

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

4232 Las Virgenes Road, Calabasas, CA 91302

March 1, 2021, 5:00 PM

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

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 (superseding the Brown Act-related provisions of Executive Order N-25-20 issued on March 12, 2020), which allows a local legislative body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Pursuant to Executive Order N-29-20, please be advised that members of the Las Virgenes - Triunfo Joint Powers Authority Board of Directors will participate in meetings via teleconferencing.

PUBLIC PARTICIPATION: Pursuant to Executive Order N-29-20 and given the current health concerns, members of the public can access and request to speak at meetings live on-line, with audio and limited video, at www.LVMWD.com/JPALiveStream. In addition, members of the public can submit written comments electronically for consideration at 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 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 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.

PLEDGE OF ALLEGIANCE

1 CALL TO ORDER AND ROLL CALL

2 APPROVAL OF AGENDA

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 February 1, 2021 (Pg. 4)

Approve.

B Budget Planning Calendar for Fiscal Year 2021-22 (Pg. 12)

Receive and file the Budget Planning Calendar for Fiscal Year 2021-22.

5 ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Pure Water Project Las Virgenes-Triunfo: Update (Pg. 14)

B State and Federal Legislative Update (Pg. 20)

6 ACTION ITEMS

A Pure Water Project Las Virgenes-Triunfo: Preliminary Results of Community-Wide Public Opinion Survey (Pg. 32)

Receive and file the preliminary results of a Community-Wide Public Opinion Survey for the Pure Water Project Las Virgenes-Triunfo.

B Independent Audit Services: Request for Proposals (Pg. 44)

Authorize the issuance of a Request for Proposals for independent audit services beginning with Fiscal Year 2021-22.

C Digester No. 2 Rehabilitation Project: Change Order No. 4 (Pg. 46)

Authorize the Administering Agent/General Manager to execute Change Order No. 4, in the amount of \$35,415, for the Digester No. 2 Rehabilitation Project.

D Short-Term Offsite Disposal of Class B Biosolids: Approval (Pg. 51)

Authorize the General Manager/Administering Agent to execute an agreement with New Earth USA for the short-term offsite disposal of Class B biosolids at a cost of \$63.69 per ton.

E Tapia Water Reclamation Facility Outfall Rehabilitation Project: Approval of Expanded Environmental Permitting Support (Pg. 54)

Authorize the Administering Agent/General Manager to execute a professional services agreement with Rincon Consultants, Inc., in the amount of \$63,981, to provide expanded environmental permitting support for the Tapia Water Reclamation Facility Outfall Rehabilitation Project.

7 BOARD COMMENTS

8 ADMINISTERING AGENT/GENERAL MANAGER REPORT

9 FUTURE AGENDA ITEMS

10 INFORMATION ITEMS

A Supply and Delivery of Bulk Woodchip Compost Amendment: Award (Pg. 67)

11 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

12 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.

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

5:00 PM

February 1, 2021

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Lynda Lo-Hill.

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 the Governor’s Executive Order, N-29-20, which suspended certain requirements of the Ralph M. Brown Act to support social distancing guidelines associated with response to the coronavirus (COVID-19) outbreak. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Directors Caspary, Lewitt, Lo-Hill, Nye, Orkney, Polan, Renger, Shapiro, Tjulander, and Wall.

Absent: None.

2. APPROVAL OF AGENDA

Director Polan moved to approve the agenda. Motion seconded by Director Wall. Motion carried unanimously.

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR**A Minutes: Regular Meeting of January 4, 2021: Approve**

Director Orkney lost connection to the teleconference at 5:03 p.m.

Director Lo-Hill moved to approve the Consent Calendar. Motion seconded by Director Lewitt. Motion carried by the following roll call vote:

AYES: Caspary, Lewitt, Lo-Hill, Nye, Polan, Renger, Shapiro, Tjulander, Wall
NOES: None
ABSTAIN: None
ABSENT: Orkney

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Pure Water Project Las Virgenes-Triunfo: Update

Director Orkney reconnected to the teleconference at 5:05 p.m.

Joe McDermott, Director of Engineering and External Affairs, noted that a letter to the editor was published in *The Acorn* newspaper questioning the water quality and the anticipated cost of the Pure Water Project Las Virgenes-Triunfo (Pure Water Project). He stated that staff would provide a response to be included in *The Acorn*, as well as an advertisement regarding the JPA's position on the project. He noted that based on the survey conducted by Pepperdine University, it was expected that 75 percent of the population would be in favor of the project from a water quality standpoint. He also noted that 498 online survey responses were received from customers regarding the project, which would assist staff in making changes to the outreach plan. He stated that survey results would be tentatively presented at the next Board meeting. He also reported that Jacobs Engineering would provide written monthly summaries describing the work accomplished in the last 30 days and scheduled activities. He noted that Operations staff was preparing to conduct N-Nitrosodimethylamine (NDMA) challenge testing at the Pure Water Demonstration Facility, which would evaluate levels of the disinfectant byproduct for the treatment process. He stated that the testing would be conducted over several weeks to confirm that NDMA is removed or destroyed to meet drinking water standards. He noted that staff was working on scheduling three separate workshops for the Pure Water Project related to water augmentation, alternative delivery methods, and the program implementation plan. He suggested dates for each workshop, which would all be held from 9:00 a.m. to 12:00 p.m. The Board agreed to hold the first workshop on February 22nd, the second workshop on March 29th, and the third workshop on April 28th.

Chair Tjulander stated that he was pleased with staff's response to the editorial in *The Acorn* newspaper.

B State and Federal Legislative Update

Anna Schwab, federal lobbyist for the JPA with Best Best & Krieger LLP (BBK), presented the federal legislative update. She reported that President Joe Biden was moving swiftly with a number of Executive Orders including the Water of the United States (WOTUS) Rule, Endangered Species Rules, nationwide permitting, National Environmental Policy Act (NEPA), and Clean Water Act Rule on 401

certifications. She also noted that a list of revoked Executive Orders was included in the written report. She stated that the new Administration issued a memorandum to freeze regulations that were under review. She explained that options could include reopening the regulations for public comment to extend the rulemaking process, allowing the rules to go forward, or implementing the Congressional Review Act. She also stated that there was hesitation to implement the Congressional Review Act because it would stop an agency rule from putting forward a materially similar rule in the future. She also reported that budget resolutions for Fiscal Year 2020-21 and Fiscal Year 2021-22 would be passed this year. She noted that last year the COVID-19 Omnibus Package was placed in the proposed appropriations for Fiscal 2021; however, a budget bill was not passed. She stated that the Congressional leadership would put forward a budget bill that would allow passage of new COVID-19 relief measures with simple majorities. She also stated that this approach would likely also be used to pass an infrastructure package; however, there would be no “pay for” language regarding the means to pay for an infrastructure package especially when major automobile companies are moving towards fully electric vehicles, which would reduce the amount of gas tax revenue. She also reported that BBK would work with trade association partners, key stakeholders, and members of Congress on efforts to reauthorize Title XVI funding.

Lowry Crook, federal lobbyist for the JPA with BBK, provided an update regarding perfluoroalkyl and polyfluoroalkyl substances (PFAS) and perfluorooctanesulfonic acid (PFOS) regulations. He noted that the prior Administration issued a determination to move forward with the regulatory process for PFAS and PFOA under the Safe Drinking Water Act, and solicited a 60-day comment period to regulate PFAS under the Superfund Law. He stated that this would present some risk based on water agencies’ biosolids or effluent that may fall into the regulatory net. He also stated that this determination could get pulled back because the current Administration might view the 60-day comment period as a stalling period, and the Administration might want to commence on this matter sooner. He also stated that the current Administration could outline an infrastructure package at the February 23rd address to the joint session of Congress.

Ms. Schwab responded to a question regarding proposed solutions to the gas tax deficit in general by stating that there was discussion regarding alternatives to the gas tax, which had not been raised in several years. She stated that given the goals of the current Administration, airlines and automobile companies would need to find other “pay for” provisions to advance the country’s infrastructure in a meaningful manner.

Syrus Devers, state lobbyist for the JPA with BBK, presented the state legislative update, and noted that the state budget process was just beginning. He noted that new bills needed be introduced by February 19th in accordance with the state’s calendar for its biennial legislative session. He also noted that when bills are first introduced, they need to sit for 30 days and not be amended nor heard in

accordance with the state constitution; therefore, no policy committee meetings would be planned until March, which could change for bills introduced earlier in December or January. He provided an update regarding SB 233 (Dodd), Discontinuance of Residential Water Service, which would extend the water shutoff provisions from SB 998 (Dodd), Discontinuation of Residential Water Service: Urban and Community Water Systems. He noted that there was much opposition to SB 998 when it passed, and BBK would work diligently to oppose SB 223. He stated that SB 223 was relevant to the JPA because one of the provisions indicated that if an agency bills for water and sewer service on the same bill and the customer pays only the portion equal to the water bill, the customer's bill would not be found as being delinquent. He expressed concern with this language from the proposed bill, and noted that the amount of delinquencies had increased during the COVID-19 pandemic and due to the water shutoff moratorium for nonpayment.

Director Caspary noted that based on the State Water Resources Control Board's surveys, delinquencies ranged from low single digits to 12 percent for various agencies across the state. Mr. Devers responded that the Water Board had initially asked for a voluntary request for information from water agencies; however, it did not receive much response.

Director Caspary noted that the Association of California Water Agencies' (ACWA's) State Legislative Committee deferred a recommendation on SB 222 (Dodd), the Water Affordability Assistance Program, until a conversation be held with Senator Dodd's staff to address ACWA's concerns. Mr. Devers responded that BBK was concerned with some administrative issues related to SB 222 and would likely recommend opposing the bill. He stated that there was concern that a water tax would come forth.

Mr. Devers also provided an update regarding the recall efforts for Governor Gavin Newsom.

C Concept for Regional Landscape Conversion Partnership

Dave Roberts, Resource Conservation Manager, presented the report. He responded to a question regarding the purpose of the greenhouse facility by stating that the greenhouse would be the first step in initiating the program to grow plants cultivated by seeds from native and climate appropriate plants, which would then be repotted and moved outdoors. He also stated that the greenhouse facility would provide enough plants to initiate the program, and the JPA could then explore opportunities for partnering with local native plant nurseries. He responded to a question regarding whether authorization was needed from the U.S. Environmental Protection Agency by stating that staff would follow-up.

Director Caspary expressed a potential concern related to competition with private growers who have a history of working with local governmental agencies in providing drought tolerant materials as part of a formal program. He noted that Las

Virgenes Municipal Water District collects penalties from customers who have used water wastefully, and the use of penalty funds was restricted to water conservation programs. He stated that the Regional Landscape Conversion Partnership Program was a good concept; however, he expressed concern with ensuring long-lasting reductions in water usage without having professional guidance for customers.

Director Orkney expressed concern with potential financial impacts to local retail nurseries. Mr. Roberts responded that one of the ideas of the program would be to partner with local nurseries to elevate and accelerate the sale of native plants. He stated that local nurseries could receive assistance with marketing the program and become a distribution point for the program, which would bring in customers. He noted that the Mountains Restoration Trust would bring a fellow from the University of California, Los Angeles who could potentially develop a business model for the program.

Director Shapiro stated that he perceived the program as a logical expansion of the programs developed by the individual JPA partners for educating their constituents on the benefits of moving toward use of drought resistant plants. He noted that the Tree People had programs on using rain barrels, native plantings, and setting up gardens. He stated that he shared the same concerns regarding not competing with local nurseries; however, he indicated that he could see the merits of educating the community and allowing them the opportunity to obtain the materials needed to start their own gardens.

6. **ACTION ITEMS**

A Independent Audit Services: Renewal

Determine whether or not to approve the second one-year renewal option with The Pun Group, and, if approved, authorize the Administering Agent/General Manager to execute the agreement, in the amount of \$6,356, for independent audit services.

Administering Agent/General Manager David Pedersen presented the report.

Director Polan moved to approve the second one-year renewal option with The Pun Group, and authorize the Administering Agent/General Manager to execute the agreement, in the amount of \$6,356, for independent audit services. Motion seconded by Chair Tjulander.

A discussion ensued regarding whether to direct staff to issue a Request for Proposals (RFP) for independent audit services before the end of the calendar year as this was not included in staff's recommendation. Keith Lemieux, JPA Counsel, noted that there was interest by the Las Virgenes Municipal Water District Board of Directors to have the same auditor as the JPA, and stated that the item

was to approve extending the contract with the understanding that there could be a future action regarding issuing an RFP.

Director Polan inquired whether staff could bring back the concept of issuing an RFP in order to determine the cost to the JPA. Administering Agent/General Manager David Pedersen responded that staff would bring back an item regarding issuing an RFP at a future meeting.

Motion carried unanimously by roll call vote.

7. BOARD COMMENTS

None.

8. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen reported that 1.61 inches of rain was measured at the Tapia Water Reclamation Facility (Tapia) on January 28th and 29th, which increased the daily average flow from 7.5 million gallons per day (MGD) to 8.3 million MGD, and increased the peak flow to 13 MGD. He noted that very little inflow and infiltration went into the sewer system primarily due to previous dry weather conditions. He also reported that the retrieval cable for the Landia Pump, a submersible pump at the Tapia aeration basins, broke while staff was attempting to perform maintenance. He stated that the pump could not be retrieved, and staff turned it off to avoid damage and arranged for a rental pump to temporarily continue operation. He also stated that staff would drain the basin to safely retrieve the pump. He also reported that Centrifuge No. 2 at the Rancho Las Virgenes Composting Facility would be placed back into service on February 4th. He provided an update regarding the volume of compost at the Rancho Las Virgenes Compositing Facility, and noted the availability of 3,000 cubic yards with 1,000 cubic yards stored inside the Cure Building and 2,000 cubic yards stored outside. He stated that outreach efforts had increased regarding the availability of compost with pickups offered Monday through Saturday and the bulk-loading fee waived; however, demand for compost remained low. He also stated that staff contacted soil amendment companies; however, they did not have need for additional compost material. He noted that compost would be spread on the sprayfields, and staff would bring back an item regarding the possibility of temporarily discontinuing composting and restoring the operation of the conveyance system that was damaged during the Woolsey Fire. He also noted that the biosolids hauler agreed to honor their previous pricing for offsite hauling.

Director Polan stated that he meant to provide Board Comments to report that he attended the California Association of Sanitation Agencies (CASA) Virtual Winter Conference, where he attended a presentation regarding future financing, debt coverage ratios, financial evaluations by rating agencies, and the financial impacts due to the COVID-19 pandemic.

9. FUTURE AGENDA ITEMS

None.

10. INFORMATION ITEMS

A Rancho Las Virgenes Composting Facility: Temporary Waiver of Bulk Loading Fee

B Implementation of Operations Data Management, Analytics, and Decision Support System: IOSight iGreen

11. PUBLIC COMMENTS

None.

12. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:13 p.m.**

Ray Tjulander, Chair

ATTEST:

Jay Lewitt, Vice Chair

March 1, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Finance & Administration

Subject : Budget Planning Calendar for Fiscal Year 2021-22

SUMMARY:

This item provides the schedule for key activities associated with the development and adoption of the Fiscal Year 2021-22 Budget.

RECOMMENDATION(S):

Receive and file the Budget Planning Calendar for Fiscal Year 2021-22.

FISCAL IMPACT:

No

ITEM BUDGETED:

No

FINANCIAL IMPACT:

There is no financial impact associated with this action

DISCUSSION:

This is the second year of the Fiscal Years 2020-22 Two-Year Budget Plan. The attached schedule outlines the timeframe and process to review and adopt the budget for Fiscal Year 2021-22. Staff reached out to Triunfo Water & Sanitation District prior to the February 10th deadline described in the JPA Agreement and did not receive any specific budget recommendations at that time. Additional feedback can be provided during the budget development and approval process.

Prepared by: Angela Saccareccia, Finance Manager

ATTACHMENTS:

JPA Budget Planning Calendar for Fiscal Year 2021-22

Las Virgenes - Triunfo Joint Powers Authority
FY 2021-22 Budget Planning Calendar

Date	Board Activity	Description
2/10/2021		JPA Budget submissions from TSD due to Administering Agent
3/1/2021	JPA Board Meeting	Distribute Budget Planning Calendar
5/3/2021	JPA Board Meeting	JPA Preliminary Budget to Board
6/7/2021	JPA Board Meeting	JPA Budget Adoption

INFORMATION ONLY

March 1, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: General Manager

Subject : Pure Water Project Las Virgenes-Triunfo: Update

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 Engineering Group Inc.
Date: February 17, 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 treatment facility (AWTF) 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

- Hold Water Augmentation Special Session with the JPA on February 22, 2021. The Session will confirm direction and review the evaluation approach, show the universe of sources, and provide preliminary screening of promising sources. These sources will then be modeled to assess the impacts of quantity, quality and cost to determine the suite of sources with the highest benefit to further pursue.
- Preparing "working" Draft Program Management Plan (PMP) for PWP delivery team review. The PMP documents PWP governance, project planning and delivery procedures, processes, requirements, specifications, and tools used to deliver PWP program. This approach will increase PWP project delivery effectiveness, efficiencies, consistency, communication, quality, standardization, and transparency.
- Preparing "working" Initial Schedule and Baseline Cost presented in 2018 Title XVI feasibility report to develop and set-up PWP's Program Control tools for developing PWP's Baseline Cost Loaded Master Schedule after the Readiness Assessment is completed. These working Program Control tools and processes are easily modified to capture the PWP's Readiness Assessment and recommended PWP projects and delivery approaches.

Key Program Accomplishments Last Month

Following is a summary of key February 2021 program accomplishments. Many kick-off, progress and team meetings occurred in February that helped plan and coordinate these following activities by the PWP team and functional services groups (i.e. program management, program controls, technical, environmental and regulatory permitting, financial, procurement and public outreach services).

February Accomplishments:

Programmatic:

- Prepared a working draft of the Program Management Plan (PMP) for PWP delivery team review. The PMP documents and clarifies the project delivery related processes, procedures, team roles and responsibilities, to effectively and efficiently manage this program. The PMP provides a clear, standardized delivery and governance foundation that is consistent with JPA agreement, LVMWD Codes and LVMWD Purchasing Policy. The PMP is a living document that will be updated to adjust to changes in the PWP program as it matures.
- Affirmed draft PMP delivery processes, procedures, standards, and policies “mapping sessions” results with PWP team to ensure thorough understanding of JPA procedures, LVMWD Codes, Purchasing Policies, and how Incidents, Risks, and Change Management Escalation and Management are addressed.
- Developed a working **Document Management Portal and Performance Tracking Dashboard**. The dashboard will provide a real-time PWP and projects delivery summary including schedule and cost performance indexes, both project and program actual spending, estimated cost to complete, and needed cash flow projections for planning purposes and spending accountabilities.

Technical:

- Prepared a **JPA Water Augmentation Strategy Session** to introduce the evaluation that is being conducted to recommend a cost-effective combination of water augmentation options to either achieve steady-state flow to the AWTF year round, or the most cost effective strategy for seasonal AWTF operating rates.
 - *Purpose:* The Session will review the evaluation approach, the universe of sources identified, and preliminary screening of promising sources for which modeling will be used to assess feasibility impacts of quantity, quality and cost to identify the suite of sources with the highest benefit to further pursue. JPA to confirm direction of the selected sources.
- Preparing draft **Readiness Assessment** to review and evaluate technical studies and reports, including the AWTF basis of design, Title XVI report, Siting Evaluation, and Reservoir Modeling to understand the baseline project as originally defined, and identify potential gaps and technical recommendations and considerations to be considered to future proof the AWTF and meet the goals of the PWP.
- Developing **Emergency Discharge Options and Strategies** to review with PWP delivery team to evaluate the capacity of alternate discharge options for accepting flows above the capacity of the AWTF. Began evaluation of the capacity of LA River Discharge 005, and developed draft map of options for managing the flow.

Key Program Accomplishments Last Month (continued)

Regulatory/Environmental:

- Preparing preliminary regulatory strategy based on findings from the Readiness Assessment.
- Preparing preliminary environmental strategy for programmatic CEQA approach based on findings from the Readiness Assessment.
- Provided input for Readiness Assessment and public outreach efforts related to CEQA activities and regulatory permitting needs.

Financial:

- Developed an **Initial Cost-Loaded Schedule** per the 2018 Title XVI feasibility report. This effort allows PWP Program Controls to develop their project and program delivery tracking and reporting framework, tools and processes that is applied to the PWP approved projects in the Readiness Assessment Study Recommendations. Program Controls established initial baseline costs and schedules per the Title XVI report to understand cost allocations and develop a process to update with more refined numbers and recommended projects using a standardized Work Breakdown Structure (WBS) approach.
- Set-up working **PWP-Focused Financial Model** that will be used to establish PWP's Cost Loaded Master Schedule and Baseline Cost once the Readiness Study is completed and its recommendations are approved. This model provides baseline costs and cost impacts tracking, operational and capital cash flow needs, and an optimized PWP project delivery sequencing. This model and planning strategy will demonstrate a range of project delivery sequencing and cash flow scenarios to proactively and better understand financial impacts from variable funding sources including Cash on Hand, Local Resource Program (LRP), low interest loans, and bond issuances. This model also addresses market variability, project delivery options, regulatory uncertainty, delays, or new requirements as the PWP mature to manage risk and change.

Procurement:

- Reviewed and confirmed **LVMWD/JPA Procurement Codes** for use under the PWP that captures both traditional and alternative project delivery options.
- Developed presentation on **Collaborative Delivery** for LVMWD and JPA Board considerations. Benefits and drivers for each model are highlighted in meeting PWP vision, mission, and goals including cost and schedule certainty, innovation, timing of contractor engagement, meeting regulatory deadlines, cash flow constraints, and managing risk and maintaining delivery control.

Public Outreach:

- Updating current PWP communication plan with input from LVMWD and PWP Team.
- Initiated regular check-ins for public outreach related to the PWP vision and mission.

Key Considerations

- Water Augmentation and Integration Plan – finding and securing viable supplemental water sources, and establishing Memorandums of Understanding (MOUs)/Agreements with regional parties and partners.
- Brine Management – establishing MOUs/Agreements with regional parties and partners for brine disposal to the Calleguas Regional Salinity Management Pipeline (SMP).
- Minimizing disinfection byproducts – developing cost effective treatment strategies to mitigate formation and achieve regulatory compliance.
- Review of 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, and optimized project delivery for conveyance alignments and treatment approaches.

Look Ahead

The Project Team is actively developing all of the elements that will comprise a recommended Program Implementation Plan (PIP) for LVMWD staff review and JPA Board presentation at the end of April. This sets the roadmap for the PWP execution and provides the detailed approach, considerations, and plan to achieve the program goals.

Upcoming JPA Board Special Sessions:

- a. March – Collaborative Delivery Methods

Purpose: Inform and clarify benefits, risks, cost certainty, and comparisons of traditional Design-Bid-Build (DBB) to collaborative delivery through Construction Management at Risk (CMAR), Progressive Design Build (PDB) and Fixed Price Design Build (FPDB).
- b. April 28 – Program Implementation Plan

Purpose: Present the Program Implementation Plan, which includes the results of the readiness assessment and recommendations, delivery approach, regulatory strategy, environmental strategy, financial scenarios, baseline cost-loaded schedule, and public outreach communication plan. This provides the clear path forward for the next 18 months.


BEST BEST & KRIEGER 
 ATTORNEYS AT LAW

To: Las Virgenes -Triunfo JPA
 From: Syrus Devers, Best Best & Krieger
 Date: February 23, 2021
 Re: Monthly Report

Legislature:

The Legislature is nearing full speed. The budget process is well underway with budget subcommittees meeting every week. The COVID relief package totalling \$7.6 billion was sent to Newsom on the 22nd, which he said he'd sign over the weekend. School reopening continues to be a contentious issue between the Governor and legislators.

Bills are starting to get hearing dates. Senate Natural Resources and Water will hear the first resource bond bill, SB 45 (Portantino), on March 16th. BB&K will report on more bill hearing dates at the JPA meeting. Spring Recess begins on March 25th which means that the last two weeks of March will be packed with hearings.

Bill Matrix: The bill introduction deadline has passed so the universe of bills is largely known, but there are an extraordinary number of spot bills so expect to see more bills added to the list in the coming weeks. The total number of bills introduced is lower than previous years, but the number of water policy bills being tracked by BB&K is up. The pandemic has heightened interest in low-income rate assistance programs and changes to the Brown Act for remote hearings by public agencies. Bills on the "Watch" list are significant but not expected to call for an advocacy effort in the near future. Priority bills that are "Out for analysis" are the ones to look at first and there are several. Please communicate with staff if you have a particular interest in any of the bills.

Administration:

The Water Board staff continues to make progress on developing the Safe and Affordable Drinking Water Program and is working with ACWA on criteria for Low Income Rate Assistance (LIRA) programs. ACWA's primary focus is on preserving existing LIRA programs.

Recall Effort:

The recall effort against Newsom is making national news. Proponents have until March 17th to turn in 1.5 million signatures to qualify the recall. They claim to have 1.7 million.

Las Virgenes-Triunfo JPA

Prepared by Syrus Devers, February 23, 2021

A. Priority Support/Oppose

Measure	Author	Topic	Status	Location	Brief Summary	Position	Priority
AB 377	Rivas, Robert D	Water quality: impaired waters.	2/12/2021- Referred to Com. on E.S. & T.M.	2/12/2021- A. E.S. & T.M.	Would require all California surface waters to be fishable, swimmable, and drinkable by January 1, 2050, as prescribed. The bill would prohibit the state board and regional boards from authorizing an NPDES discharge, waste discharge requirement, or waiver of a waste discharge requirement that causes or contributes to an exceedance of a water quality standard, or from authorizing a best management practice permit term to authorize a discharge that causes or contributes to an exceedance of a water quality standard in receiving waters. The bill would prohibit, on or after January 1, 2030, a regional water quality control plan from including a schedule for implementation for achieving a water quality standard that was adopted as of January 1, 2021, and would prohibit a regional water quality control plan from including a schedule for implementation of a water quality standard that is adopted after January 1, 2021, unless specified conditions are met.	Out for Analysis	A. Priority Support/ Oppose
SB 45	Portantino D	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022.	2/17/2021- Set for hearing March 16.	1/28/2021- S. N.R. & W.	Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.	Out for Analysis	A. Priority Support/ Oppose
SB 222	Dodd D	Water Affordability Assistance Program.	2/8/2021- Withdrawn from committee. Re-referred to Coms. on E., U. & C. and E.Q.	2/8/2021- S. E. U., & C.	Would establish the Water Affordability Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income ratepayers and ratepayers experiencing economic hardship in California. The bill would make moneys in the fund available upon appropriation by the Legislature to the state board to provide, as part of the Water Affordability Assistance Program established by the bill, direct water bill assistance, water bill credits, water crisis assistance, affordability assistance, and short-term assistance to public water systems to administer program components.	Out for Analysis	A. Priority Support/ Oppose
SB 223	Dodd D	Discontinuation of residential water service.	1/28/2021- Referred to Coms. on E., U. & C., EQ., and JUD.	1/28/2021- S. E. U., & C.	Current law prohibits an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, from discontinuing residential water service for nonpayment until a payment by a customer has been delinquent for at least	Out for Analysis	A. Priority Support/ Oppose

			Referral to Com. on JUD. rescinded because of the limitations placed on committee hearings due to ongoing health and safety risks of the COVID-19 virus.		60 days. Current law requires an urban and community water system to have a written policy on discontinuation of residential service for nonpayment, including, among other things, specified options for addressing the nonpayment. Current law requires an urban and community water system to provide notice of that policy to customers, as provided. This bill would apply those provisions, on and after July 1, 2022, to a very small community water system, defined as a public water system that supplies water to 200 or fewer service connections used by year-long residents.		
SB 230	Portantino D	State Water Resources Control Board: Constituents of Emerging Concern Program.	1/28/2021- Referred to Com. on EQ.	1/28/2021- S. E.Q.	Would require the State Water Resources Control Board to establish, maintain, and direct an ongoing, dedicated program called the Constituents of Emerging Concern Program to assess the state of information and recommend areas for further study on, among other things, the occurrence of constituents of emerging concern (CEC) in drinking water sources and treated drinking water. The bill would require the state board to convene, by an unspecified date, the Science Advisory Panel to review and provide recommendations to the state board on CEC for further action, among other duties. The bill would require the state board to provide an annual report to the Legislature on the ongoing work conducted by the panel.	Support	A. Priority Support/ Oppose

B. Watch

Measure	Author	Topic	Status	Location	Brief Summary	Position	Priority
AB 100	Holden D	Drinking water: pipes and fittings: lead content.	1/11/2021- Read first time. Referred to Com. on E.S. & T.M.	1/11/2021- A. E.S. & T.M.	The California Safe Drinking Water Act prohibits, with certain exceptions, the use of any pipe, pipe or plumbing fitting or fixture, solder, or flux that is not lead free in the installation or repair of any public water system or any plumbing in a facility providing water for human consumption. The act defines "lead free" for purposes of conveying or dispensing water for human consumption to mean not more than 0.2% lead when used with respect to solder and flux and not more than a weighted average of 0.25% lead when used with respect to the wetted surfaces of pipes and pipe fittings, plumbing fittings, and fixtures. This bill would additionally define "lead free," with respect to endpoint devices, as defined, to mean that the devices do not leach more than one microgram of lead under certain tests and meeting a specified certification.	Watch	B. Watch
AB 361	Rivas, Robert D	Open meetings: local agencies: teleconferences.	2/12/2021- Referred to Com. on L. GOV.	2/12/2021- A. L. GOV.	Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state or local emergency, as	Watch	B. Watch

					those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.		
AB 703	Rubio, Blanca D	Open meetings: local agencies: teleconferences.	2/17/2021- From printer. May be heard in committee March 19.	2/16/2021- A. PRINT	Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the requirements of the act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided.	Watch	B. Watch
SB 273	Hertzberg D	Water quality: municipal wastewater agencies.	2/22/2021- Art. IV. Sec. 8(a) of the Constitution dispensed with. (Ayes 32. Noes 4.) Joint Rule 55 suspended. (Ayes 32. Noes 4.)	2/10/2021- S. GOV. & F.	Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. To the extent this requirement would impose new duties on local agency formation commissions, the bill would impose a state-mandated local program.	Watch	B. Watch
SB 274	Wieckowski D	Local government meetings: agenda and documents.	2/22/2021- Art. IV. Sec. 8(a) of the Constitution dispensed with. (Ayes 32.	2/10/2021- S. GOV. & F.	The Ralph M. Brown Act, requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents	Watch	B. Watch

			Noes 4.) Joint Rule 55 suspended. (Ayes 32. Noes 4.)	constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by mail or by other electronic means, the bill would require the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet, as specified.		
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Total Measures: 10

Total Tracking Forms: 10



To: Las Virgenes-Triunfo JPA Board of Directors and Staff
From: John Freshman, Ana Schwab, and Lowry Crook
Date: February 19, 2021
RE: Federal Report

Legislation

Title XVI Reauthorization

On February 11, 2021, Congresswoman Grace Napolitano reintroduced legislation to reauthorize the Title XVI program. The bill, H.R. 1015 Water Recycling Investment and Improvement Act, would increase Title XVI authorization from \$50 million to \$500 million. Last Congress, Rep. Napolitano sponsored a similar bill that did not move forward in the Senate.

Importantly, the bill would make the WIN Act Title XVI permanent, as it is set to expire in 2021. The bill would also make changes to the current requirements for XVI funding. The bill strikes the requirement that projects must be in drought or disaster areas, and instead, prioritizes projects that will achieve multiple benefits such as water supply reliability, eco-system benefits, groundwater management and enhancements, and water quality improvements. Another major change is striking the requirement that projects must be designated in an appropriations legislation, which currently creates a difficult obstacle for projects that otherwise would be applicable for funding. The legislation keeps the 25% federal cost share, but increases the limitation on the federal share of individual Title XVI projects from the current \$20 million in October 1996 prices to \$30 million in January 2019 prices.

Due to the program's upcoming expiration date, this legislation may move through the House and Senate in the upcoming months.

Water Quality and Job Creation Act

Next week, the House Transportation and Infrastructure Committee Chair Peter DeFazio (D-OR) and Water and Environment Subcommittee Chair Napolitano will introduce the Water Quality Protection and Job Creation Act of 2021. The legislation would authorize nearly \$50 billion in infrastructure investment for water and wastewater, creating new jobs and modernizing aged infrastructure. The legislation is similar to Chair DeFazio's Water Quality Protection and Job Creation Act of 2019, which would have provided an infusion of federal funding for water projects.

The legislation would authorize funding through fiscal years 2022 through 2026, signifying and securing a long-term investment in water infrastructure. For the Clean Water State Revolving Fund, the bill authorizes \$40 billion over five years for wastewater infrastructure and \$10 billion in Federal investments and grant assistance for water quality.



Critical funding authorizations over the next five years include:

- \$2 billion for grants to municipalities to capture, treat, or reuse sewer overflows or stormwater.
- \$2.5 billion in grants for State to implement State water pollution control programs.
- \$1 billion for Clean Water pilot programs for watershed-focused efforts to address wet weather discharges, to promote stormwater best practices, to undertake integrated water resource management, and to increase climate resiliency.
- \$1 billion in grants for alternative water source projects, such as wastewater or stormwater reuse, to augment the existing water supplies.
- \$1 billion in Clean Water Act grants to municipalities to implement treatment standards for PFAS and other emerging contaminants.
- Provides \$2.5 billion in wastewater infrastructure assistance to address the backlog of critical needs for Indian Tribes.

Due to increasing calls for major infrastructure investments across the country and the Biden administration's support for a large infrastructure package, this legislation may become a part of Congress's plan for its infrastructure package, or it may move successfully on its own. We will closely be watching this legislation and other infrastructure developments as infrastructure becomes an increasingly important priority of Congress.

Western Water Security Act

Next week, Rep. Lauren Boebert (R-CO) will introduce a bill, Western Water Security Act, aimed at protecting States' authority over explicit State water rights. The legislation has similar language to H.R. 579, Water Rights Protection Act of 2019, sponsored by Rep. Scott Tipton (R-CO) in the 116th Congress. Rep. Tipton's bill did not move forward in the House.

The new legislation would require that when the Secretary of Interior is drafting policy, rules, or similar federal action related permits, licenses, and land use agreement, the Secretary must recognize the authority of the respective State related to evaluating, protecting, allocating, regulating, and adjudication of water use. Further, the Secretary must coordinate with the State(s) to ensure that any policy, rule or similar federal action will not impose greater restriction or regulatory requirement than the respective State water law.

Groundwater is also a focus in the bill. The legislation would prohibit the Secretary from asserting there is a connection between surface and groundwater that is inconsistent with the State's water law. Additionally, the Secretary would not be able to assert jurisdiction over groundwater withdrawals or groundwater resources impacts that is inconsistent with the State's water law. The bill would prohibit the Secretary from requiring any water user 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 any permit.

The legislation does not affect the authority of the Secretary over Federal lands under the Secretary's jurisdiction. It does not affect existing Bureau of Reclamation contracts or the



implementation of Endangered Species Act. The legislation also does not limit or expand existing reserved water rights of the Federal government or Indian water rights.

Potential cosponsors may include Reps. Mike Simpson (R-ID), Paul Gosar (R-AZ), Doug LaMalfa (R-CA), and Yvette Herrell (R-NM).

We will continue to track this legislation as it advances in the legislative process.

The Return of Earmarks

One of the first major, potential changes in the new Democratic-controlled Congress is the restoration of earmarks, which are lawmaker-direct spending provisions. House Appropriations Chair Rosa DeLauro (D-CT) and Senate Appropriations Chair Patrick Leahy (D-VT) have both stated they want to allow earmarks again, a practice banned by Congress in 2011. The tool allows lawmakers to include funding provisions for specific projects in their districts into large legislation packages, and is often used as a tactic to receive support from members on major bills. The practice was banned in 2011 after a series of earmark-related funding scandals. Democrats have promised that the revival of earmarks will be transparent and limited in scope. Earmarks provide a powerful funding opportunity for projects in need of financial support, and could play a major role in the crafting of the much anticipated infrastructure package.

Wildfire Caucus

The Wildfire Caucus is beginning to take shape under the leadership of Reps. Joe Neguse (D-CO) and John Curtis (R-UT). The Bipartisan Wildfire Caucus's purpose is to create a consensus on wildfire management and preparation support and resources.

The caucus will have an even membership of Democrats and Republicans. So far, the caucus includes: Reps. Peter DeFazio (D-OR), Ann Kirkpatrick (D-AZ), Doug LaMalfa (R-CA), Tom O'Halleran (D-AZ), Blake Moore (R-UT), Kurt Schrader (D-OR), Mike Simpson (R-ID) and Chris Stewart (R-UT).

COVID-19 Relief

The House is moving swiftly with the next \$1.9 trillion COVID-19 stimulus package. The House Budget Committee is currently working on packaging the individual provisions from the 12 authorizing committees into a single bill. The Budget Committee will not vote on amendments in the markup. Upon voting, the House Rules Committee will meet to consider a rule for the consideration of the bill. Then, the full House is expected to vote on the bill by February 26.

Leadership is working quickly to pass the package in both chambers before the March 14 deadline of many key relief programs, including federal unemployment support. Majority Leader Chuck Schumer (D-NY) will need to have all of his caucus members support of the package. Moderate



members, Sens. Joe Manchin (D-WV) and Kyrsten Sinema (D-AZ), said they will not support the \$15 federal minimum wage requirement, which is expected to be removed from the final version.

In its current form, the package provides \$350 billion in much needed relief to states, local governments, and tribes, which can be used for revenue losses. The package does not include direct aid for special districts.

The COVID package extends the paid sick and family leave credits that were created in the Families First Coronavirus Response Act, in 2020. The current package extends the credits from March 31, 2021 through September 30, 2021. Starting on March 31, 2021, state and local public agency employers will be eligible for a payroll tax credit (which are currently only available to private sector employers). The provision will also increase the amount of wages that an employer can claim credit for paid family leave from \$10,000 per employee to \$12,000 to employee.

There are several programs that will receive supplemental funds to provide utility bill assistance and to support environmental justice projects. Among these include:

- \$4.5 billion for LIHEAP for rent and utility bill assistance to be available until September 30, 2022;
- \$500 million for Low-Income Household Drinking Water and Wastewater Emergency Assistance Program for water payments and wastewater expenses to be available until September 30, 2023;
- \$50 million for the EPA to administer environmental justice grants and activities as described in Executive Order 12898 titled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.”

WaterSMART Funding Opportunity

The Bureau of Reclamation issued a funding opportunity for the WaterSMART Grants: Small-Scale Water Efficiency Projects. The estimated total program funding is \$3 million, with a \$75,000 award ceiling per applicant. Total project costs should generally be \$200,000 or less. The closing date for the application is March 18, 2021 at 4 p.m MDT.

Eligible applicants include state governments, special districts, states, tribes, irrigation districts, and water districts. The program provides a 50/50 cost share funding.

Example projects include, but are not limited to:

- Canal lining/piping
- Municipal metering
- Irrigation flow measurement
- Supervisory Control and Data Acquisition and Automation (SCADA)
- Irrigation measures

The notice of funding opportunity is available on grants.gov by searching for opportunity number R21AS00300.

**LAS VIRGENES-TRIUNFO - HIGH PRIORITY LEGISLATION IN THE 117TH CONGRESS
THROUGH FEBRUARY 19, 2021**

LEGISLATION	SUMMARY	STATUS	POSITION
<u>S.29</u> <u>Local Water Protection Act</u>	A bill to amend the Federal Water Pollution Control Act to reauthorize certain programs relating to nonpoint source management, and for other purposes.	Introduced by Sen. Amy Klobuchar (D-MN) – January 22, 2021	
<u>S.Res.17</u> <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>	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.	Introduced by Sen. Joni Ernst (R-IA) – January 27, 2021	
H.R.616 To prohibit water shutoffs during the COVID-19 emergency period, provide drinking and waste water assistance to households, and for other purposes.	<i>Text is not yet available.</i>	Introduced by Rep. Rashida Tlaib (D-MI) – January 28, 2021	
<u>H.R.535</u> <u>Special District Provide Essential Services Act</u>	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.	Introduced by Rep. John Garamendi (D-CA) – January 28, 2021	
<u>S.91</u> <u>Special Districts Provide Essential Services Act</u>	<i>(companion bill to H.R. 535)</i>	Introduced by Sen. Kyrsten Sinema (D-AZ) – January 28, 2021	

LEGISLATION	SUMMARY	STATUS	POSITION
<p><u>H.R.737</u> <u>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.</u></p>	<p>The RENEW WIIN Act would extend the general and operations provisions of Subtitle J of the WIIN Act and extend the provision requiring consultation on coordinated operations of the Central Valley Project and State Water Project. The legislation would also extend the authorization of appropriations for water storage projects that the Secretary of the Interior finds feasible.</p>	<p>Introduced by Rep. David Valadao (R-CA) – February 2, 2021</p>	
<p><u>H.R.848</u> <u>GREEN Act of 2021</u></p>	<p>To amend the Internal Revenue Code of 1986 to provide incentives for renewable energy and energy efficiency, and for other purposes.</p>	<p>Introduced by Rep. Mike Thompson (D-CA) – February 4, 2021</p>	
<p><u>H.Res.104</u> <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></p>	<p>Recognizing the duty of the Federal Government to implement an agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy (“THRIVE”).</p>	<p>Introduced by Rep. Debbie Dingell (D-MI) – February 5, 2021</p>	
<p><u>S.Res.43</u> <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></p>	<p>Recognizing the duty of the Federal Government to implement an agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy (“THRIVE”).</p>	<p>Introduced by Rep. Edward Markey (D-MA) – February 8, 2021</p>	

LEGISLATION	SUMMARY	STATUS	POSITION
<p>H.R.1015 To establish a grant program for the funding of water recycling and reuse projects, and for other purposes</p>	<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>H.R.988 To protect the right of individuals to bear arms at water resources development projects administered by the Secretary of the Army, and for other purposes</p>	<p><i>Text is not yet available.</i></p>	<p>Introduced by Rep. Bob Gibbs (R-OH) – February 11, 2021</p>	
<p>H.R.1066 To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide flexibility with the cost share for fire management assistance, and for other purposes.</p>	<p><i>Text is not yet available.</i></p>	<p>Introduced by Rep. Joe Neguse (D-CO) – February 15, 2021</p>	

March 1, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Engineering and External Affairs

Subject : Pure Water Project Las Virgenes-Triunfo: Preliminary Results of Community-Wide Public Opinion Survey

SUMMARY:

To better gauge public opinion on the potential future use of purified recycled water, the JPA partnered with Pepperdine University to develop and implement a scientifically-rigorous survey of public opinion. The research effort includes three main elements: (1) general survey of public opinion, (2) before and after surveys of individuals who tour the Pure Water Demonstration Facility, and (3) use of state-of-the-art technology to evaluate micro-expressions and facial muscle movement from individuals during in-person surveys to help ascertain the accuracy of their verbal responses. Efforts to develop the survey were initiated in the fall of 2019 with implementation of the program partially interrupted by restrictions resulting from the outbreak of COVID-19.

Originally, the public opinion survey was going to be implemented by interns at local venues throughout the JPA's service area. However, COVID-19 restrictions required an alternative approach be implemented to collect public opinion surveys, while the remaining two elements of the project have been postponed until in-person surveys can be completed. Rather than postpone collecting general public opinion surveys, emails have been sent to 8,427 customers thus far. The effort is on-going and additional email surveys and in-person surveys will be conducted and added to the dataset. At the Board meeting, Dr. Steve Rouse of Pepperdine University will provide a presentation on the preliminary results of the public opinion survey.

RECOMMENDATION(S):

Receive and file the preliminary results of a Community-Wide Public Opinion Survey for the Pure Water Project Las Virgenes-Triunfo.

FISCAL IMPACT:

No

ITEM BUDGETED:

Yes

DISCUSSION:

In recent years, public opinion on the potable reuse of recycled water has improved significantly but can still vary widely among individuals. Some people embrace the treatment technology as a prudent use of a valuable resource, while others find the idea of drinking purified recycled water as unpleasant. Those familiar with the treatment technology tend to be more supportive of the idea and are comfortable with drinking purified recycled water, while others find it hard to get past the “yuck” factor. One of the primary purposes of the Pure Water Demonstration Facility is to help familiarize customers with the treatment technology and provide visitors with the opportunity to become better informed and more comfortable with the idea of drinking purified recycled water.

To maximize the benefits of the Pure Water Demonstration Facility, the JPA partnered with Pepperdine University to gauge public acceptance of purified recycled water and to help guide outreach efforts. To achieve this goal, the effort is comprised of the following three main elements to attain scientifically valid results: (1) general survey of public opinion, (2) before and after surveys from individuals who tour the Pure Water Demonstration Facility, and (3) use of state-of-the-art technology to evaluate micro-expressions and facial muscle movement from individuals during in-person surveys to help ascertain the accuracy of their verbal responses.

The general survey of public opinion is intended to establish a baseline condition for public opinion on the use of purified recycled water in the JPA's service area. The survey would then be performed periodically in the future to determine whether outreach efforts have been successful in gaining more public support and to inform future outreach efforts. Similarly, surveys would be administered before visitors tour the Pure Water Demonstration Facility and again after visitors have completed the facility tour. These surveys are intended to evaluate the success of the tour in gaining public support and to help inform future outreach efforts. Finally, a small subset of the tour participants would be invited to have their tour experience augmented with technology to evaluate micro-facial expressions to better inform the validity of visitor survey responses. This process would allow researchers to evaluate if respondents' answers to survey questions are consistent with their micro-facial expressions. The results of these efforts are intended to be used in scientific publications and to assist other water providers considering the use of purified recycled water.

Originally, the general public opinion surveys were going to be performed by interns at local venues to provide a broad cross-section of opinion in the JPA's service area. However, the COVID-19 outbreak halted these efforts before implementation. Alternatively, the survey was emailed to 8,427 customers across the LVMWD service area to evaluate the effectiveness of email surveys. The emails had a 57% open rate, and 498 surveys were completed. Based upon the successful open rate, the email survey link will also be shared with TWSD for distribution to customers in its service area, while an additional email will be sent to those who did not open the original email. Efforts will also be made to implement in-person surveys once COVID-19 restrictions allow. While the email survey approach does not provide a full cross-section of customers, it does allow the JPA to begin to gauge public opinion while COVID-19 restrictions are still in place. Unfortunately, COVID-19 restrictions have also required staff to postpone the other two elements of research since they require face-to-face interactions. Staff is hopeful that these research elements can be initiated by fall of 2021 and have extended the agreement with Pepperdine University into 2022 to provide sufficient time for the research to be completed and included in a final report.

A presentation will be provided by Dr. Steve Rouse of Pepperdine University who will

describe the survey methodology and preliminary results. Attached for reference are copies of the survey and preliminary results.

Prepared by: Dave Roberts, Resource Conservation Manager

ATTACHMENTS:

Community-Wide Public Opinion Survey

Preliminary Results of Community-Wide Public Opinion Survey

Community Attitude Survey, Survey Form

Water Quality Attitude Survey
This survey is completely anonymous

1. What is your Gender?

- Female
- Gender nonbinary or gender nonconforming
- Male
- Transgender female
- Transgender male
- I choose not to respond

2. What is your birthday?

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Month

Day

Year

3. What is your Race or Ethnicity? (Check all that apply)

- African-American, African or Black
- Asian-American or Asian
- European American or White
- Hawaiian or Pacific Islander
- Latino/Latina or Hispanic
- Middle-Eastern or North African
- Native American
- Other (if so, what?)
- I choose not to respond

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4. How much formal education did you receive?

- I did not complete high school
- I earned a high school diploma
- I earned an associate's degree
- I earned a technical certification
- I earned a bachelor's degree
- I earned a graduate degree

5. What is the zip code of your home address?

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6. What is the zip code of your work?

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“Purified Recycled Water” is water that has been turned from wastewater to drinking water. This is already being used in the Orange County Water District, which provides tap water to 2.5 million people and has purified over 295 billion gallons of wastewater into pure drinking water. It is also similar to the way water is recycled in space stations. This system uses a three-step cleaning process that removes impurities, making it cleaner than spring water. This purified water is added to the traditional drinking water supply. After a few months in a reservoir, it is treated again before being piped to consumers as tap water.

7. What are the first three words, phrases, or terms that come to mind when you hear “Purified Recycled Water”?

7a.

7b.

7c.

8. Please read each of the following sentences. Choose the **three** that come closest to your views. Please read all of these sentences before selecting the **three** that are most accurate.

- I am enthusiastic about the idea of drinking purified recycled water.
- I would be glad to drink purified recycled water.
- I would have no objection to drinking purified recycled water.
- I am slightly in favor of drinking purified recycled water.
- I could get used to the idea of drinking purified recycled water.
- I support the idea of drinking purified recycled water, but I have some concerns.
- It wouldn't make any difference to me if I were drinking purified recycled water or not.
- While I don't like the idea of drinking purified recycled water, I might be able to get used to it.
- I don't know whether or not I could accept the idea of drinking purified recycled water.
- I would be uncomfortable if I had to drink purified recycled water.
- Drinking purified recycled water is a pretty unpleasant idea to me.
- I would never drink purified recycled water.
- I strongly oppose the idea of drinking purified recycled water.

Addendum to the Oct.3, 2020 Progress Report
Community Attitudes Regarding Purified Recycled Water:
Baseline Measurement Prior to the Pure Water Demonstration Center's Grand Opening

Steven V. Rouse

December 31, 2020

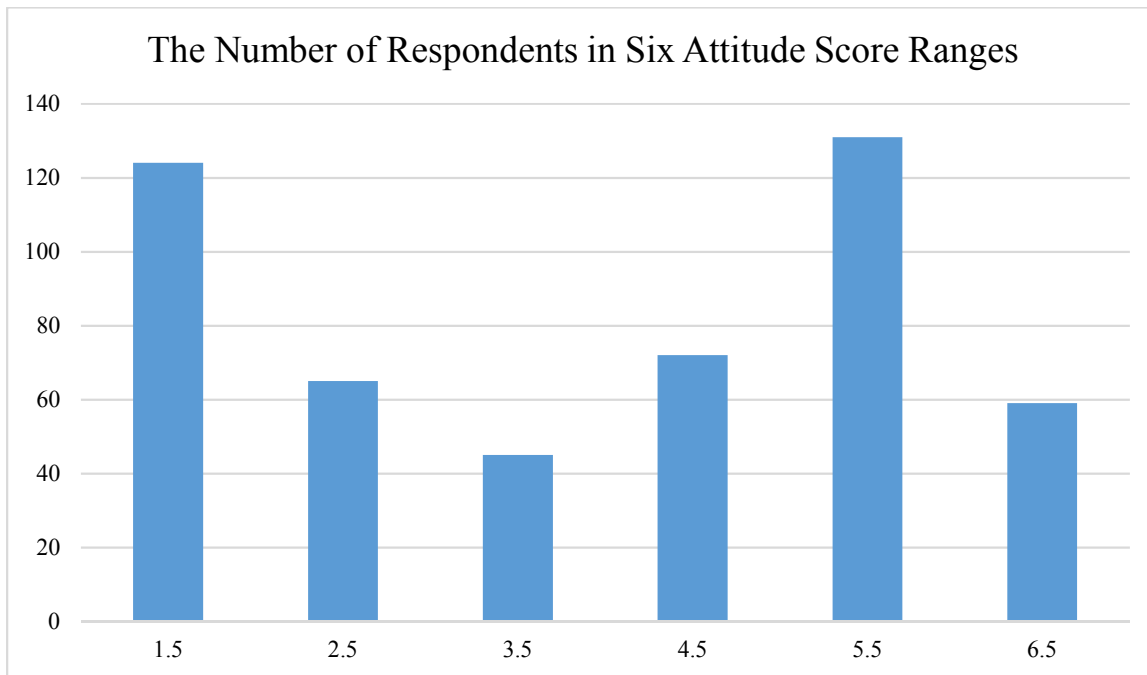
The report submitted on Oct. 13, 2020 described data collected until the Grand Opening of the Demonstration Center. However, emailed requests continued to be sent out to customers throughout the fall, with the final email blast in early December.

A total of 498 respondents completed the online survey between August 8, 2020 and December 15, 2020. Although 37 additional participants had completed the survey in March 2020, their responses were not included in the present analysis in order to have a baseline assessment of community members contacted through email distributions; this will, then, serve as a comparison point for future email data collections in upcoming years.

Scores on the Las Virgenes-Triunfo Self Report Attitude Scale ranged from highly supportive to nonsupportive. The mean score was 3.89 ($SD = 1.83$). This favorability level is closest to those of the statement "It wouldn't make any difference to me if I were drinking purified recycled water or not" (i.e., 4.10). The middle 50% of the responses were anchored by the scores 1.99 and 5.37. These favorability levels are closest to those of the statements "I would be uncomfortable if I had to drink purified recycled water" (i.e., 2.10) and "I could get used to the idea of drinking purified recycled water" (i.e., 5.27).

The data obtained allows respondents to be grouped into six different score ranges, displayed in the figure above. The most resistant group (representing 25% of the sample) had

attitude scores clustering around the statement “I would never drink purified recycled water”. The second group clustered around the statement “I would be uncomfortable if I had to drink purified recycled water” and represented 13% of the sample. The third group, clustering around the statement “While I don’t like the idea of drinking purified recycled water, I might be able to get used to it”, represented 9% of the sample. The fourth group, representing 15% of the sample, clustered around the statement “I support the idea of drinking purified recycled water, but I have some concerns.” The largest group, representing 26% of the sample, clustered around the statement “I am slightly in favor of drinking purified recycled water.” The most supportive group, clustering around the statement “I am enthusiastic about the idea of drinking purified recycled water”, represented 12% of the sample.



The two largest geographical areas represented were the zip codes 91302 (Calabasas, Hidden Hills, and Monte Nido; $n = 225$; 45%) and 91301 (Agoura Hills and Calabasas; $n = 162$;

33%). Significantly higher levels of positivity were expressed in 91301 ($M = 4.18$, $SD = 1.65$) than in 91302 ($M = 3.76$, $SD = 1.93$; $t = 2.34$, $p = .02$, $d = 0.23$)

Attitudes were not correlated with age ($r = .03$, $p = .60$) or educational attainment ($r = -.01$, $p = .91$). However, men expressed significantly higher levels of acceptance ($M = 4.10$, $SD = 1.76$) than women did ($M = 3.62$, $SD = 1.89$; $t = 2.91$, $p = .004$, $d = .26$).

Appendix A: Las Virgenes-Triunfo Self Report Attitude Scale

Item	Rating	Statement
A	1.07	I strongly oppose the idea of drinking purified recycled water.
B	1.41	I would never drink purified recycled water.
C	1.85	Drinking purified recycled water is a pretty unpleasant idea to me.
D	2.10	I would be uncomfortable if I had to drink purified recycled water.
E	3.05	I don't know whether or not I could accept the idea of drinking purified recycled water.
F	3.51	While I don't like the idea of drinking purified recycled water, I might be able to get used to it.
G	4.10	It wouldn't make any difference to me if I were drinking purified recycled water or not.
H	4.91	I support the idea of drinking purified recycled water, but I have some concerns.
I	5.27	I could get used to the idea of drinking purified recycled water.
J	5.53	I am slightly in favor of drinking purified recycled water.
K	5.94	I would have no objection to drinking purified recycled water.
L	6.03	I would be glad to drink purified recycled water.
M	6.79	I am enthusiastic about the idea of drinking purified recycled water.

Appendix B: Las Virgenes-Triunfo Word Association Task

Rating	Associations
6.66	clean
6.60	safe
6.60	pure
6.57	environmentally friendly
6.54	great
6.53	eco friendly
6.53	sustainable
6.50	healthier
6.49	fresh
6.45	good for environment
6.43	healthy
6.40	environmental
6.35	purified
6.30	purity
6.28	clear
6.28	safe to drink
6.20	Innovative
6.19	conservation
6.13	refreshing
6.12	tasty
6.12	helpful
6.09	good
6.09	renewable
6.08	smart
6.06	friendly
6.02	drinkable
6.00	green
6.00	better
5.94	filtered
5.93	environment
5.83	renewed
5.80	sanitized
5.64	filtered water
5.60	natural
5.53	safety
5.52	future
5.45	minerals
5.43	filter
5.28	distilled
5.22	drinking

5.22	interesting
5.21	reuse
5.08	water
5.02	novel
4.87	recycled
4.87	reclaimed
4.87	Aquafina
4.84	reverse osmosis
4.60	treated
4.57	curious
4.40	rain
4.38	bottled
4.28	is it safe?
3.96	tap
3.51	reused
3.33	processed
3.24	strange
3.06	recycled from where
2.62	concerned
2.44	uncertain
2.40	waste
2.38	previously used
2.36	used
2.19	expensive
2.06	old
1.85	chemicals
1.74	impure
1.49	bacteria
1.47	waste water
1.40	dirty water
1.34	nasty
1.32	unclean
1.28	gross
1.28	toilet water
1.24	dangerous
1.21	dirty
1.21	sewage
1.19	disease / diseases
1.15	contaminated
1.10	poop
1.06	disgusting

March 1, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Finance & Administration

Subject : Independent Audit Services: Request for Proposals

SUMMARY:

The Pun Group has provided independent audit services to the JPA for the past seven years. In 2019 and following a competitive solicitation process, the JPA Board authorized the Administering Agent/General Manager to execute a new one-year professional services agreement with The Pun Group with four one-year renewal options. On February 2, 2021, the JPA Board authorized exercising the second one-year renewal option for the Fiscal Year 2020-21 audit. Additionally, a discussion ensued regarding whether or not to direct staff to issue a Request for Proposals for independent audit services in preparation for the Fiscal Year 2021-22 audit. On February 24, 2021, the JPA Audit Committee met to further discuss the matter and voted 3-1 to recommend that the JPA Board authorize the issuance of a Request for Proposals for independent audit services beginning with Fiscal Year 2021-22.

RECOMMENDATION(S):

Authorize the issuance of a Request for Proposals for independent audit services beginning with Fiscal Year 2021-22.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

No

FINANCIAL IMPACT:

The cost to issue a Request for Proposals is estimated to be \$4,000 to \$5,500.

DISCUSSION:

The Pun Group was selected as the JPA's independent auditor through a competitive process in 2019. The process resulted in JPA Board approval of a one-year contract with four one-year renewal options. On February 2, 2021, the JPA Board authorized exercising the second one-year renewal option for the Fiscal Year 2020-21 audit. Upon completion of this work, The

Pun Group will have completed audits for the JPA for eight consecutive years. At that meeting, the JPA Board also discussed whether or not to direct staff to issue a Request for Proposals for independent audit services in preparation for the Fiscal Year 2021-22 audit.

On February 24, 2021, the JPA Audit Committee, comprised of JPA Chair Ray Tjulander, JPA Vice Chair Jay Lewitt, Director Jane Nye and Director Lynda Lo-Hill, met to discuss the JPA's future plans for independent audit services. The JPA Audit Committee voted 3-1 to recommend that the JPA Board authorize the issuance of a Request for Proposals for independent audit services beginning with Fiscal Year 2021-22.

If the recommendation is approved by the JPA Board, the Administering Agent would prepare and issue a Request for Proposals for independent audit services with sufficient time to select a firm to complete the Fiscal Year 2021-22 audit. With support from staff, the JPA Audit Committee would evaluate the proposals and interview the most qualified firms. Upon completion of the process, the JPA Audit Committee would prepare a recommendation for consideration by the full JPA Board.

Prepared by: Donald Patterson, Director of Finance and Administration

March 1, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Engineering and External Affairs

Subject : Digester No. 2 Rehabilitation Project: Change Order No. 4

SUMMARY:

On December 9, 2019, the JPA Board awarded a construction contract to GSE Construction, in the amount of \$1,882,000, for the Digester No. 2 Rehabilitation Project. The scope of work included replacement of valves for Digester No. 2, as well as a new sludge gas line, four new hatch covers and repair of cracks in the digester roof to stop air loss. Staff recommends the JPA Board authorize the Administering Agent/General Manager to execute Change Order No. 4, which provides for additional electrical work and minor structural repairs to Digester No. 2.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manger to execute Change Order No. 4, in the amount of \$35,415, for the Digester No. 2 Rehabilitation Project.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The total cost of this action is \$35,415, increasing the contract total from \$2,073,075 to \$2,108,490. Sufficient funding is available in the adopted Fiscal Year 2020-2021 JPA Budget for the work. No additional appropriation is required at this time. The cost of the work is allocated 70.6% to LVMWD and 29.4% to Triunfo Water and Sanitation District.

DISCUSSION:

The Rancho Las Virgenes Composting Facility processes biosolids from the Tapia Water Reclamation Facility, producing high-quality compost that is available at no cost to the public. The facility has three digesters that treat biosolids prior to dewatering and composting. Digester Nos. 1 and 2 were constructed in the early 1990s and have been in continuous

service since. In 2015, Digester No. 3 was constructed to provide redundancy and allow for Digester Nos. 1 and 2 to be temporarily taken out of service, one at a time, for maintenance and rehabilitation. Rehabilitation work for Digester No. 1 was completed in August 2018. The JPA Board approved the construction contract for rehabilitation of Digester No. 2 on December 9, 2020, in the amount of \$1,882,000.

To-date, there have been three change orders for the Digester No. 2 Rehabilitation Project. Two of the change orders were approved by the Board, and one was administratively approved. If a single change order exceeds 5% of the original contract amount, or if the cumulative cost of change orders is above 10% of the original contract amount, Board approval is required. As a result, Board approval is required for Change Order No. 4.

Following is a summary of the change orders.

Change Order No. 1 (\$188,100):

Change Order No. 1 was approved on February 18, 2020, in the amount of \$188,100, and was issued to make repairs due to damages caused by Woolsey Fire. These repairs partially restored composting operations. The change order amounted to 9.99% of the original contract amount and was Board-approved.

Change Order No. 2 (\$2,975):

The piping, fittings, and couplings for the sludge gas line were intended to be stainless steel for improved longevity due to the corrosivity of the sludge gas. However, the plans and specifications did not specify that the couplings for the sludge gas line would be stainless steel. Change Order No. 2 was Board approved on May 4, 2020, in the amount of \$2,975 or 0.16% of the original contract amount, and authorized stainless steel in lieu of ductile iron couplings.

Change Order No. 3 (82-Calendar Day Extension):

Due to the COVID-19 pandemic, there were delays for the procurement of valves as well as shipment of materials. Change Order No. 3 added 82 calendar days, or 25% of the original contract duration, to account for the delays. The contract extension was administratively approved on December 22, 2020.

Change Order No. 4 (Recommended \$35,415.00):

The change order addresses multiple electrical and structural tasks, as follows:

1. Excessive dried and hardened sludge within the interior of Digester No. 2 needs to be removed to prepare and install new construction joint filler.
2. Structural repair/patching of concrete on the interior of Digester No. 2 is required.
3. Extensions of conduit and wire for valves in the digester pump room are required due to a change in valve orientation. The orientation of the valves was changed during construction to ensure that clearance along the pump room walkway was not impeded by the valves.
4. Two new 20-inch flange adapters are required to replace deteriorated existing flange adapters. The existing flange adapters cannot be reused.

Staff recommends authorization for the Administering Agent/General Manager to execute Change Order No. 4 with GSE Construction, in the amount of \$35,415 or 1.8% of the original contract amount, for the additional electrical and structural work.

Prepared by: Mercedes Acevedo, Assistant Engineer, E.I.T

ATTACHMENTS:

Proposed Change Order No. 4



CONTRACT CHANGE ORDER

No. 4

4232 Las Virgenes Road
 Calabasas, California 91302-1994

Project Digester 2 Repair Rehabilitation Project

Contractor GSE Construction, Inc.

Date: 11/23//2020

CONTRACTOR CHANGE ORDER NO. 4 The Contractor is hereby authorized and directed to make the herein described changes from the Plans and Specifications or do the following work not included in the Plans and Specifications for the construction of this project.

This change requested by: Las Virgenes-Triunfo Joint Power Authority

DESCRIPTION OF CHANGE:

	Description	Amount
	<u>Contractor Change Order Request</u>	
1	<u>Item No.1:</u> Repair of spalling adjacent to interior sealant joint within Digester No.2	\$1,348
2	<u>Item No.2:</u> Removal of excess buildup of caked on sludge on the interior construction joints.	\$20,025
3	<u>Item No.3:</u> Re-route of conduit and install new wiring for 2-20 inch plug valves. Reroute needed due to new orientation of plug valve actuators so it does not hinder access on the recirculation pump room walkway.	\$7,180
4	<u>Item No.4:</u> Two new 20-inch Victaulic flange adapters to replace current Victaulic flange adapter inside Digester No.2. Existing 20-inch Victaulic flange adapters were unable to be reused.	\$6,862
	TOTAL	\$35,415

INCREASES

TOTAL AT AGREED PRICES OR FORCE ACCOUNT \$35,415

DECREASES

Contract Change Order No. 4
Date 5/05/2019

Project No. 10680

Acct. No. 10680.1880.605

(2) Estimate of increases and/or decreases in contract items at contract unit prices:

INCREASES

Item	Description	Quantity	Unit Price	Total
TOTAL INCREASES				<u>N/A</u>

DECREASES

Item	Description	Quantity	Unit Price	Total
TOTAL DECREASES				<u>N/A</u>

TOTAL NET DECREASE IN CONTRACT ITEMS AT CONTRACT UNIT PRICES N/A

TOTAL COST OF THIS CHANGE ORDER \$35,415

INCREASE

DECREASE

It is agreed 82 calendar days' extension of time will be allowed by reason of this change.

Recommended by

Departmental Approval

Mercedes Acevedo
Assistant Engineer

Joe McDermott, P.E
Director of Engineering & External Affairs

ACCEPTED:

APPROVED:

GSE Construction, Inc

Las Virgenes Municipal Water District

By: _____

By: _____
David W. Pedersen, General Manager

Date: _____

Date: _____

Note: Attention is called to the sections of the Special Provisions and Standard Provisions on EXTRA, ADDITIONAL OR OMITTED WORK.

- THIS CHANGE ORDER IS NOT EFFECTIVE UNTIL APPROVED BY OWNER
- IF ACCEPTABLE TO THE CONTRACTOR, THIS CHANGE ORDER IS EFFECTIVE IMMEDIATELY

March 1, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Facilities & Operations

Subject : Short-Term Offsite Disposal of Class B Biosolids: Approval

SUMMARY:

In late May 2020, the Rancho Las Virgenes Composting Facility began producing compost for the first time since the 2018 Woolsey fire to restore service to the JPA's customers. When composting operations resumed, staff discontinued the offsite hauling of Class B biosolids and compost inventory began to grow. Unfortunately, demand for compost has been slow to recover due to concerns with the surge of the COVID-19 pandemic. Despite staff's public outreach efforts, the inventory of compost has increased to unprecedented levels, and operations staff have had to pile compost in front of the Cure Building and adjacent to the Reactor Building because indoor storage has been fully utilized. Staff has been able to disperse much of the outdoor compost inventory on the Las Virgenes Farm Sprayfields.

To further reduce and control compost inventory, staff proposes to temporarily restart the hauling of Class B biosolids by New Earth USA. New Earth USA has agreed to extend its previous contract pricing of \$63.69 per ton. It is expected that short-term hauling would continue through April 2021 when compost demand is expected to return to pre-Woolsey Fire levels, matching demand to production. During this interim period, compost services to the JPA's customers would continue by drawing from existing inventory stored in the Cure Building.

Based on an estimated 30 tons per day of Class B biosolids generated for seven days per week through April 30, 2021 (11 weeks), a total of approximately 2,310 tons of biosolids will be produced during the shutdown. As a result, the cost for hauling and disposal is estimated to be \$147,000. The cost of hauling and disposal will be partially offset by a reduction in the need for amendment and odor control media replacement.

RECOMMENDATION(S):

Authorize the General Manager/Administering Agent to execute an agreement with New Earth USA for the short-term offsite disposal of Class B biosolids at a cost of \$63.69 per ton.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The cost of this work is estimated to be \$147,000. Sufficient funds are available in the adopted Fiscal Year 2020-21 JPA Budget for the service. No additional appropriation is required. The temporary shutdown of the composting process will reduce in the need and cost for amendment and odor control media replacement. The cost of the service will be allocated 70.6% to LVMWD and 29.4% to Triunfo Water & Sanitation District.

DISCUSSION:

The Woolsey Fire in November 2018 resulted in extensive damage to the amendment conveyance system at the Rancho Las Virgenes Composting Facility. Because of the damage, compost could not be produced and dewatered, Class B biosolids were loaded into trucks. These biosolids were hauled to Holloway Environmental in Lost Hills, California where it was used for mine reclamation.

To restore composting service for the JPA's customers, the Rancho Las Virgenes Composting Facility resumed producing compost in late May 2020. When composting operations began, staff halted the offsite hauling of Class B biosolids, and compost inventory began to increase. Unfortunately, due to the surge of the COVID-19 pandemic in early 2021, demand for compost has been very low, and the inventory has increased to unprecedented levels. Before the Woolsey Fire, in February 2018, total compost inventory was 1,286 cubic yards with 788 cubic yards ready to ship. In February 2021, total compost inventory was 7,300 cubic yards with 2,300 cubic yards ready to ship. The average amount of compost supplied during the Saturday giveaway program in early 2018 was 80 to 100 cubic yards. By comparison, the average amount of compost supplied this year during the Saturday giveaway program is 25 cubic yards. Operations staff have had to pile compost in front of the Cure Building and adjacent to the Reactor Building because indoor storage has been fully utilized

When compost is stored in large piles and exposed to weather, it can heat up and begin to smolder. To reduce the risk of a compost fire, Toro Construction was retained to move compost from outside the Cure Building to the Las Virgenes Farm Sprayfields where it can be spread and disked into the ground. This process can help to dispose of some compost inventory on a short-term basis, but it is not an ideal solution.

To reduce compost inventory and continue providing compost services to the JPA's customers using existing piles in the Cure Building, staff proposes to temporarily resume the hauling of Class B biosolids using New Earth USA. New Earth USA has agreed to extend its previous contract pricing of \$63.69 per ton. When the JPA issued a call for bids for biosolids hauling in 2018, New Earth USA submitted the only proposal. It is expected that hauling will continue through April 2021 when compost demand is expected to return to pre-Woolsey Fire levels.

During the first 60 days of the shutdown, the Amendment and Reactor Buildings can be emptied, providing an opportunity to perform maintenance tasks and fire damage restoration construction that cannot be performed with the system in operation. These tasks will include clean-up, as well as inspection and repair of equipment supporting the facility. After

construction is completed and compost production resumes, it will take 60 days to produce new compost that is certified for public use.

If approved, this would be the sixth time since the facility was placed in service that compost production would be temporarily halted. Previously, the facility was shut down for improvements to the conveyors and bucket elevators (2003), rehabilitation of the downstream portions (drop ceiling and bay media) of the reactor building (2006), inspection of the loading area ceiling (2009), Reactor Building Ceiling Repair (2011) and Woolsey Fire repairs (2018 to 2020). The volume of compost given away to customers is highly susceptible to changes in overall customer behaviors in the marketplace. The short-term halt in composting operations will provide flexibility needed to respond to marketplace behavior changes and maintain the viability of composting operations, while preserving the compost service for customers when demand resumes.

Based on an estimated 30 tons per day of Class B biosolids generated for seven days per week through April 30, 2021 (11 weeks), a total of approximately 2,310 tons of biosolids will be produced during the shutdown. As a result, the cost for hauling and disposal is estimated to be \$147,000. The temporary shutdown of composting will provide a cost-savings in amendment expenses and overall energy usage. Amendment will not be purchased during the shutdown period, which will translate to a cost-savings for materials. Additionally, since the blowers and fans in the Reactor Building will not be needed, a cost-savings for electricity is also expected. These cost-savings will partially offset the cost of temporarily hauling Class B biosolids.

Prepared by: Brett Dingman, Water Reclamation Manager and Doug Anders, Administrative Services Coordinator

March 1, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Facilities & Operations

Subject : Tapia Water Reclamation Facility Outfall Rehabilitation Project: Approval of Expanded Environmental Permitting Support

SUMMARY:

On June 1, 2020, the JPA Board authorized a professional services agreement with MKN & Associates, Inc., in the amount of \$80,937, to complete the design of the Tapia Water Reclamation Facility Outfall Rehabilitation Project. The scope of work consists of a detailed condition assessment of the outfall for Discharge Point No. 003 and design of the required repairs. In October 2020, a professional services agreement with Rincon Consultants, Inc., was administratively approved for support to obtain Local Coastal Planning (LCP) and California Environmental Quality Act (CEQA) clearance for the project. At the time, the project was expected to be exempt from both LCP and CEQA because the scope of work consists of repairs to an existing facility with no expansion of capacity.

However, the California Coastal Commission (Commission) notified staff in January 2021 that it does not consider the project to be exempt from its Coastal Development Permit (CDP) requirements due to the presence of habitat and protected trees in the area. The Commission opined that there is a potential for the project activities to result in adverse impacts to the surrounding resources, triggering the need for a CDP. Further, the CDP could require mitigation measures to reduce any potential impacts to a less-than-significant level and, therefore, the project may no longer qualify for a categorical exemption from CEQA. As a result, the project may also require the preparation of an Initial Study and Mitigated Negative Declaration (IS-MND).

To address need for additional environmental work to support the project, a Request for Proposals was sent to three consultants. Proposals were received from two of the consultants: Rincon Consultants, Inc. and Envicom Corporation. Both consultants included a core task to complete the CDP application and an optional task to prepare an IS-MND, if deemed necessary based upon the CDP requirements. After evaluating the proposals, staff recommends award of the additional work to Rincon Consultants, Inc., in the amount of \$63,981, for the Tapia Water Reclamation Facility Outfall Rehabilitation Project.

RECOMMENDATION(S):

Authorize the Administering Agent/General Manager to execute a professional services agreement with Rincon Consultants, Inc., in the amount of \$63,981, to provide expanded

environmental permitting support for the Tapia Water Reclamation Facility Outfall Rehabilitation Project.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

Sufficient funding for the work is available in the adopted Fiscal Year 2020-21 JPA Budget. No additional appropriation is required. The cost of the work is allocated 70.6% to LVMWD and 29.4% to Triunfo Water & Sanitation District.

DISCUSSION:

The proposed Fiscal Year 2020-21 JPA Budget includes the Tapia Water Reclamation Facility Outfall (Discharge Point No. 003) Rehabilitation Project. The outfall for Discharge Point No. 003 was constructed in 1979 to convey final effluent from Tapia to a constructed wetland on the opposite side of Malibu Canyon Road. Although the constructed wetland is no longer in operation, the outfall is still necessary to discharge final effluent during high-flow periods caused by rain events.

During large rain events, the water level in Malibu Creek rises above the primary outfall for Tapia (Discharge Point No. 001) and backpressure causes a reduction in the flow that can be discharged through the outfall. When this condition occurs, the outfall for Discharge Point No. 003 is placed into service. Effluent can continue to be discharged through the 003 outfall because it joins Malibu Creek at a lower elevation further downstream. The 003 outfall is also used for the discharge of groundwater pumped from beneath Tapia's chlorine contact channel and balancing pond. The outfall consists of approximately 2,250 linear feet of 24-inch 10-gauge steel pipe with asphalt coating and wrapping.

Staff noticed that the flow of groundwater was backing up in the 003 outfall pipeline during the winter of 2019-20. In January 2020, a CCTV consultant was hired to conduct a video inspection of the pipeline. Although the CCTV consultant was not able to video the entire length of the pipeline, the portion that was inspected was shown to have holes where soil had dropped inside the pipe and caused water to back up. Also, the inspection revealed areas of the pipeline with severe scaling and deterioration of the original asphalt coating. At one location, a joint seal was shown to be hanging into the pipe, which indicates a very severely corroded joint.

To address the condition of the 003 outfall, a Request for Proposals (RFP) was developed for further evaluation of its condition and design the required repairs. The RFP was issued on April 6, 2020 and advertised on the LVMWD website. Four proposals were received by the May 7, 2020 due date. Staff evaluated the submittals and recommended accepting the proposal from MKN & Associates, Inc., in the amount of \$80,937, which was approved by the JPA Board on June 1, 2020. In October 2020, a professional services agreement with

Rincon Consultants, Inc., was administratively approved for support to obtain Local Coastal Planning (LCP) and California Environmental Quality Act (CEQA) clearance for the project. At the time, the project was expected to be exempt from both LCP and CEQA because the scope of work consists of repairs to an existing facility with no expansion of capacity.

However, the California Coastal Commission (Commission) notified staff in January 2021 that it does not consider the project to be exempt from its Coastal Development Permit (CDP) requirements due to the presence of habitat and protected trees in the area. The Commission opined that there is a potential for the project activities to result in adverse impacts to the surrounding resources, triggering the need for a CDP. Further, the CDP could require mitigation measures to reduce any potential impacts to a less-than-significant level and, therefore, the project may no longer qualify for a categorical exemption from CEQA. As a result, the project may also require the preparation of an Initial Study and Mitigated Negative Declaration (IS-MND).

To address need for additional environmental work to support the project, a Request for Proposals was sent to three consultants. Proposals were received from two of the consultants: Rincon Consultants, Inc. and Envicom Corporation. Both consultants included a core task to complete the CDP application and an optional task to prepare an IS-MND, if deemed necessary based upon the CDP requirements. After evaluating the proposals, staff recommends award of the additional work to Rincon Consultants, Inc., in the amount of \$63,981, for the Tapia Water Reclamation Facility Outfall Rehabilitation Project.

Repair of the 003 outfall will support its continued use and reliability for future discharge.

Prepared by: Brett Dingman, Water Reclamation Manager

ATTACHMENTS:

Proposal by Rincon Consultants for Expanded Environmental Permitting Support



Rincon Consultants, Inc.

180 North Ashwood Avenue
Ventura, California 93003

805 644 4455 OFFICE AND FAX

info@rinconconsultants.com
www.rinconconsultants.com

January 20, 2021

Project No: 20-10352
Brett Dingman, PE, Engineering Manager
Las Virgenes-Triunfo Joint Powers Authority
4232 Las Virgenes Road
Calabasas, California 91302
Via email: bdingman@lvmwd.com

Subject: Proposal to provide Coastal Development Permit support for the Tapia Water Reclamation Facility 003 Outfall Rehabilitation Project

Dear Mr. Dingman:

On behalf of Rincon Consultants, Inc. (Rincon), we are pleased to submit this proposal to provide Coastal Development Permit (CDP) support to the Las Virgenes-Triunfo Joint Powers Authority (JPA) for the Tapia Water Reclamation Facility (WRF) 003 Outfall Rehabilitation Project ("project"). Under the proposed project, the Las Virgenes-Triunfo JPA would inspect and repair an existing 24-inch outfall pipeline which runs for approximately 2,250 linear feet from the Tapia WRF, located at 731 Malibu Canyon Rd in Agoura Hills, to Malibu Creek. The pipeline is located within the Santa Monica Mountains (SMM) Local Coastal Program (LCP) area, and is therefore subject to the management direction of the California Coastal Act (CCA). The proposed project includes installation of five new manholes, which are considered "development" within an LCP area. The Los Angeles County Department of Regional Planning (DRP) has regulatory authority over the LCP, as directed by the California Coastal Commission (CCC). This scope of work provides for Rincon to support the LVMWD-Triunfo JPA by developing CDP application materials for the project, and providing support throughout the CDP acquisition process.

Under our previously approved scope of work (September 25, 2020) to provide California Environmental Quality Act (CEQA) support services for this project, Rincon developed analysis and documentation to support a CEQA Categorical Exemption. In coordination with LVMWD, Rincon also conducted informal consultation with the Los Angeles County DRP, regarding the project's potential qualification for an Exemption Determination for the SMM LCP. Based on email communication from Mr. William Chen of the Los Angeles County DRP (received on January 7, 2021), Mr. Chen has communicated with CCC staff regarding the request to process the project as Exempt from the LCP. During that communication, CCC staff determined that the project will not be considered exempt from the LCP, and a project-specific CDP is required. This determination was made based upon the project site proximity to mapped H1 Habitat, and the potential for construction activities to "...have a risk of substantial adverse impact on public access, H1 or H2 habitat area, wetlands, or public views to the ocean." Therefore, as determined by the CCC and Los Angeles County DRP, the project is not eligible for permit exemption under Section 22.44.820.A3.c of Los Angeles County Code, and a project-specific CDP is required.

The CDP process requires preparation of a Biological Resources Assessment (BRA) to identify and characterize potential impacts of the project within the SMM LCP area, particularly with respect to the presence of H1 Habitat and protected trees that may experience encroachment by project activities. If



the County determines based upon the BRA that mitigation measure(s) will be necessary to reduce or avoid potential impacts of the project, then the Categorical Exemption documentation previously prepared for the project will not provide the sufficient level of CEQA documentation, and an Initial Study with Mitigated Negative Declaration (IS-MND) will be required. Therefore, this scope of work includes an Optional Task to provide expanded CEQA documentation, if determined to be necessary based upon the outcome of the BRA and the CDP permitting process.

Scope of Work

The proposed inspection and repair activities are not exempt from the CCA, and a project-specific CDP will be required for project implementation. The Los Angeles County DRP has regulatory authority over administration of the LCP and will process the project's CDP application materials on behalf of the CCC. This scope of work includes support to prepare the required Los Angeles County CDP application package and coordinate with Los Angeles County Planning staff in support of the CDP process for the project, as well as an optional task for expanded CEQA documentation.

Task 1 – Biological Resources

This task will provide the biological resources components required for a complete CDP application package, including a BRA report, Protected Tree Report, and Jurisdictional Delineation Report.

Task 1a – Biological Resources Assessment Report

Rincon will review all available documentation and regulatory requirements for the project including any previous reports, maps, photographs, and other relevant materials to better characterize the existing biological resources on site and in the immediate vicinity. Rincon will conduct a search of the CDFW California Natural Diversity Database to identify recorded observations of special-status species, habitats, or other special-status biological resources in the region. Additionally, we will review the United States Fish and Wildlife Service Critical Habitat Portal, California Native Plant Society Inventory of Rare and Endangered Vascular Plants of California, CDFW's Special Animals List, and relevant federal, state and local plans, ordinances, policies and regulations. This will include review of the National Park Service Vegetation Map for the Santa Monica Mountain, and the LCP Biological Resources map for designated habitat categories on the project site and surrounding areas.

Following the literature and database review, Rincon will conduct a field survey to inventory plant and wildlife on the project site and assess habitat to identify those special-status biological resources occurring, or potentially occurring, on the project site. On-site vegetation communities will be characterized and mapped, and the site-specific habitat category map from the LCP will be verified and adjusted accordingly based on existing conditions. This will specifically include defining the limits of Significant Environmental Resource Areas (SERA) in the project area, including H1 Habitat (e.g., oak woodlands), which the CCC has indicated it is concerned the project would affect. Definition of SERAs will also address H2 Habitat and H2 "High Scrutiny" Habitat, as applicable.

Rincon will prepare a BRA report that will incorporate results of the background literature review, biological field survey, tree survey (please see Task 1b), and jurisdictional delineation results (please see Task 1c). The BRA report will include an introduction, a discussion of existing conditions and applicable regulatory requirements, an analysis of potential direct and indirect impacts to biological resources, and, if required, mitigation measures to avoid or minimize impacts. A separate tree survey report and



jurisdictional delineation report will be prepared that will be appended to the BRA; these are addressed below under Task 1b and Task 1c, respectively.

Rincon will provide a Draft BRA report within four weeks of Notice to Proceed (NTP). Rincon will revise the report based on one round of consolidated comments from the JPA.

Based on present understanding of the project, it is understood the project would not affect Malibu Creek or waters of the State. Accordingly, it is anticipated that the project will not require a Lake and Streambed Alteration Agreement (LSAA) from the CDFW for compliance with California Fish and Game Code Section 1600 et seq., or a Waste Discharge Requirement (WDR) from the Los Angeles Regional Water Quality Control Board (RWQCB) for discharges to waters of the State. However, if it is determined during execution of this scope of work that the project could result in impacts to waters of the State or adjacent riparian vegetation, the project may require an LSAA from CDFW and a WDR from the RWQCB. Should such approvals be determined to be necessary for the project, Rincon may provide support under an expanded scope of work. Such support would include preparation of the LSAA application materials for a standard agreement, and coordination with the CDFW to ensure a completeness determination for the LSAA application, as well as tracking of permit processing. Rincon would submit the LSAA permit application with the BRA report (and appendices) to the CDFW and RWQCB.

Task 1b – Protected Tree Report

In accordance with the SMM Local Implementation Program (LIP), if protected trees are present on the property and are within 25 feet of the proposed development, a protected tree report and associated survey map shall be prepared by a qualified arborist or resource specialist that identifies and describes all existing oak trees on the subject property. Based on a preliminary review of the pipeline location on aerial imagery, it appears that although the pipeline mostly avoids trees, several trees appear to be located within 25 feet of the proposed manholes. It should be noted that the SMM LIP requires an inventory of protected oak trees (>5" trunk diameter) within 200 feet of proposed development; however, this requirement is intended to account for fuel modification impacts associated with combustible structures, which is not applicable to the proposed project. Therefore, this requirement of the LIP is omitted from this scope of work. In accordance with the SMM LIP, Rincon will identify the location, trunk diameter, and canopy extent for each protected tree (oak, sycamore, walnut, and bay) that is within 25 feet of any portion of the proposed development (on-site or off-site). This scope of work assumes that no more than 100 protected trees would need to be surveyed; this is a conservative estimate intended to avoid a need for future scope modification, as it is possible that less than 100 trees would need to be surveyed.

As required by the SMM LIP, the protected tree report will identify the existing health of each protected tree, and characterize potential impacts of the proposed development on each tree, including potential encroachment of project activities into tree protection zones (TPZ), which are defined as within five feet of the canopy dripline or within 15 feet of the trunk(s), whichever is larger. It is anticipated that no trees would be removed as a result of the project. The report will contain recommendations for avoiding, minimizing, and/or mitigating for protected tree impacts. Protected tree canopy delineations will be included to accurately depict the driplines, as well as the TPZ for each protected tree on the survey map. All surveyed trees, including their canopies and TPZs, as applicable, will be depicted on the project site plan/grading plan.

The protected tree report will be submitted to the JPA as an appendix to the BRA. Rincon will revise the report based on one round of consolidated comments from the JPA.



Task 1c – Jurisdictional Delineation Report

It is anticipated that project construction would not require a permit in accordance with Section 404 of the Clean Water Act, because implementation of the project would disturb less than one acre (anticipated disturbance of up to 560 square feet, or approximately 0.01 acre). However, the SMM LIP requires that if there is potential for wetland species or indicators to occur, the applicant shall submit a delineation of all wetland areas on the project site. Due to the close proximity of the project activities to Malibu Creek, it is anticipated that the Los Angeles County DRP, on behalf of the CCC, will require an evaluation of jurisdictional waters to inform the CDP application package. Therefore, under this scope of work, Rincon will conduct a delineation of aquatic resources on the project site in accordance with Section 13577(b) of Title 14 of the California Code of Regulations, and following the methods in the 1987 *Army Corps of Engineers Wetland Delineation Manual* and the 2008 *Arid West Supplement*. The delineation report will include at a minimum: (1) a map at a scale of one-inch to 200 feet or larger with polygons delineating all wetland areas, polygons delineating all areas of vegetation with a preponderance of wetland indicator species, and the location of sampling points; and (2) a description of the surface indicators used for delineating the wetland polygons. Paired sample points will be placed inside and outside of vegetation polygons and wetland polygons identified by during the delineation.

The delineation will identify the limits of aquatic resources potentially within the jurisdiction of state and/or federal authority, including the CDFW, RWQCB, and the United States Army Corps of Engineers, respectively. The aquatic resources delineation report will be provided as an appendix to the BRA, but may also serve as a stand-alone report if it is determined that agency permitting is required. As mentioned above, it is anticipated that the project would not require Clean Water Act permits due to its disturbance area being less than one acre.

Rincon will revise the report based on one round of consolidated comments from the JPA. This task does not include the preparation of regulatory agency permit packages.

Task 2 – CDP Application Package

A complete CDP application package requires the preparation of multiple forms, which are available for download from the Los Angeles County DRP website (<https://planning.lacounty.gov/apps>). Under this task, Rincon will populate all required forms with the required project information and analysis. Rincon will provide the JPA with a completed application package for review and comment prior to submittal to the Los Angeles County DRP. Rincon will also coordinate with Los Angeles County DRP staff to confirm their requirements and expectations for the CDP application package, to facilitate a completeness determination for the application package such that processing of the permit may initiate. Below is an overview of the materials to be compiled for the project’s CDP application package:

- 1) **Project Description.** Rincon has already developed a Project Description under our previously approved scope of work; this scope of work assumes the previously developed Project Description will suffice for this item.
- 2) **Proof of completion of a “Coastal One-Stop” pre-application review.** Proof may be in the form of the “notes page” given by the Los Angeles County DRP to the applicant following its “onestop” meeting with DRP; such notes shall include comments from the DRP, Department of Public Works, Fire Department, and Department of Public Health. Rincon has completed the required pre-application package under our previously approved scope of work; under this proposed scope of work, we will coordinate with the DRP to obtain the required notes for confirmation of this item.



- 3) **Land Use Application**¹ with applicant and property owner signatures. Rincon will coordinate with the Los Angeles County DRP regarding how to address public property for the purposes of this item; it is anticipated that verification of the JPA's easement will be sufficient. Rincon will develop this item in coordination with the JPA.
- 4) **Land Use Application Checklist**². Rincon will complete this item in coordination with the JPA.
- 5) **Biological Assessment Report**. Required for all new development located in, or within 200 feet of H1 Habitat as mapped on the Biological Resources Map. This item is provided under Task 1 and will include the required protected tree report and jurisdictional delineation report as appendices.
- 6) **Proof of Legal Access**. Any new development that is not accessed directly from a public roadway requires evidence of legal access including easements; however, the proposed project alignment is entirely accessible from an existing public roadway. Rincon will coordinate with the DRP to determine whether this item is necessary for the project.
- 7) **Proof of Water Availability**. This may be provided in the form of a "will-serve letter" or groundwater well plan. The proposed project is anticipated to require a minimal water supply for dust suppression during construction; it is anticipated that this water would be trucked to the project site. Rincon will coordinate with the JPA to confirm this item.
- 8) **Proof of Water for Fire Protection**. The Director may accept as such proof a certificate from the person who is to supply water that water can be supplied as required by said Division 1 of Title 20, also stating the amount and pressure, which certificate also shall be signed by the Forester and Fire Warden, or a certificate from the Department of Public Works or applicable Water District that such water will be available.
- 9) **Proof of Availability of Wastewater Disposal**. This item is not considered applicable to the proposed project, as no sewer connections would be required.
- 10) **Title Report**. The DRP requires a copy of the latest property title report including copies of all easement documents, covenants, and deed restrictions. This scope of work assumes the JPA will provide the title report, and no Rincon staff time will be required to obtain this item.
- 11) **Certificate of Compliance (COC)**³. A recorded unconditional COC may be required prior to final plan approval; if the Assessor's Parcel Map indicates a dashed-line (deed-cut) parcel, provide a copy of the recorded COC, if available. This item is likely not applicable to the proposed project; Rincon will coordinate with the DRP to confirm. If a COC is necessary for the project, this scope of work assumes it will be provided by the JPA.
- 12) **Findings**⁴. The permit application package must include a separate "Findings" statement prepared by the applicant. It is the applicant's responsibility to substantiate the Findings, and "yes" or "no" answers are not acceptable. Rincon will prepare Findings in coordination with the JPA and the DRP, in accordance with DRP guidelines.
- 13) **Architectural Plan Set**. Due to the nature of the project being for pipeline inspection and repair, this item may not be necessary. Rincon will coordinate with Los Angeles County DRP to confirm.

¹ Land Use Application: http://planning.lacounty.gov/assets/upl/apps/LandUse_Application.pdf

² Land Use Application Checklist: http://planning.lacounty.gov/assets/upl/apps/LandUse_Checklist.pdf

³ COC frequently asked questions: http://planning.lacounty.gov/view/certificate_of_compliance_faq/

⁴ Findings: <http://planning.lacounty.gov/assets/upl/apps/cup-guidelines-findings.pdf>



- 14) **Grading Plan Set.** Applicants may be required to provide grading plans to show the total cut, fill, and re-compaction necessary to construct a project. Grading should be calculated cumulatively⁵. Rincon will assist the JPA in consulting with the DRP regarding grading plan requirements for the project, and which grading sheets should be prepared. The amount of cut and fill material shall be identified, with totals listed separately, and breakdown of amounts for different components of the project. Representative grading cross sections shall be included. This scope of work assumes the JPA will provide the required grading plan set to accompany the CDP application package.
- 15) **Landscape Plan.** If implementation of the proposed project requires any revegetation of disturbed areas, to be determined through preparation of the BRA Report included under Task 1, a Landscape Plan may be required. Once the BRA Report is available, Rincon will coordinate with Los Angeles County DRP to confirm whether a Landscape Plan is required. This scope of work assumes that if a Landscape Plan is required, it will be developed by the JPA. If applicable, Rincon will provide the JPA with a thorough list of all required contents for the Landscape Plan.
- 16) **Land Use Map.** Due to the nature of the project being for pipeline inspection and repair, this item may not be necessary. Rincon will coordinate with Los Angeles County DRP to confirm.
- 17) **Preliminary Approved Fuel Modification Plan.** This plan shall include the location and amount of any fuel modification or brush clearance that would be required on the site and on adjoining properties to comply with fire safety requirements for the proposed development. This item may not be necessary for the project's development, which is limited to five new manholes; Rincon will coordinate with the DRP to confirm

In addition to the above, for any development within 25 feet of any drainage course, the LCP requires preparation of a hazard analysis to identify invasive species or contaminants which may potentially be moved from or introduced into the drainage course, causing ecological damage and furthering the spread of unwanted species to new habitats. Although the pipeline to be inspected and repaired under the project discharges to Malibu Creek, the proposed project does not include activities within 25 feet of the creek. Additionally, discharges to the creek occur in compliance with an existing NPDES permit, and the project would not affect discharges to the creek or in any way alter the compliance with the existing NPDES permit. Therefore, this scope of work does not include a hazard analysis because it is not considered applicable to the project. However, the Los Angeles County DRP has authority over implementation of the LCP, and if the DRP chooses to require a hazard analysis in the project's CDP application package, Rincon may provide such support under a modified scope of work.

The filing of a discretionary permit application such as a CDP is by appointment only. Once the CDP application package has been compiled, Rincon will request an appointment with the DRP to review the application package materials, determine any supplemental information deemed necessary, and discuss next steps for processing of the CDP. This scope of work assumes all project meetings will be conducted virtually. We estimate that up to **40 staff hours** will be required for preparation of the CDP application package materials, and an additional **10 staff hours** will be required to address requests from the DRP for additional information prior to making a determination that the application package is complete.

⁵ Example of cumulative grading calculation: over-excavation / re-compaction + cut + fill = total grading



Task 3 – CDP Tracking

Under this task, Rincon staff will coordinate with Los Angeles County DRP staff to satisfy the requirements and expectations for the project’s CDP application package, and to facilitate processing of the application package in a timely manner. Rincon staff will also review and coordinate with Los Angeles DRP staff regarding any conditions of approval included in the CDP. We estimate that up to **40 staff hours** will be required to support tracking and processing of the CDP application package, and an additional **6 staff hours** will be required to facilitate and conduct an on-site meeting with the DRP, should staff determine such a meeting is necessary for application processing.

This scope of work assumes the project will not result in significant unavoidable adverse impacts to H-1 Habitat or to oak trees. This scope of work also assumes that the project’s CDP can be processed administratively by the Los Angeles County DRP, with the Planning Director providing final approval. If the project’s CDP cannot be processed administratively, to be determined by the DRP, it would need to be processed as a Major CDP (versus an Administrative CDP), and approval from the Los Angeles County Planning Commission would be required to confirm consistency of the project with the CCA. If the DRP determines that the project will require a Major CDP, Rincon can provide support for that process under an expanded scope of work, which would include attendance and a presentation at a Planning Commission hearing.

Optional Task 1 – Expanded CEQA Documentation

If the BRA and/or the County’s processing of the project’s CDP application package results in a determination that mitigation measures are required to reduce or avoid potentially adverse impacts of the project, then the project will not qualify as Categorical Exempt from CEQA, and an Initial Study with Mitigated Negative Declaration (IS-MND) will be required.

Administrative Draft IS-MND

Under this optional task for expanded CEQA documentation, Rincon will prepare an internal review Administrative Draft IS-MND which documents existing conditions, project impacts, mitigation measure(s), and resulting level of significance for each of the topical areas required under CEQA. The IS-MND will be prepared in accordance with the most recent CEQA Statutes and Guidelines, with each environmental issue area addressed at a level of detail sufficient to inform determinations of significance. The CEQA Categorical Exemption documentation that Rincon developed under our previously approved scope of work will be used to inform the IS-MND analysis. Although this will effectively streamline the level of effort required to produce the IS-MND, some topic areas will require a more detailed level of review than present in the Categorical Exemption determination.

Topic areas that will require expanded analysis include Air Quality and Greenhouse Gas (GHG) emissions, which will be estimated for the IS-MND using the California Emissions Estimator Model (CalEEMod) software. Air pollutant emissions from construction of the project will be assessed using South Coast Air Quality Management District standards. The GHG emissions analysis will quantify project GHG emissions from vehicle traffic and building operation using CalEEMod. It is assumed that no emissions will be associated with operation and maintenance of the pipeline, because operational conditions would be the same as present conditions. In addition, the biological resources analysis will be substantially expanded for the IS-MND; the BRA that will be prepared under Task 1 of this scope of work will inform the Biological Resources analysis for the IS-MND. This scope of work does not include additional investigations for Cultural Resources, because all project-related ground disturbance would occur on



previously disturbed areas overlying the existing pipeline, such that if any cultural resources were present, they would have been previously disturbed during construction of the original pipeline.

Rincon will respond up to two rounds of comments from the JPA with associated revisions. If additional technical analysis is warranted based on comments, additional scope and fee may be required.

Public Review Draft IS-MND

The Public Review IS-MND will consist of the revised Administrative Draft IS-MND, discussed above. To maintain momentum in the project schedule and provide cost efficiency, we assume comments will focus on any new content in the previous version of the IS-MND, and new comments on previously submitted content will be minimal. Rincon will conduct final revisions and prepare the Draft IS-MND for public review. Prior to publication, we will provide a clean PDF “screencheck” document for final review. We assume that any comments at this stage will be limited to minor typographical or formatting edits.

Rincon will prepare a Notice of Intent (NOI) to Adopt an IS-MND for the project. Rincon will transmit the NOI, the IS-MND, and other required forms to the State Clearinghouse electronically via CEQASubmit. We assume the JPA will be responsible for filing the NOI with the Los Angeles County Clerk (as required by the CEQA Guidelines) and for mailing notices to interested agencies and other interested parties, including the County of Los Angeles. It is also assumed that the JPA will be responsible for noticing required under CEQA, including posting at the site or newspaper ads. Rincon can assist with these tasks by providing templates and guidance. However, if the JPA would prefer Rincon to complete posting at the site or newspaper ads, we can complete that task for an additional fee on a time and materials basis.

Final IS-MND and MMRP

Upon receipt of public comments on the Draft IS-MND during the 30-day public review period, Rincon will prepare draft responses to comments and an Administrative Final IS-MND for review. This scope of work assumes that minimal comments will be received on the Draft IS-MND, due to the non-controversial nature of the project. The actual level of effort required to respond will depend on the length, detail, and sophistication of the comments, in addition to the number of letters received.

Upon receipt of comments on the Administrative Final IS-MND, we will incorporate changes and prepare the Final IS-MND. This task will also include preparation of the Mitigation Monitoring and Reporting Program (MMRP), which will include a list of mitigation measures, monitoring timing, and responsibility. Rincon will also prepare a Notice of Determination (NOD) for the JPA to file with the County Clerk. The JPA will be responsible for paying the County Clerk filing fee of \$75.00 and the California Department of Fish and Wildlife (CDFW) filing fee of \$2,480.25. Rincon will transmit the NOD to the State Clearinghouse electronically via CEQASubmit.

Assumptions

Assumptions for this scope of work are provided below. Should the project or assumptions change, the scope of work may need to be revised, which could require additional budget and time; a revised cost estimate and schedule would be provided at that time.

- The protected tree survey will be limited to those protected trees with a protective zone located within 25 feet from areas of the construction footprint (including staging areas).



- This scope of work assumes that no more than 100 protected trees would need to be surveyed. If it is determined that additional protected trees are present within 25 feet, Rincon can survey such trees following an approved change order or contract amendment.
- This scope of work does not include preparation of aquatic resources permit applications. However, if determined to be required, Rincon can prepare such permit packages under an approved change order or contract amendment.
- All meetings will occur virtually, using a web-based video conferencing platform such as Zoom or Microsoft Teams.
- All deliverables will be provided electronically in editable file formats; no hard copies will be produced under this scope of work.
- JPA comments on all deliverables will be provided in consolidated, editable format.
- Construction activities will be restricted to the proposed manhole locations along the existing pipeline alignment. Access roads will be maintained during the construction period by using methods such as single-lane restrictions and traffic controllers, as necessary, but no road improvements or alterations would occur.
- The JPA will be responsible for the Los Angeles County Clerk’s filing fee of \$75, and the CDFW filing fee of \$2,480.25 for the IS-MND, as well as Los Angeles County DRP filing fees for the CDP application package, amount to be determined by the DRP.

Schedule


The following table provides an overview of the timeline for each deliverable under this scope of work.

Deliverable	Timing and Details
Draft BRA Report	Rincon will provide the Draft BRA Report within four weeks of receipt of written NTP for this scope of work. As required by the SMM LIP, a Protected Tree Report and a Jurisdictional Delineation Report will be attached to the BRA Report as appendices.
CDP Application Package	Rincon will provide the complete CDP application package to the JPA within four weeks of written NTP. The BRA Report and appendices, which will be provided within four weeks of NTP, are required components of the CDP application package.
Expanded CEQA documentation, if required	If an IS-MND is required for CEQA compliance, Rincon will develop a CEQA schedule with execution of this optional task. With streamlining from our existing project familiarity, a Draft IS-MND may be provided within four weeks of NTP. CEQA Guidelines Section 15073(a) requires that when an IS-MND is submitted to the State Clearinghouse (SCH) by a state agency, the public review period shall not be less than 30 days; the Los Angeles County DRP is acting on behalf of the CCC for the project and is therefore considered a state agency.
CDP approval	The Los Angeles County DRP can typically issue a decision within approximately two months of CEQA completion. The project’s CEQA timeline will be determined by the findings of the BRA Report, which will confirm if the project can be processed as a Categorical Exemption.



Cost

Rincon’s proposed not-to-exceed cost for this scope of work is **\$37,819** for Tasks 1 through 3, and **\$26,162** for Optional Task 1. With the optional task included, total project cost is **\$63,981**.

 RINCON CONSULTANTS, INC. Tapia WRF 003 Outfall Rehabilitation Project			
Environmental Services Program			
Tasks	Labor	Direct Expense	Budget
Task 1: Biological Resources			
<i>Task 1a: Biological Resources Assessment Report</i>	\$7,506	\$85	\$7,591
<i>Task 1b: Protected Tree Report</i>	\$9,266	\$275	\$9,541
<i>Task 1c: Aquatic Resources Delineation Report</i>	\$4,790	\$85	\$4,875
Task 2: CDP Application Package	\$8,352		\$8,352
Task 3: CDP Tracking & Hearing Support	\$7,460		\$7,460
Tasks 1 through 3 SUBTOTAL COST	\$ 37,374	\$ 445	\$ 37,819
Optional Task 1: Expanded CEQA Documentation			
<i>Optional Task 1-1: Administrative Draft IS-MND</i>	\$11,712		\$11,712
<i>Optional Task 1-2: Draft IS-MND</i>	\$7,080		\$7,080
<i>Optional Task 1-3: Final IS-MND</i>	\$4,180		\$4,180
<i>Optional Task 1-4: CEQA Project Management</i>	\$3,190		\$3,190
OPTIONAL TASK 1 Subtotal Cost	\$ 26,162	\$ -	\$ 26,162
TOTAL PROJECT BUDGET (with Optional Task)	\$ 63,536	\$ 445	\$ 63,981

Direct Cost Summary	
Vehicle Costs	\$ 255
Trimble GPS	\$ 190
Subtotal Additional Costs:	\$ 445

Thank you for considering Rincon for this assignment. Please do not hesitate to contact us if you have questions about this proposal or need additional information.

Sincerely,
Rincon Consultants, Inc.

Aubrey Mescher, MESM
Senior Environmental Planner

Contact for Clarification

Jennifer Haddow, PhD
Principal Environmental Scientist

Authorized to contractually obligate and
negotiate on behalf of Rincon Consultants, Inc.

INFORMATION ONLY

March 1, 2021 JPA Board Meeting

TO: JPA Board of Directors

FROM: Facilities & Operations

Subject : Supply and Delivery of Bulk Woodchip Compost Amendment: Award

The Las Virgenes-Triunfo Joint Powers Authority (JPA) approved funding for this matter in the JPA Budget. On February 16, 2021, the LVMWD Board, acting as Administering Agent of the JPA, authorized the General Manager to execute a one-year agreement with three one-year renewal options with Recycled Wood Products for the supply and delivery of woodchip compost amendment at \$11.89 per cubic yard for material sized at three quarters of an inch or less and \$14.00 per cubic yard for material sized at one quarter of an inch or less for the Rancho Las Virgenes Composting Facility.

SUMMARY:

On January 25, 2021, the District completed a competitive process to obtain quotations for the supply and delivery of woodchip compost amendment. Three firms submitted quotations to supply up to 19,500 cubic yards of amendment annually to the Rancho Las Virgenes Composting Facility to support the composting process. Recycled Wood Products, the District's current amendment supplier, provided the lowest quotation at \$11.89 per cubic yard for three quarter inch or less amendment and \$14.00 per cubic yard for one quarter inch or less amendment. The District currently pays the same amount for three quarter inch or less amendment under its existing agreement with Recycled Wood Products that expires on February 28, 2021.

FISCAL IMPACT:

Yes

ITEM BUDGETED:

Yes

FINANCIAL IMPACT:

The maximum total annual cost based on \$14.00 per cubic yard for one quarter inch or less amendment would be \$273,000. Sufficient funds are available in the adopted Fiscal Year 2020-21 JPA Budget.

DISCUSSION:

The Rancho Las Virgenes Composting Facility processes biosolids from the Tapia Water Reclamation Facility combined with woodchip amendment to effectively compost the material. The JPA's existing contract with Recycled Wood Products for the supply and delivery of amendment expires on February 28, 2021.

A competitive request for quotes process concluded on January 25, 2021, with three vendors providing quotes as summarized in Table 1.

Table 1

<u>Vendor</u>	<u>3/4" Material</u>	<u>1/4" Material (Optional)</u>
Recycled Wood Products	\$11.89	\$14.00
Applied Landscape Materials	\$27.27	-
C&M Topsoil	\$15.00	\$15.00

On January 5, 2021, Director Charles Caspary asked staff to evaluate options for reducing the volume of finished compost produced by refining the amendment feedstock received from the supplier, including the potential use of a hammer mill. Staff evaluated two alternatives to reduce the size of the amendment provided by the District's vendor: (1) an optional quotation for quarter inch or smaller amendment material, and (2) an initial evaluation of costs involved to post-process the compost amendment in-house using a hammer mill.

Table 2 identifies the estimated labor cost associated with running a hammer mill to reduce the size of the amendment and volume of compost produced. The estimate assumes that additional personnel would be needed to perform the new function.

Table 2

Labor Cost - Compost Amendment Reduction		
A	Annual Cubic Yards Amendment:	19,500
B	Hammermill production (cubic yards/day)	200
C	Days per year operation (= A / B)	97.50
D	Cost per hour (reclamation composting EE - fully burdened)	\$ 85.70
E	Cost per day (= D * 8)	\$ 685.60
F	Cost per year (= E * C)	\$66,846.00
G	Cost per cubic yard - labor only (= F / A):	\$ 3.43

In addition to labor, the cost to post-process the amendment would include the purchase of a hammer mill, estimated to be \$23,000 for a capacity of 200 cubic yards per day, and either the lease or purchase of a loader to be dedicated to the Amendment Building.

Notwithstanding the equipment and startup costs, it appears to be more cost effective to purchase the amendment material that is already reduced in size by the supplier (\$14.00 per cubic yard for 1/4" or less material) rather than developing the capacity to do the same in-house (\$11.89/cubic yard for 3/4" or less material + \$3.43/cubic yard labor cost =

\$15.32/cubic yard).

Demand for compost, both self-serve and bulk loading programs, is currently very soft due to the on-going COVID-19 pandemic and seasonal factors, creating a temporary surplus of finished compost. Staff believes that the strong regional market that has been developed over the years will lead to a significant rebound in demand for compost and the need for the amendment later this year.

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