: Eckhart
CONSENT CALENDAR APPROVED	VOTE 6-0-2
City of Banning	YES
City of Beaumont	YES
Banning Heights Mutual Water Company	Absent
Beaumont Basin Watermaster	No vote
Beaumont-Cherry Valley Water District	YES
Cabazon Water District	YES
City of Calimesa	Absent
High Valleys Water District	YES
Mission Springs Water District	YES
Morongo Band of Mission Indians	Absent
Riverside County EDA / Flood Control	Absent
San Gorgonio Pass Water Agency	No vote
South Mesa Water Company	Absent
Yucaipa Valley Water District	Absent

4. Presentations / Discussion Items

- A. Presentation on Chromium 6 regulatory process and update

Nick Blair, State Relations Advocate II, Association of California Water Agencies (ACWA) acknowledged the ACWA members present.

Mr. Blair advised:

- The State Water Resources Control Board (SWB) took up the proposed Maximum Contaminant Level (MCL) starting last June, and a few comment periods have been held
- The proposed MCL would be 10 parts per million (10 ppb) which is consistent with the previous number temporarily adopted in 2014 and vacated by the Superior Court in 2017 as the State had not yet done its complete due diligence on economic feasibility
- Since 2017, the SWB has been working to further justify the proposed MCL, which is the same as it was, and the approach the SWB has taken: 9 ppb is not economically feasible, but making it any higher than 10 would let water suppliers off the hook from improving their water quality

- ACWA and other associations have united in voice on behalf of the drinking water industry in continuing to reiterate to the SWB that they need to do their homework on MCLs and must allow for flexibility with water agencies trying to get into compliance
- One positive development is that the compliance timeline for small (4 years), medium (3 years), and large (2 years) agencies; but they had been requested to give five years
- During the 15 day comment period in December, the SWB removed the requirement for a compliance date: still able to show working toward the MCL but acknowledges there are factors out of the agency's control such as supply chain, cost, or technological issues
- ACWA and other organizations want to continue constructive dialog with the SWB as there will be other MCLs such as PFAS and arsenic
- The SWB intended to adopt the MCL in February, however it has been delayed to April and there will likely be another 15 day comment period

Mr. Blair responded to questions:

Q. Did the SWB consider science or just the affordability?

A. The SWB's statement of reasons included a minimal amount of analysis on 30 different levels of an MCL and are trying to pinpoint a standard that will significantly reduce Chromium 6 in drinking water across the state that isn't, in their view, abysmally expensive but requires enough water agencies to do something. They will continue to say that the science they used justifies the proposed standard.

Q. It was previously identified that the SWB's list of affected wells was off by a factor of nine, which should play a big part in their analysis. Is it the case that the SWB was more closely looking at the public health goal (PHG)?

A. The Office of Environmental Health Hazard Assessment (OEHHA) is in the process of updating the public health goal and the coalition of associations pushing for that are also saying the SWB should not be allowed to finalize the MCL until the PHG is finalized. It is unclear that the PHG would help the case as far as MCL level and the state is treating them as two separate activities. Would not want to risk it going lower.

Q. Has the City of Banning made a conclusion regarding alternative treatment?

A. (Vela) The pilot study was successful proving a viable option at small scale. The technology used has not been tested in a full scale environment, but if it works, could be a cost effective way of treating for Chrom 6 at \$1 to \$1.5 million capital investment per well site. Treatment will result in a rate increase to customers or defunding some capital projects. Mr. Blair asked how long it would take to pursue all the projects, and Vela explained it would be longer than the SWB estimates (funding plan, Prop. 218 process, environmental design, and construction).

Mr. Jagers noted that the wells are not in areas of recharge, so additional impacts are to be realized if there is recharge of recycled water and there was influence in the recycled water. A 1,000 gallon per minute well might cost about \$1.65 million with operations and maintenance costs of about \$350 per acre-foot. And, there was only one operator collecting the by-product (hazardous waste).

BCVWD felt the State did not do its due diligence to look at water systems across the state, Jagers said. Moving forward, Banning and BCVWD will park everything else they are doing to address this so that wells can be productive. It should not be a surprise, as it has been talked about, but there will be a huge hurdle to get over on top of the other challenges the District has to address including Making Conservation a Way of Life.

It does not appear that the SWB has perfected the direction from the Court, Jagers continued. This puts agencies in the same boat as in 2015 when it was revoked. He estimated it would take six years to achieve treatment compliance.

Blair pointed out the budget shortfall this year means there will be competition for the same diminished funding, which will add to the strain and stress.

Q. (Duncan) How many people have been adversely affected by Chromium 6? It has been 10 years, and the urgency seems to have subsided, but this is back on the table again. How many more years will the State do this before they actually accomplish something?

A. (Blair) Every public meeting on Hexavalent chromium garners emotional testimony. There is pressure on the State to take action and it is a priority of the SWB.

Duncan requested that Blair communicate that funding is necessary and agencies are wondering how to get help. It has been noted that the State must keep the coming MCLs and the State Revolving Fund (SRF) in mind as they shift dollars around, Blair said.

Q. (Duff) Has there been any discussion by the State to raise or lower the 10 ppb, or should agencies include that in their upcoming strategic planning?

A. (Blair) Everything suggests it will be 10.

Jagers discussed funding and the impacts of \$.19 per unit of sale. Every customer using 100 units would pay \$20 more. Vela noted that Banning had also calculated a 20 percent additional rate increase.

Q. (Walton) Is there legal remedy such as damages or other alternative as opposed to just accepting this legislation that does not seem to have the science or the numbers behind it to support the action?

A. (Jagers) Could be closed session discussion at the policymaker level

(Blair) The SWB seems to recognize that upon adoption there is a greater than zero chance that someone may take that approach.

B. Presentation on AB 606 and SB 1668 Making Conservation a California Way of Life – Dan Jagers, General Manager, BCVWD

Mr. Jagers reminded that Executive Order B-37-16 was issued in 2016 by Governor Brown as a reaction to the 2014-15 drought. AB 606 and SB 1668 were passed in 2018 and provided for implementation and issued a primer on the thought processes.

The Department of Water Resources (DWR) released recommendations in 2022 and published draft regulations. The regs will be adopted in the summer of 2024.

Making Conservation a California Way of Life requires conservation, achieved by variances when possible, reducing the residential indoor and outdoor water use, trying to reduce water losses through leaks, and commercial / industrial / institutional landscapes with dedicated meters.

Jagers discussed the indoor standards of per capita per day which decline over time. The resulting loss of sales to BCVWD is approximately 154,000 units of sale. Water bills will go up.

Outdoor use is calculated by climate, amount of landscaped area (which the state has created ESRI GIS files to account for the impervious, the house, and the landscape), has applied factors and given the data to the water purveyors. He discussed efficiency factors and impact on planning approvals. The newer homes will be able to get there, but the older homes will likely have an adverse impact, requiring turf replacement and more to achieve the ultimate goal of the state of .42 landscape efficiency.

Tiered rate systems will most likely need to be adjusted to incentivize efficient outdoor water use and penalize overuse. Parks and large landscape areas will have challenges. There will be higher costs to cover lower overall water use, and there will be significant impacts to older communities which are less efficient than newer homes. Those who have been here longest and have paid the most on the State Water Project through ad valorem taxes, now will be penalized at the highest rate, as they have the largest yards. The newest houses are more efficient. Compliance may require more frequent billing cycles to maximize conservation to train people to be as efficient as possible to meet the requirements.

If the plan is successful, it could generate an additional 500,000 af of water supply through conservation at the end of the period.

Mr. Vela pointed out that this is a very small percentage when considering statewide water use. It is not going to be easy to meet, the numbers will be small, and this is not low-hanging fruit for the state, he said.

Agencies need to work together, Jagers continued, as this legislation will impact everything moving forward. There is awareness, and landscape activities through the land planning agencies are moving in parallel, but it is a lot to coordinate. As

big development projects move forward, agencies must make sure they have a landscape efficiency model and water use model that can fit into this program.

The commercial / industrial regulations and calculations are based on dedicated irrigation meters, and performance based items such as mixed use meters like apartment complexes. Credit can be given if recycled water is used. Jagers reviewed the calculations.

Few districts are capable of meeting these requirements. It will be a challenge to fund conservation strategies, which will have to be based on volumetric water use at each residence, and to communicate to ratepayers.

Demand reduction will likely affect revenue generation, urban water management plan activities, master plan facilities requirements, and the securing of water supply for the region.

The goals are not based on individual parcels, so there is no enforcement to ensure that residents are complying, Mr. Vela pointed out. Agencies are responsible for compliance, and it will be challenging.

Mr. Jagers advised there is a fairly stiff penalty to the water districts for being out of compliance.

Mr. Eckhart said although conservation helps stretch local supplies, the Legislative Analyst's Office has written that the budget for implementing this is off by a factor of two or three, the costs outweigh the benefits, and they predict it might save one percent of the state's water used at huge expense, which might be better paying for water projects.

In response to Mr. Slawson, Jagers agreed that with the region's growth, the data sets are outdated and may be inaccurate. The State used some contractors to create the data sets for the landscape area management files and can be used to calculate allowable water uses.

C. Beaumont Basin Watermaster Report

BBWM representative Art Vela reported:

- Special workshops to talk about various topics are continuing
- Discussion has been fruitful on some sensitive topics as far as management of the different subbasins which are not formally recognized but are there physically
- Quite a way to go to identify strategies to assure the BBWM is managing the adjudicated basin responsibly

BBWM representative Dan Jagers reported:

- There has been good participation
- Appreciate the SGPWA attending regularly
- The way the Basin is managed amid growth and additional thought and desires is more and more complex
- BBWM is becoming more sophisticated

- The BBWM agencies are having the necessary dialog about how to safely operate the Basin over time and provide water supply for the region
- Appreciates the chairmanship of Art Vela

D. San Gorgonio Pass Water Agency activities update

Mr. Lance Eckhart, SGPWA general manager, reported on the following:

- State Water Project had a 100 percent allocation for the first time in two decades following the worst drought in 1,200 years
- Closed a deal on December 29, 2022 to secure 10,000 af of allocation from the City of Ventura for the next 20 years while waiting for Sites Reservoir and the Delta Conveyance to come online. Were butting up against the total water supply and this provides some extra room
- New mission, vision and values, and strategic plan for the agency
- New Board Room update
- 60-acre property secured for recharge basins
- Working with the Santa Ana Watershed Project Authority (SAWPA) on cloud seeding pilot program
- Letter of interest with Antelope Valley-East Kern (AVEK) for water banking
- Deal with Central Coast Water Authority
- Bought water from Yuba City
- Looking at a deal with United (Ventura County) for water storage
- Working with small systems and Cal Rural Water Association to assist districts on projects and grant applications
- \$2 million obtained from DWR for scientific monitoring wells that will last more than 100 years
- Working with San Bernardino Valley Municipal Water District on Countyline Road project that taps the SWP East Branch Extension with an abandoned line from SMWC. Project is out for grants
- Gap funding for small systems to weather grant reimbursement timelines
- BCVWD provided assistance in installing an algaecide treatment system on the recharge ponds
- Finalized backbone feasibility study – continuing to move water from the western side to the eastern side. Now looking at funding
- Unable to import the entire supply available this year. Made a deal for banking leftover water with AVEK
- Taking the lead to work with other nearby Class A State Water Contractors to share resources
- Grants going out for design of Brookside West, Countyline Road recharge, turf program for Solera HOA
- SGP Groundwater Sustainability Plan was approved by DWR in late 2023
- Sites Reservoir Environmental Impact Report (EIR) was certified
- Classroom work continues, including to HOAs, and booths at events
- Developing a relationship / water trading with Crestline Water Agency
- Delta Conveyance EIR was certified
- Working with the Beaumont-Cherry Valley Recreation and Park District on recharge at Danny Thomas Ranch
- Aggressively moved water when possible (almost 25,000 af)

- SWP allocation this year is 10 percent but there is water parked in reservoirs and there is 13,000 to 14,000 af in carryover from last year
- Partnering with Riverside County Flood Control

Chair Slawson thanked Mr. Eckhart for being a great partner to the region.

5. **Comments and Updates by the Elected Official or Agency Representative**

- A. City of Banning – Rick Minjares
 - Finished 15th Habitat for Humanity house
 - Many small projects in progress
- B. Banning Heights Mutual Water Company – Absent
- C. City of Beaumont – David Fenn reported:
 - Fenn is assigned as liaison to the Alliance; will be late to next meeting
 Jessica Voight reported:
 - Thanked everyone for information over the last year
 - City was recently recognized by the Division of Drinking Water for the production of the Title 22 Recycled Water
 - Continuing to work toward salt mitigation. Last year removed over 1 million pounds of excess salt from discharge
 - Reminded about Senator Ochoa-Bogh's presentation / open forum on water infrastructure and sustainability on Friday
- D. Beaumont-Cherry Valley Water District – Daniel Slawson and Dan Jagers highlighted:
 - 2024 Board President is John Covington, Vice President is Daniel Slawson
 - MDP Line 16 project captured some stormwater
- E. Cabazon Water District – Taffy Brock reported:
 - Diana Morris is no longer on the Board
 - New Board member Melissa Carlin
- F. City of Calimesa – Absent
- G. High Valleys Water District – Sam Hughes reported:
 - After a public meeting, the Board approved an increase from \$56 to \$82 per month for 1,000 cubic feet.
 - Appreciate the assistance of the SGPWA
 - District has a strong financial foundation moving forward save any rapid inflation or Chromium 6 concerns
 - Preparing bids next month for the Twin Pines pipeline extension

- H. Mission Springs Water District – Amber Duff reported:
- Damage from Tropical Storm Hilary remains – two major thoroughfares closed, but conveyance line for the new plant will be installed along one of them in conjunction with the road repair
 - Phase 2 of the wastewater plant and treatment facility is in progress and state funding is being awaited
 - Much construction and repair work underway
 - Ms. Duff will continue to be MSWD’s representative to SGPRWA
- I. Morongo Band of Mission Indians – Absent
- J. Riverside County EDA / Flood Control District – Jason Uhley reported:
- Finished all mitigation work in the Pass area and Desert Hot Springs area
 - There is a storm coming in Feb. 1 to 5, possibly bigger with more consistent rain through February
- K. San Geronio Pass Water Agency – Ron Duncan reported:
- New Board President is Mickey Valdivia, VP is Chandler Letulle, Treasurer is Robert Ybarra, and Secretary is Kevin Walton
 - Great things are happening, look forward to working with all in the future
- L. South Mesa Water Company – Absent
- M. Yucaipa Valley Water District – Absent

6. Suggested Presentations and Topics for Future Meetings

- PFAS
- Lead and Copper rule
- Briefing on San Geronio Pass Groundwater Sustainability Plan
- Update and Discussion Regarding Funding for the Sites Reservoir Project
- Discussion Regarding Funding for the Delta Conveyance Project
- Discussion Regarding Funding for the Regional Cabazon/Banning Backbone Project

8. Future Meeting Dates

- March 27, 2024
- May 22, 2024
- July 24, 2024
- September 25, 2024

9. Adjournment

Chairman Daniel Slawson adjourned the meeting at 6:53 p.m.

State Water Resources Control Board

NOTICE OF PUBLIC AVAILABILITY OF CHANGES TO PROPOSED REGULATION REGARDING MAKING CONSERVATION A CALIFORNIA WAY OF LIFE

TITLE 23. Waters

DIVISION 3. State Water Resources Control Board and Regional Water Quality Control Boards

CHAPTER 3.5 – Urban Water Use Efficiency and Conservation

ARTICLE 1

SUBJECT: MAKING CONSERVATION A CALIFORNIA WAY OF LIFE

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board or Board) has updated the text of the proposed Making Conservation a California Way of Life Regulation and is making the changed text available for public comment prior to the Board's future consideration of adoption of the resulting regulation.

The following is a link to the rulemaking file for this regulation:

https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/regs/water_efficiency_legislation.html#reg-docs

The updated regulation text is labelled "Updated Text of Proposed Regulation" dated March 12, 2024. The proposed text indicates added proposed regulation text with a single underline and deleted proposed regulation text with a strikethrough.

WRITTEN COMMENT PERIOD AND SUBMITTAL OF COMMENTS

[Gov. Code, § 11346.4(a), § 11346.5(a)(15)]

Any interested person may submit written comments on the changes to the proposed regulation to the Clerk to the State Water Board. Any written comments pertaining to the changes to the proposed regulation, regardless of the method of transmittal, must be received by the Clerk by **March 27, 2024**, which is hereby designated as the close of the written comment period. Comments received after this date will not be considered timely. Written comments may be submitted via any of the following methods:

1. By email to: commentletters@waterboards.ca.gov. The State Water Board requests but does not require that email transmission of comments, particularly those with attachments, contain the regulation package identifier "**Comment Letter—Proposed Making Conservation a California Way of Life Regulation**" in the subject line to facilitate timely identification and review of the comment.

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

2. By fax transmission to: (916) 341-5620. The State Water Board requests but does not require that faxed comments contain the subject line “Comment Letter—Proposed Making Conservation a California Way of Life Regulation.”
3. By mail to: Clerk to the Board, Courtney Tyler, State Water Resources Control Board, P.O. Box 100, Sacramento, CA 95812-0100.
4. Hand-delivered to: Clerk to the Board, Courtney Tyler, State Water Resources Control Board, 1001 I Street, 24th Floor, Sacramento, CA 95814.

For comments not sent by email, the State Water Board requests, but does not require that written comments be sent by mail, and that hand-delivered written comments be submitted in triplicate.

The State Water Board requests, but does not require, that, if reports or articles in excess of 25 pages are submitted in conjunction with the comments, the commenter provide a summary of the report or article and describe the reason for which the report or article is being submitted or its relevance to the proposed regulation.

All comments, including email or fax transmissions, should include the commenter’s name and U.S. Postal Service mailing address in order for the State Water Board to provide the commenter with copies of any future notices regarding this matter. Alternatively, you may sign up for the mailing list for this rulemaking.

To be added to the mailing list for this rulemaking and to receive notification of updates for this rulemaking, you may subscribe to the [GovDelivery list](#) for “Water Conservation Regulations” by selecting “General Interests,” then selecting “Water Conservation Regulations.”

Due to the limitations of the Board’s email system, emails larger than 15 megabytes (MB) may be rejected and will not be delivered and received by the State Water Board. Therefore, emails larger than 15 MB should be submitted under separate emails or via another form of delivery.

Please note that under the California Public Records Act (Gov. Code, § 7920.000 et seq.), written and oral comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the public record and can be released to the public upon request.

If you would like to request a copy of the public comment letters received by the Board for this item, send an email to commentletters@waterboards.ca.gov and identify that you are requesting copies of public comments for the proposed Making Conservation a California Way of Life Regulation.

PUBLIC WORKSHOP

The State Water Board will conduct a public workshop on March 20, 2024, starting at 9:00am. At the workshop, any person may present oral or written comments relevant to the changes to the proposed regulation text, in addition to the written comment opportunity described above. Board staff will provide an overview of the changes to the proposed regulation and updates to key provisions, followed by an opportunity for the public to comment. While a quorum of the State Water Board may be present, the Board will not take formal action at the public workshop.

The meeting will be held at the Joe Serna Jr. CalEPA Building, 1001 I Street, Sacramento, CA 95814, with the option to participate remotely.

Notices related to this proposed regulation will be sent to those who subscribe to the “Water Conservation Regulations” GovDelivery topic list. Information about the public hearing will be posted on the webpage:

https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/regs/water_efficiency_legislation.html

STATE WATER BOARD CONTACT PERSONS

[Gov. Code, § 11346.5(a)(14)]

Requests for copies of the updated proposed regulatory text, or other inquiries concerning the proposed action may be directed to:

Conservation inbox

ORPP-WaterConservation@waterboards.ca.gov

Please identify the regulation by using the State Water Board regulation package identifier “Proposed Making Conservation a California Way of Life Regulation” in any inquiries or written comments.

Date March 12, 2024

Courtney Tyler
Courtney Tyler
Clerk to the Board