

AGENDA
SANTA MARGARITA WATER DISTRICT
WATER POLICY AND INNOVATION COMMITTEE MEETING
November 19, 2015

CALL TO ORDER: 7:30 a.m., Board Room, District Office
26111 Antonio Parkway, Rancho Santa Margarita, California

COMMITTEE MEMBERS: Director Betty H. Olson, Director Charley Wilson

1. PUBLIC FORUM

Persons wishing to address the Board of Directors on matters not listed on the Agenda may do so at this time. "Request To Be Heard" forms are available at the entrance to the Board Room. Comments are limited to three minutes, unless further time is granted by the Presiding Officer. Please submit the form to the Recording Secretary or Committee Chair prior to the beginning of the meeting.

Those wishing to address the Board of Directors on any item listed on the Agenda should submit a "Request To Be Heard" form to the Recording Secretary or Committee Chair before the Presiding Officer announces that agenda item. Your name will be called to speak at that time.

2. ACTION ITEMS

- 2.1 Consideration and Action on Establishing Meeting Dates and Times for December 2015.

Recommendation: WPI Committee to determine future meeting dates.

- 2.2 Consideration and Action on Proposed Agreement Terms with Lake Mission Viejo Association for the Sustainable Water Supply Project.....**Page 3**

Recommendation: Consider potential terms for development of an agreement.

- 2.3 Consideration and Action on Authorization to Provide Public Comments at the State Water Resources Control Board December 7th, 2015 Public Meeting Discussing Urban Water Conservation**Page 5**

Recommendation: Authorize Director(s) and/or General Manager attendance and (2) Approve District talking points.

- 2.4 Consideration and Action on Development of South Orange County Regional Recycled Water Master Planning Report and Summit.....**Page 7**

Recommendation: Consider development of Report and Outline for Summit.

President, Betty H. Olson
Vice President, Charley Wilson
Finance Committee Chair, Charles T. Gibson
Engineering Committee Chair, Justin McCusker
Director, Sandra F. Jacobs
General Manager, Daniel R. Ferons

3. INFORMATION ITEMS

3.1 Recycled Water Projects Update.

3.2 Cadiz Project Update.

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 26111 Antonio Parkway, Rancho Santa Margarita, California 92688, during regular business hours. When practical, these public records will also be made available on the District's Internet Web Site, accessible at <http://www.smwd.com>.

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Kelly Radvansky Secretary, Board of Directors, at (949) 459-6642 at least 48 hours before the meeting if possible.



MEMORANDUM

TO: Water Policy and Innovation Committee **DATE:** November 19, 2015
FROM: Dan Ferons
SUBJECT: Consideration and Action on Proposed Agreement Terms with Lake Mission Viejo Association for the Sustainable Water Supply Project

SUMMARY

Issue: The Lake Mission Viejo Association has authorized ceasing the use of imported potable water to fill the lake and is preparing a draft Mitigated Negative Declaration for the construction of an advanced purified water treatment facility for polishing Title 22 recycled water for use instead. The Association and the District are proposing to enter into an agreement for the construction and operation of the facility.

Recommendation: Consider potential terms for development of an agreement.

Fiscal Impact: Funding will be provided under the agreement terms with District potentially obtaining grants and/or loans on behalf of the Association.

Previous Related Action: The District has included the project in its recycled water conversion planning

DISCUSSION

Lake Mission Viejo Association (LMVA) owns, operates and maintains the 124-acre Lake Mission Viejo Lake (Lake). LMVA maintains the Lake with a combination of water sources, including potable water supplies provided by the District. In light of the ongoing drought conditions and in support of future water supplies, LMVA has evaluated alternative water sources to replace the use of potable water from the District for maintaining Lake water elevation levels with a sustainable source of local non-potable water that is reliable, cost effective and meets water quality standards necessary to allow for the continued recreational use of the Lake.

The District desires to maximize its supply of potable water for domestic use and currently produces recycled water that is treated to standards for irrigation and other nonpotable uses in accordance with Title 22 of the California Code of Regulations (“Title 22”); including for use in recreational lakes.

LVMA currently purchases Title 22 recycled water from SMWD for irrigation and while Title 22 water can legally be used in the Lake, LVMA has determined that a higher water quality standard is desirable for the recreational uses of the Lake by LVMA members. The District, in consultation with LVMA, has determined that with additional treatment infrastructure, it can produce higher quality recycled water to such standards and in adequate quantities as are necessary to meet the needs of LVMA at the Lake.

LMVA is preparing a preliminary design report for the facilities under the review of the District and has authorized the preparation of California Environmental Quality Act (CEQA) documentation. The current schedule is for the District to consider adoption of the CEQA documentation at its December 18th Board meeting. Upon certification, the District will consider approval of the project with the adoption of an agreement to proceed.

The District and LMVA have met to discuss potential terms and conditions for a long term supply of recycled water and the development of the additional conveyance and treatment infrastructure necessary to deliver water from SMWD's primary recycled water facility and further polish such water to the level of Recycled Advanced Purified Water in quantities that are sufficient for use by LMVA. The following draft terms are being presented for the Committee's consideration:

1. Value Discussion
 - a. \$4 million in estimated costs
 - i. Facility is sized to produce 300 AF water delivered over six months
 1. Capacity or time change can reduce costs
 - ii. Proposed 25 year low interest loan (approximately 2.5%) with 25% in potential grants
 - b. Operating costs based on per AF basis for water ordered by LMVA
 - i. Cost to produce and deliver Title 22 water to the advance treatment facility
 - ii. Cost to treat the water at the facility
 - iii. District to pay operating cost for any additional water produced for its use
 - c. Depending on future MWD cost of water, the project is estimated to pay a premium for the water for 10 to 20 years,
2. Design and Construction
 - a. District will be responsible for preparation of plans and specifications
3. Design Build and Operate options are available for consideration
4. Funding
 - a. If low interest loan and grants are pursued through the SWRCB it will take six to nine months and the construction cannot commence until loan approval. Facility would be in service in first quarter of 2017
 - b. If District provides seed capital or private capital is utilized, the project could be in service in summer of 2016
 - c. District may qualify for MWD Local Resources Project funding to help offset costs

Santa Margarita Water District



MEMORANDUM

TO: Water Policy and Innovation Committee **DATE:** November 19, 2015
FROM: Dan Ferons
SUBJECT: Consideration and Action on Authorization to Provide Public Comments at the State Water Resources Control Board December 7, 2015 Public Meeting Discussing Urban Water Conservation

SUMMARY

Issue: The State Water Resources Control Board (SWRCB) has scheduled a public workshop on December 7th in Sacramento to discuss the possible modification and extension of the existing drought regulations.

Recommendation: (1) Authorize Director(s) and/or General Manager attendance (2) Approve District talking points.

Fiscal Impact: Funding is provided in the District's Administration annual budget.

Previous Related Action: Periodically the District authorizes attendance at workshops, meetings and conferences.

DISCUSSION

The State Water Resources Control Board (SWRCB) is considering the potential extension and modification of the existing Emergency Regulations for Statewide Urban Water Conservation (Emergency Regulations) that it imposed throughout California in May in response to the Governor's statewide 25 percent reduction mandate. Based on a variety of environmental factors (reservoir levels, river flows, groundwater basins, subsidence, impacts to flora and fauna, wildfire activity and water shortages), the SWRCB is concerned that the drought will continue into and beyond 2016 even if rain and snow levels this winter are greater than in recent years.

The SWRCB has scheduled a December 7th public workshop in Sacramento on the issue of extending and/or modifying the Emergency Regulations. Although public comment will be taken at the workshop, it is for information only and the SWRCB will take no formal action.

The SWRCB is also requesting written input by December 2. Specifically the SWRCB is asking for comments on the following:

- What elements of the existing emergency regulations, if any, should be modified if the regulations are extended?
- What additional data, if any, should the Board collect through the emergency regulations and how would it be used?
- How should the Board account for precipitation after January in its implementation of any extension of the emergency regulations?

At the workshop oral comments may be limited to three (3) minutes or otherwise limited at the discretion of the SWRCB and participants are encouraged to coordinate and provide comments as a group. Therefore comments from the District should be clear and succinct. The following are the gist of the suggested comments the District may convey to the SWRCB:

1. Reconsider the design of the Emergency Regulations so they may be used in any emergency with linkage to standardized indoor and outdoor water use, since it is doubtful that heavy rains and/or snow this winter will have a significant, long-term impact on the drought;
2. Include adjustments in the reporting methodology for the R-GPCD to allow for the impact of weather on local water use to ensure that all of California's diverse climates have fair and equitable goals;
3. Allow for a credit in an agency's "baseline" demand to reflect increased demands from population and/or economic growth;
4. Allow for a credit for agencies that have already made significant investments in recycled water so that potable water demands are reduced permanently; and
5. Allow credits for development of new sources of water to help ensure local support of the investment.



MEMORANDUM

TO: Water Policy and Innovation Committee **DATE:** November 19, 2015
FROM: Dan Ferons
SUBJECT: Consideration and Action on Development of South Orange County Regional Recycled Water Master Planning Report and Summit

SUMMARY

Issue: The District held a special workshop on the future of recycled water for the South County Agencies in March 2014 to discuss the next steps in expansion of the use of recycled water. Subsequently, several agencies have started development of master plan updates and expansion of the use of recycled water. The District has volunteered to continue its lead role in regional planning for the expansion with the development of an updated summary of activity and another workshop summit with the south county agencies.

Recommendation: Consider development of Report and Outline for Summit.

Fiscal Impact: Funding is provided in the District's operating budget and capital improvement budget for facilities.

Previous Related Action: Periodically the District has discussed the expansion of the recycled water system.

DISCUSSION

The District, as part of its planning for a reliable and sustainable water supply has repeatedly stressed that recycled water is an important component of its water supply portfolio. In addition, legislation has been introduced that would require the elimination of ocean disposal by 2030, which will require expansion of the District's as well as the regional recycled water supplies. The District is currently involved in planning for the following recycled water supply and use projects:

- Trampas Canyon Recycled Water Seasonal Storage Reservoir
- Expansion of the jointly-owned 3A Water Reclamation Plant with MNWD
- Expansion of the Chiquita Water Reclamation Plant
- Recycled water distribution expansion
 - Califia and Palmia
 - Coto de Caza
 - Rancho Santa Margarita
- Indirect reuse of recycled water in the San Juan Basin

The District is proposing development of regional plan and a workshop intended to be a broad based discussion on the future of recycled water in South Orange County. The general topics to be discussed include sources of recycled water, uses and location of demands, regulations concerning recycled water and potential financing opportunities. The following neighboring agencies will be invited to attend and participate:

- City of San Clemente
- City of San Juan Capistrano
- El Toro Water District
- Irvine Ranch Water District
- Laguna Beach County Water District
- Moulton Niguel Water District
- Municipal Water District of Orange County
- South Coast Water District
- South Orange County Wastewater Authority
- Trabuco Canyon Water District

Sources

The District is coordinating with the agencies that operate treatment plants and the agencies that utilize recycled water to determine how much is produced and what may be available if improvements are made. This discussion will include potential participation in the Trampas Reservoir.

Legislation and Regulations

The industry is looking at indirect and direct reuse of recycled water for potable uses. We have had recent discussions with representatives working with SWRCB Division of Drinking Water and the Regional Water Quality Control Board that are developing guidelines and research for proposed regulations to discuss the status of those efforts.

Senator Hertzberg has authored the attached proposed legislation to require the elimination of flows in ocean outfalls and reuse of the water. The regulatory agencies have initiated discussions with his office to address their concerns and the south county agencies will be requested to consider a joint approach on the legislation including potentially inviting him or a representative to the summit.

Uses

The District is coordinating with the other agencies to determine the current and potential recycled water demands. The goal is to understand the overall regional demand in order to compare it to the potential sources.

Financing

The South Orange County Integrated Water Management Plan includes water recycling projects as part of the overall watershed plan. Listing and ranking projects in the plan is critical to obtaining

funding for regional projects. This discussion is intended to highlight and support those projects and partnerships that may be eligible for funding opportunities.

The committee is requested to provide input into:

- Establishing the priorities for the District and the regional workshop
- Setting a schedule for the workshop
- Proposing/drafting terms for the proposed legislation

AMENDED IN ASSEMBLY SEPTEMBER 3, 2015

AMENDED IN SENATE JUNE 2, 2015

SENATE BILL

No. 163

Introduced by Senator Hertzberg

February 4, 2015

~~An act to add Section 3000.5 to the Elections Code, relating to elections.~~ *An act to add Section 13557.5 to the Water Code, relating to water.*

LEGISLATIVE COUNSEL'S DIGEST

SB 163, as amended, Hertzberg. ~~Elections: vote by mail ballot.~~
Wastewater treatment: recycled water.

The California Constitution requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented. Existing law declares that the use of potable domestic water for certain nonpotable uses is a waste or an unreasonable use of water if recycled water is available, as determined by the State Water Resources Control Board, and other requirements are met.

Under existing law, the state board and the 9 California regional water quality control boards prescribe waste discharge requirements in accordance with the federal national pollutant discharge elimination system (NPDES) permit program established by the federal Clean Water Act and the Porter-Cologne Water Quality Control Act.

This bill would declare that the discharge of treated wastewater from ocean outfalls, except in compliance with the bill's provisions, is a waste and unreasonable use of water in light of the cost-effective opportunities to recycle this water for further beneficial use. This bill,

on or before January 1, 2026, would require a wastewater treatment facility discharging through an ocean outfall to achieve at least 50% reuse of the facility's actual annual flow, as defined, for beneficial purposes. This bill, on and after January 1, 2036, would prohibit the discharge of treated wastewater through ocean outfalls, except as backup discharge, as defined, and would require a wastewater treatment facility to achieve 100% reuse of the facility's actual annual flow for beneficial purposes. This bill, on and after January 1, 2022, would authorize a NPDES permit holder subject to these requirements to petition the state board for a partial exemption to the above-described requirements. This bill would require the state board to determine, after notice and opportunity for comment, whether the petition demonstrates that the NPDES permit holder cannot comply with these reuse requirements and would provide that an exemption from these reuse requirements is valid for a period of no more than 5 years, at which point the NPDES permit holder is required to reapply for an exemption or comply with these reuse requirements. This bill would prohibit a NPDES permit holder subject to these provisions from being eligible for state grants or loans if they receive a partial exemption to these reuse requirements, unless the state grant or loan is solely for the purpose of achieving compliance with these reuse requirements.

This bill would require a holder of a NPDES permit authorizing the discharge of wastewater through an ocean outfall as of January 1, 2016, to submit, on or before July 1, 2020, a prescribed plan to meet these provisions, directly or by contract, to the executive director of the state board and would require the plan to be updated on or before January 1, 2024. This bill, on or before January 1, 2017, and by January 1 every 5 years thereafter, would require the holder of a NPDES permit authorizing the discharge of wastewater through an ocean outfall to submit a report to the executive director of the state board summarizing the actions accomplished to date and the actions remaining and proposed to meet the requirements of these provisions. This bill would require the state board to submit a report to the Governor and the Legislature on the implementation of these provisions on or before July 1, 2021, and by July 1 every 5 years thereafter.

~~Existing law requires the vote by mail ballot to be available to any registered voter and requires an application for a vote by mail voter's ballot to be made in writing to the elections official having jurisdiction over the election between certain days before the election.~~

~~This bill would establish, until January 1, 2019, a vote by mail pilot program in the County of Los Angeles for statewide elections. The bill would require, as part of the pilot program, that the county elections official issue a vote by mail ballot to each registered voter for a qualifying election. The bill would also require the elections official, among other things, to engage in voter education efforts to increase voter awareness of the pilot program and to report on the voter turnout for qualifying elections to the Secretary of State and the Legislature on or before December 31, 2018.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

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

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

- 1 SECTION 1. *The Legislature finds and declares all of the*
- 2 *following:*
- 3 (a) *Severe drought conditions have persisted for the last three*
- 4 *years in California, and 2013 was the state’s driest calendar year*
- 5 *on record.*
- 6 (b) *California’s water supplies have dipped to alarmingly low*
- 7 *levels indicated by the very limited snowpack in the Sierra Nevada*
- 8 *Mountains, declining water levels in the state’s largest water*
- 9 *reservoirs, reduced surface water flows in major river systems,*
- 10 *and historically low groundwater levels. These water supplies*
- 11 *continue to be severely depleted despite a limited amount of winter*
- 12 *precipitation in 2014.*
- 13 (c) *The duration of the drought is unknown, but based on the*
- 14 *projected impact of climate change on California’s snowpack,*
- 15 *extremely dry conditions will likely continue beyond this year and*
- 16 *occur more regularly in the future.*
- 17 (d) *Continuous severe drought conditions present urgent*
- 18 *challenges across the state, including, but not limited to, water*
- 19 *shortages in communities and for agricultural production,*

1 *increased risk of wildfires, degraded habitat for fish and wildlife,*
2 *and threat of saltwater contamination in large fresh water supplies.*

3 *(e) Water reuse is one of the most efficient and cost-effective*
4 *ways to improve the drought resilience of California communities.*

5 *(f) The State Water Resources Control Board has established*
6 *goals of recycling 1,500,000 acre-feet of wastewater by 2020 and*
7 *2,500,000 acre-feet of wastewater by 2030. However, California*
8 *is not on track to meet the board's goals.*

9 *(g) The discharge of treated wastewater from ocean outfalls*
10 *constitutes waste and unreasonable use of water within the*
11 *meaning of Section 2 of Article X of the California Constitution,*
12 *in light of the opportunities to recycle this water for further*
13 *beneficial use.*

14 *(h) By prohibiting ocean discharges from wastewater treatment*
15 *plants, California could dramatically accelerate the adoption of*
16 *water recycling and thus increase water supply available for*
17 *beneficial use.*

18 *(i) Water recycling can reduce California's dependence on*
19 *diversions from surface rivers and streams that are subject to*
20 *variable climate and regulatory conditions.*

21 *(j) In addition to water supply benefits, requiring water recycling*
22 *for further beneficial use eliminates ocean wastewater discharges,*
23 *decreasing pollutant loadings to ocean waters and improving*
24 *coastal water quality, thereby benefitting the aquatic environment*
25 *and local economies that depend on those coastal resources.*

26 *SEC. 2. Section 13557.5 is added to the Water Code, to read:*

27 *13557.5. (a) The Legislature hereby finds and declares that*
28 *the discharge of treated wastewater from ocean outfalls, except*
29 *in compliance with the provisions of this section, is a waste and*
30 *unreasonable use of water within the meaning of Section 2 of*
31 *Article X of the California Constitution in light of the cost-effective*
32 *opportunities to recycle this water for further beneficial use,*
33 *including both potable and nonpotable uses.*

34 *(b) On or before January 1, 2026, each wastewater treatment*
35 *facility that discharges through an ocean outfall shall achieve at*
36 *least 50 percent reuse of the facility's actual annual flow for*
37 *beneficial purposes.*

38 *(c) On and after January 1, 2036:*

39 *(1) A wastewater treatment facility shall not discharge treated*
40 *wastewater through ocean outfalls, except as a backup discharge.*

1 *A backup discharge may occur only during periods of reduced*
2 *demand for reclaimed water in the reuse system, such as a period*
3 *of wet weather.*

4 *(2) Each wastewater treatment facility shall achieve 100 percent*
5 *reuse of the facility's actual annual flow for further beneficial use.*

6 *(d) (1) A holder of a NPDES permit authorizing the discharge*
7 *of wastewater through an ocean outfall as of January 1, 2016,*
8 *shall submit, on or before July 1, 2020, a plan to meet the*
9 *requirements of this section, directly or by contract, to the executive*
10 *director of the state board that contains all of the following:*

11 *(A) An identification of all land acquisition and facilities*
12 *necessary to provide for treatment, transport, and reuse of treated*
13 *wastewater.*

14 *(B) An analysis of the costs to meet the requirements of this*
15 *section.*

16 *(C) A financing plan for meeting the requirements of this section,*
17 *including identifying any actions necessary to implement the*
18 *financing plan, such as bond issuance or other borrowing,*
19 *assessments, rate increases, fees, charges, or other financing*
20 *mechanisms.*

21 *(D) A detailed schedule for the completion of all necessary*
22 *actions.*

23 *(E) Supporting data and other documentation accompanying*
24 *the plan.*

25 *(2) On or before January 1, 2024, the plan described in*
26 *paragraph (1) shall be updated and submitted to the executive*
27 *director of the state board by the permit holder to include any*
28 *refinements or changes in the costs, actions, or financing necessary*
29 *to achieve full recycling of all wastewater and thereby eliminate*
30 *the ocean outfall discharge in accordance with this section or a*
31 *written statement that the plan is current and accurate.*

32 *(e) On or before January 1, 2017, and by January 1 every five*
33 *years thereafter, the holder of a NPDES permit authorizing the*
34 *discharge of wastewater through an ocean outfall shall submit to*
35 *the executive director of the state board a report summarizing the*
36 *actions accomplished to date and the actions remaining and*
37 *proposed to meet the requirements of this section. The report shall*
38 *include progress toward meeting the deadlines set forth in*
39 *subdivisions (b) to (d), inclusive, and specifically include the*
40 *detailed schedule for, and status of, the following:*

- 1 (1) *Evaluation of reuse and disposal options.*
- 2 (2) *Preparation of preliminary design reports.*
- 3 (3) *Preparation and submission of permit applications.*
- 4 (4) *Construction initiation.*
- 5 (5) *Construction progress milestones.*
- 6 (6) *Construction completion.*
- 7 (7) *Initiation of operation.*
- 8 (8) *Continuing operation and maintenance.*
- 9 (f) (1) *On or before July 1, 2021, and by July 1 every five years*
- 10 *thereafter, the state board shall submit a report to the Governor*
- 11 *and the Legislature on the implementation of this section. The*
- 12 *report shall summarize the progress up to date, including the*
- 13 *increased amount of reclaimed water provided and potable water*
- 14 *offsets achieved, and shall identify any obstacles to continued*
- 15 *progress, including all instances of substantial noncompliance.*
- 16 (2) *A report to be submitted pursuant to paragraph (1) shall be*
- 17 *submitted in compliance with Section 9795 of the Government*
- 18 *Code.*
- 19 (g) (1) *On and after January 1, 2022, a NPDES permitholder*
- 20 *subject to the requirements of this section, may petition the state*
- 21 *board for a partial exemption to the requirements of this section.*
- 22 *The petition shall include the information required in subdivisions*
- 23 *(d) and (e), and shall demonstrate that the NPDES permitholder*
- 24 *cannot comply with the requirements of this section for one of the*
- 25 *following reasons:*
- 26 (A) *The state board has failed to adopt regulations that approve*
- 27 *the indirect potable reuse of wastewater.*
- 28 (B) *Upgrading the wastewater treatment plant to achieve*
- 29 *recycled water standards produces recycled water that costs more*
- 30 *than twice the cost per-acre foot as compared with other new*
- 31 *surface and groundwater supplies.*
- 32 (C) *The wastewater treatment plant has achieved water quality*
- 33 *standards for recycled water, but there is not sufficient demand*
- 34 *for this water within the region.*
- 35 (2) *The state board shall determine, after notice and opportunity*
- 36 *for comment, whether the petition demonstrates that the NPDES*
- 37 *permitholder cannot comply with the requirements of this section*
- 38 *pursuant to paragraph (1). If the state board approves the partial*
- 39 *exemption to the requirements of this section, that exemption shall*
- 40 *be valid for a period of no more than five years, at which point*

1 *the NPDES permit holder shall reapply for an exemption or comply*
2 *with the requirements of this section.*

3 *(3) A NPDES permit holder subject to the requirements of this*
4 *section shall not be eligible for state grants or loans if they receive*
5 *a partial exemption to the requirements of this section pursuant*
6 *to this subdivision, unless the state grant or loan is solely for the*
7 *purpose of achieving compliance with the requirements of this*
8 *section.*

9 *(h) As used in this section:*

10 *(1) "Actual annual flow" means the annual average flow of*
11 *treated wastewater discharging through a facility's ocean outfall*
12 *as determined by the state board using monitoring data available*
13 *for calendar years 2009 to 2014, inclusive.*

14 *(2) "Backup discharge" means a surface water discharge that*
15 *occurs as part of a functioning reuse system that has been*
16 *permitted in accordance with the rules of the state board and that*
17 *provides reclaimed water for irrigation or public access areas,*
18 *residential properties, edible food crops, sea water barrier*
19 *injection to protect groundwater resources, groundwater*
20 *replenishment, industrial cooling, or other acceptable reuse*
21 *purposes. "Backup discharge" may also include releases to the*
22 *ocean on an emergency basis, as approved by a regional board,*
23 *for a duration not to exceed 90 days and only in the quantities as*
24 *are necessary in the event of a storm or other cause that impedes*
25 *groundwater replenishment.*

26 ~~SECTION 1. Section 3000.5 is added to the Elections Code,~~
27 ~~to read:~~

28 ~~3000.5. (a) A vote by mail pilot program shall be established~~
29 ~~in the County of Los Angeles for any statewide election held~~
30 ~~between January 1, 2017, and December 31, 2018, inclusive.~~

31 ~~(b) Notwithstanding Section 3001, the elections official for the~~
32 ~~County of Los Angeles, in conjunction with the Secretary of State,~~
33 ~~shall issue a vote by mail ballot to each registered voter in that~~
34 ~~county for any statewide election held during the period specified~~
35 ~~in subdivision (a).~~

36 ~~(c) Notwithstanding any other law, each of the following shall~~
37 ~~apply to the vote by mail pilot program with respect to a statewide~~
38 ~~election held during the period specified in subdivision (a):~~

1 ~~(1) The elections official is authorized to mail the vote by mail~~
2 ~~ballots together with other election materials issued by the county~~
3 ~~to reduce overall mailing expenses.~~

4 ~~(2) The elections official shall consider reducing or consolidating~~
5 ~~precincts in anticipation of a reduction in the number of voters~~
6 ~~who vote at precinct polling places, subject to the requirements of~~
7 ~~Sections 12223 and 12241.~~

8 ~~(3) The elections official is deemed to comply with the~~
9 ~~requirements of Section 14102 if the number of official ballots~~
10 ~~provided to each precinct is not less than 50 percent of registered~~
11 ~~voters in the precinct.~~

12 ~~(4) The elections official shall engage in voter education efforts~~
13 ~~to increase voter awareness of the vote by mail pilot program. As~~
14 ~~part of the voter education efforts, voters shall be encouraged, if~~
15 ~~they intend to vote at a polling place, to bring their vote by mail~~
16 ~~ballot to the polling place to streamline their voting process.~~

17 ~~(5) In addition to any other reporting requirements required by~~
18 ~~law, the elections official shall report on the voter turnout for the~~
19 ~~County of Los Angeles for any qualifying statewide election~~
20 ~~described in subdivision (a) to the Secretary of State and to the~~
21 ~~Legislature, in the manner provided by Section 9795 of the~~
22 ~~Government Code, on or before December 31, 2018.~~

23 ~~(d) This section shall remain in effect only until January 1, 2019,~~
24 ~~and as of that date is repealed, unless a later enacted statute, that~~
25 ~~is enacted before January 1, 2019, deletes or extends that date.~~

26 ~~SEC. 2. If the Commission on State Mandates determines that~~
27 ~~this act contains costs mandated by the state, reimbursement to~~
28 ~~local agencies and school districts for those costs shall be made~~
29 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
30 ~~4 of Title 2 of the Government Code.~~

O