A REGULAR MEETING OF THE BOARD OF DIRECTORS
UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT
248 E. FOOTHILL BLVD. ROOM #103, MONROVIA, CA 91016
4:00 P.M. – September 25, 2024

AGENDA

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL OF BOARD OF DIRECTORS

3. ADOPTION OF AGENDA [1]

4. PUBLIC COMMENT
   Anyone wishing to discuss items should do so now. The Board of Directors may allow additional input during the meeting. A three-minute time limit on remarks is requested.

5. COMMITTEE REPORTS [2] – None.

6. CONSENT CALENDAR [1]

   (a) Minutes of a regular meeting of the Board of Directors held on September 11, 2024 at 4:00 p.m.

7. ACTION/DISCUSSION ITEMS [1]

   (a) Sacramento Legislative Wrap-up *(Steve Baker, Aaron Read Associates, will provide a presentation.)*

   Recommendation

   This item is informational and for discussion purposes only. No action is anticipated.

   (b) Ethics Training *(Steve O'Neill, District Counsel, will provide a presentation.)*

   Recommendation

   This item is for information only. No action is anticipated.

   (c) Review of Upper District Board Code of Conduct

   Recommendation

   This item is informational and for discussion purposes only. No action is anticipated.

   (d) Approval of General Manager Contract Amendment.

   Recommendation

   Staff recommends that the Board of Directors consider the matter and instruct staff accordingly on the following amendments to the General Manager's contract:

   1. Compensation adjustment
   2. Term of the contract

8. INFORMATION ITEMS [2]

   (a) Press Releases and News Articles

9. ATTORNEY'S REPORT [2]

10. ENGINEER'S REPORT [2]

11. GENERAL MANAGER'S REPORT [2]

12. DIRECTOR'S COMMENTS [2]

13. FUTURE AGENDA ITEMS [1]

14. ADJOURN TO CLOSED SESSION – Public Employee Performance Evaluation (Government Code section 54957); Position: General Manager

15. ADJOURNMENT - To a regular meeting of the Board of Directors to be held on October 09, 2024 at 4:00 p.m. at 248 E. Foothill Blvd. Room #103, Monrovia, CA 91016.

LEGEND: [1] INDICATES ACTION ANTICIPATED BY BOARD OF DIRECTORS ON THIS ITEM
[2] INDICATES INFORMATION ITEM - NO BOARD ACTION NECESSARY

PRESIDENT JENNIFER SANTANA, PRESIDING

American Disabilities Act Compliance *(Government Code Section 54954.2(a))*
To request special assistance to participate in this meeting, please contact the Upper District office at (626) 443-2297 or venessa@usgvmwd.org at least 24 hours prior to meeting.

A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT 248 E. FOOTHILL BLVD, ROOM #103, MONROVIA, CALIFORNIA 91016 4:00 P.M. – SEPTEMBER 11, 2024

A regular meeting of the Board of Directors was held in the office of the District, 248 E. Foothill Blvd, Rm. 103, City of Monrovia, County of Los Angeles, State of California, within said Water District, on September 11, 2024 at the hour of 4:00 p.m.

ROLL CALL

DIRECTORS PRESENT: Santana, Fellow, and Chavez

DIRECTORS ABSENT: Treviño, Garcia

STAFF PRESENT: Tom Love, General Manager; Patricia Cortez, Assistant General Manager, External Affairs; Martin Koczanowicz, District Counsel; Steve Johnson, District Engineer; Venessa Navarrette, Executive Assistant; Jennifer Aguilar, Water Use Efficiency Analyst; Katherine Vazquez, Government and Community Affairs Assistant; Priscilla Lu, Accounting/Financial Analyst; and Alexis Silva, Intern.

OTHERS PRESENT

David Muse, Carlos Cardona, Lynda Noriega, Russ Bryden, Jose Martinez, Mindy Yeh and Ben Yeh.

ADOPTION OF AGENDA

On motion by Vice President Fellow, seconded by Secretary Chavez, the agenda was adopted as presented by the following vote:

AYES: SANTANA, FELLOW, AND CHAVEZ
NOES: NONE
ABSTAIN: NONE
ABSENT: TREVIÑO, GARCIA

PUBLIC COMMENT

None.

COMMITTEE REPORTS

Next scheduled committee meeting dates are as follows:

(a) Administration and Finance – October 1, 2024 at 4:30 p.m.
(b) Government Affairs and Community Outreach – October 2, 2024 at 4:30 p.m.
(c) Water Resources and Facility Management – October 7, 2024 at 4:30 p.m.

CONSENT CALENDAR

On motion by Vice President Fellow, seconded by Secretary Chavez, the consent calendar was approved by the following vote:

AYES: SANTANA, FELLOW, AND CHAVEZ
NOES: NONE
ABSTAIN: NONE
ABSENT: TREVIÑO, GARCIA

(a) Minutes of a regular meeting of the Board of Directors held on August 28, 2024 at 4:00 p.m.

(b) List of Demands

(c) Financial Reports – July 2024
   1. Financial Statements
   2. Director's Public Outreach

(d) Audio/Visual and Security System Upgrade Contract

FEDERAL LEGISLATIVE BILL POSITIONS S. 4897

Patty Cortez, Assistant General Manager, External Affairs, gave a brief overview of federal legislative bill S. 4897 pertaining to the Water Tax Parity Act, and Proposition 4, Climate Resources Bond.

Vice President Fellow moved to approve staff recommendation to support S. 4897 and Proposition 4 which are consistent with Upper District's 2023-24 Legislative Policy Principles adopted by the Board in January 2023.

Secretary Chavez seconded the motion, which was approved by the following vote:

AYES:	**SANTANA, FELLOW, AND CHAVEZ**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**TREVIÑO, GARCIA**

RESOLUTION NO. 09-24-664, HONORING AND COMMEMORATING THE OUTSTANDING SERVICE AND ACCOMPLISHMENTS OF CONGRESSWOMAN GRACE NAPOLITANO UPON HER RETIREMENT FROM THE U.S. HOUSE OF REPRESENTATIVES

Vice President Fellow moved to approve staff's recommendation to adopt Resolution No. 09-24-664, honoring and commemorating the outstanding service and accomplishments of Congresswoman Grace Napolitano upon her retirement from the U.S. House of Representatives.

Secretary Chavez seconded the motion, which was approved by the following vote:

AYES:	**SANTANA, FELLOW, AND CHAVEZ**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**TREVIÑO, GARCIA**

Secretary Chavez and the General Manager discussed the resolution, which will be presented at a reception for Congresswoman Napolitano on September 21st.

The General Manager stepped out.

REVIEW OF UPPER DISTRICT BOARD CODE OF CONDUCT

President Santana moved to table the item until the full board is present to discuss the matter. Vice President Fellow seconded the motion, which was approved by the following vote:

AYES:	**SANTANA, FELLOW, AND CHAVEZ**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**TREVIÑO, GARCIA**

The General Manager returned to the meeting.

STRATEGIC PLAN UPDATE

The General Manager provided an update on some goals and core values for the District's 5-year strategic plan adopted by the Board in 2023. He reviewed the strategic plan progress and highlighted the four goals related to water reliability, financial integrity, workforce and governance, and community representation and engagement. He then summarized the accomplishments related to these goals. Finally, he reaffirmed commitment to achieving the goals of the strategic plan and thanked the Board for their support.

Director Garcia arrived at 4:09 p.m.

President Santana and the General Manager discussed a detailed matrix of the strategic plan objectives and progress, which will be included in the next update, along with a color-coded report card.

INFORMATION ITEMS

(a) Press Releases and News Articles.

ATTORNEY'S REPORT

District Counsel reported working with staff on administrative matters including the issue on Marjani Builders' retention which was withheld due to the contractor's breach of contract.

The General Manager added that District Counsel drafted a legal response denying the contractor's request for the release of funds.

ENGINEER'S REPORT

The District Engineer reported on hydrologic conditions, basin deliveries, reservoir storage, canyon inflows and releases, and rainfall average. He also reported working with staff on the evaluation of Sunny Slope Water Company and San Gabriel County Water District's interconnection options, updating the emergency response action plan for the District, a feasibility study on reactivating the Monrovia connection, updating the integrated resource plan, and continued collaboration with Three Valleys Municipal Water District on gap areas and boundary adjustments.

GENERAL MANAGER'S REPORT

The General Manager announced that Ms. Cortez is celebrating her 11th anniversary with Upper District. He then reported that Brian Thomas, former CFO of Metropolitan, will assist in reviewing potential rate structures options and that a workshop with the producers is scheduled for September 18th. He added that a resolution on the 2025 rates and charges will be presented to the Board for adoption in October. He also reported that the Bridge Fire near San Gabriel River is still 0% contained and has burned nearly 50,000 acres. He stated that immediate impacts of the fire include potential access issues to county facilities, and long-term concerns include water quality and algae growth in the spreading grounds.

WATERMASTER REPORT

Russ Bryden, Watermaster's Executive Officer, added more details about the area affected by the Bridge Fire. He stated that the County's Emergency Declaration helps to address concerns of sediment displacing water and impacting dam functionality. He then gave an update on the basin elevation and the imported water deliveries for San Gabriel Valley Municipal Water District, Three Valleys Municipal Water District and Upper District.

He also provided an update on Watermaster's activity, including preparations for its September financial cycle, strategic planning aligned with Upper District to achieve a unified vision, and ongoing discussions on the rate structure and financial models.

Secretary Chavez and the General Manager discussed ensuring preparedness for natural disasters in California, specifically the impact of earthquakes, fires and water quality.

The General Manager clarified that forest fire retardants do not contain PFAS, though they may affect water quality.

A summary report was provided in the Board's agenda packet.

METROPOLITAN REPORT

Vice President Fellow reported on Metropolitan receiving one of the highest bond rating of any institutions despite its current challenges. He then reported ongoing discussions with State Senator Collins about funding water projects. He highlighted the need for cost estimates and evaluation of projects, including Sites Reservoir, Delta Conveyance, and Pure Water. He shared plans for an art exhibit for the "Liquid Gold" art collection. He also announced plans to name the California Aqueduct after Senator Dianne Feinstein with a presentation planned at the Patent Museum.

A summary report was provided in the Board's agenda packet.

WATER QUALITY AUTHORITY REPORT

Secretary Chavez reported on an adopted resolution imposing an annual prescriptive rights assessment. He also reported on an amendment to the Executive Director's contract including a cost-of-living adjustment of approximately 3.5%.

A summary report was provided in the Board's agenda packet.

AB 1234 COMPLIANCE REPORT

A summary report was provided in the Board's agenda packet.

DIRECTORS COMMENTS

Treasurer Garcia expressed excitement at the positive response to the water grant posts on Instagram from various school districts. She thanked staff for their outreach efforts.

FUTURE AGENDA ITEMS

President Santana stated that Item 7 (d) was tabled for discussion at a future meeting.

ADJOURN TO CLOSED SESSION

A closed session was held pursuant to Government Code section 54957; Public Employee Performance Review; Position: General Manager.

REPORT ON CLOSED SESSION

The Board reconvened after closed session. District Counsel reported that a discussion was held by the Board and that no formal action was taken during closed session.

ADJOURNMENT

President Santana asked if there were any other business to come before the Board. There being none, the meeting was duly adjourned to a regular meeting of the Board of Directors to be held on September 25, 2024, at 4:00 p.m., at 248 E. Foothill Blvd., Room #103, Monrovia, CA 91016.

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PRESIDENT

ATTEST

_____

SECRETARY

SEAL

Attachment 1
Consent Item 6 (b)
September 11, 2024

Demands numbered 22590 through 22622 on the General Fund Account of the Upper District at Citizens Business Bank, in the amount of $615,178.76 and demands numbered 1251 through 1254 on the Water Fund Account at the same bank in the amount of $1,045,280.25.

22590	Kelly Associates Management Group	Inv. July 2024, Team Building Services, June - July 2024 ***(Previously Paid 8/14/24)***		$ 13,055.00
22591	Extreme Window Tinting	Inv. 2180, Building Improvements ***(Previously Paid 8/27/24)***		10,346.00
22592	Extreme Window Tiniting	Inv. 2179, Building Improvemnts ***(Previously Paid 9/01/24)***		4,640.00
22593	789, Inc.	Inv. USGV-429180, Branding and Creative Services, September 2024 ***(Board approved 7/12/23)***		5,575.00
22594	Aaron Read & Associates, LLC	Inv. 213574, State Legislative Advocacy Services, July 2024 ***(Board approved 10/12/22)***		10,000.00
22595	ACWA/JPIA	Inv. 0703464, Health Insurance Premium - September 2024		30,613.33
22596	Aleshire & Wynder, LLP	Professional Services, July 2024 Inv. 88786, Transactional Fees Inv. 89026, Retainer ***(Board approved 04/13/22)***	1,916.20 4,576.00	6,492.20
22597	Best Best & Krieger, LLP	Inv. 1003402, Federal Legislative Advocacy Services through 07/31/24 ***(Board approved 10/12/22)***		7,500.00
22598	Civic Publications, Inc.	Inv. 1866, 2024 Civic Leadership Magazine, Summer Ad		5,000.00
22599	Covina Valley Optimist	Inv. 10/14/24UD,4th Annual Golf Tournament Sponsorship		500.00
22600	Creative Management Solutions	Inv. 1, Phase 1 - Classifcation and Compensation Study		1,280.00
22601	Department of Water & Power	Inv. GA436407, Recycled Water Program Permit Fees, September 2024		83.33
22602	Foothill Municipal Water District	Inv. 600, Strategic Consulting Services, August 2024 Cost-Share		2,500.00
22603	Image Property Services, LLC	Inv. MCS-12207, Janitorial Services, March 2024		1,907.59
22604	Joey C. Soto	Inv. 2024-UD-GA-JUL-118, Grant Writing Services, July 2024 ***(Board approved 06/08/22)***		550.00
22605	Kelly Associates Management Group	Inv. August 2024, Team Building Services, August 2024		812.50
22606	Kelly Services, Inc.	Inv. 5603445830, Temporary Services Week Ending 07/28/24 Inv. 5603462756, Temporary Services Week Ending 08/04/24 Inv. 5603514754, Temporary Services Week Ending 08/11/24 ***(Board approved 02/17/19)***	531.02 498.77 409.34	1,439.13
22607	San Gabriel Valley Water Association	Inv. 08/08/24AF, Quarterly Breakfast Meeting		30.00
22608	Southern CA Water Coalition	Inv. 1936, Annual Patron Membership, FY 24/25		5,000.00
22609	Spectrum Reach/Charter	Inv. 320059092, Water Campaign Ads, July 2024 Inv. 320059093, Water Campaign Ads, July 2024	1,800.00 2,032.90	3,832.90
22610	Traci Salazar	Inv. 09/01/24UD, Samson Bear Painting		4,000.00
22611	Upper District Payroll Fund	Inv. JUL 24, Reimbursement of Payroll and Payroll Taxes for Employees Inv. JUL 24D, Reimbursement of Payroll Taxes for Directors	149,487.61 7,324.62	156,812.23

22612	Upper District Revolving Fund	Inv. AUG 24, Revolving Fund Account Replenishment - August 2024		
		Office Supplies	378.67	
		Computer Systems/Equipment/Maintenance/Insurance/Outside Service	559.13	
		Directors's Outreach	1,380.00	
		Telephone/Utilities/Building Maintenance	7,007.03	
		Meeting/Travel/Conferences/Dues/Assessments/Membership	70.90	
		Water Conservation Program Expenses	1,325.35	
		WRP Operation & Maintenance/Permits/Water Purchases/Public Info	51,410.60	
		Medical/ODA Reimbursement/Processing Fee/Others	12,025.25	74,156.93
22613	U.S. Bank Corporate Payment System	CalCard Changes through 08/22/24		
		Meetings, Travel, Conferences	6,701.73	
		Computer Systems/Office Equipment/Supplies/Maintenance & Service/Utilities	1,129.91	
		Conservation Program Expenses, Education and Outreach	1,877.71	9,709.35
22614	VC3, Inc.	Inv. VC#-163975, IT Management Support, August 2024 ***(Board approved 10/11/23)***		3,100.00
22615	YWCA of San Gabriel Valley	Inv. 09/28/24UD, WINGS Seminar & Luncheon Sponsorship		1,000.00
22616	San Gabriel Valley Water Company	Prop 84 Grant, Release of Retention Funds		150,157.61
22617	RH Cemetary Corp.	Prop 84 Grant, Release of Retention Funds		51,213.42
22618	La Puente Valley County Water District	Prop 84 Grant, Release of Retention Funds		49,867.17
22619	Ed Chavez	Director's Compensation, August 2024		
		10 Days District Business	2,550.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(2,040.00)	
		Less Taxes Withheld	(1,025.56)	1.31
22620	Charles Treviño	Director's Compensation, August 2024		
		10 Days District Business	2,550.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	(1,015.91)	1,550.96
22621	Jennifer Santana	Director's Compensation, August 2024		
		6 Days District Business	1,530.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	(210.61)	1,336.26
22622	Katarina Garcia	Director's Compensation, July 2024		
		5 Days District Business	1,275.00	
		Meeting/Travel Expenses/Allowance	516.87	
		Less Deferred Comp.	(500.00)	
		Less Taxes Withheld	(175.33)	1,116.54
			TOTAL	**$ 615,178.76**

1251	Central Basin MWD	Invoice No. USGV-JUL24, Purchase of 2.3 AF of Recycled Water in June 2024 ***(Previously Paid 09/01/24)***	$	1,793.65
1252	Metropolitan Water District	Invoice No. 11575, Purchase of 321.3 AF of Treated Water in July 2024, including RTS and Capacity Charges for the quarter.		1,016,733.25
1253	San Gabriel Valley MWD	Invoice No. 567, 103.82 AF of Water Delivered through the Alhambra/MWD Exchange Agreement in July 2024 @ $240 per AF		24,916.80
1254	Suburban Water System	Invoice No. 6766, Phase IIB Normal Operating Charge, August 2024		1,836.55
			TOTAL	**$ 1,045,280.25**

MEMORANDUM

UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT

7. (c)
INFORMATIONAL

DATE: September 20, 2024

TO: Board of Directors

FROM: General Manager

SUBJECT: Review of Upper District Board Code of Conduct and Board Meeting Conduct

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Recommendation
This item is informational and for discussion purposes only.

Background

The Upper San Gabriel Valley Municipal Water District's Manual of Policies serves as a resource for Board members, staff and members of the public in determining the manner in which matters of Upper District's business are to be conducted. Contained in these policies are a comprehensive listing of rules and regulations enacted by the Board over time.

At the request of the Board, the following sections have been pulled for board review and discussion:
Policy 2.1 – Board Code of Conduct
Policy 2.3 - Board Meeting Conduct

ATTACHMENT

248 E. Foothill Blvd, Suite 200 | Monrovia, CA 91016 | (626) 443-2297 (phone) | (626) 443-0617 (fax) | www.upperdistrict.org

Upper San Gabriel Valley Municipal Water District **MANUAL OF POLICIES**			
Subject	**Policy Number**	**Date Adopted**	**Date Revised**
BOARD CODE OF CONDUCT	**2.1**	**05-03-11**	

Purpose

2.1.1 The Board Code of Conduct provides a framework to guide the Board of Directors in meeting the obligations of performing duties related to carrying out the mission of the Upper District.

Background

2.1.2 The Board Code of Conduct is essential to promote Board conduct that is dedicated to carrying out the business of the Upper District with honesty and integrity.

Policy

2.1.3 The Board of Directors is committed to providing excellence in legislative leadership that results in the highest quality of services to its constituents. In order to assist in the government of the behavior between and among members of the Board of Directors, the following rules shall be observed.

(a) The dignity, values and opinions of each Director should be respected.

(b) The needs of the Upper District's constituents should be the priority of the Board of Directors.

(c) The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the Upper District are to be delegated to Upper District staff members under the direction of the General Manager.

(d) Directors should commit themselves to focusing on issues and not personalities.

(e) Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

(f) When approached by Upper District personnel concerning specific Upper District policy, Directors should direct inquiries to the appropriate staff supervisor. The chain of command should be followed.

(g) The work of the Upper District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the Upper District.

(h) Directors are responsible for monitoring the Upper
District's progress in attaining its goals and objectives, while pursuing its mission.

(i) Directors should conduct themselves in an ethical and professional manner in their dealings with staff.

(j) Directors shall not attempt to exercise individual authority or supervision over staff.

(k) Directors will not request staff assistance to engage in any activity which has not been approved by the Board of Directors, the General Manager, or which is in conflict with Board policies or stated goals.

(l) Directors' demands upon Upper District staff shall be directed through the General Manager. To the fullest extent possible, the General Manager shall provide each Director equal access to Upper District staff, facilities, and other resources.

(m) Directors shall not unduly burden the Upper District staff with behavior that is not conducive to a positive work environment. In the event of a complaint by staff, the Director shall meet with the General Manager in order to find a proper solution for the problem.

(n) Directors will not question or interrogate staff regarding Board decisions.

(o) In order to assist Board members in making informed decisions, Board members are encouraged to discuss agenda items with the General Manager in advance of Board meetings.

2.1.4 Board President - The President of the Board of Directors shall serve as chairperson at all Board meetings. He/she shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

2.1.5 In the absence of the President, the Vice President of the Board shall serve as chairperson over all meetings of the Board. If the President and Vice President of the Board are both absent, the Secretary/Treasurer shall serve as chairperson over the Board meeting. If the President, Vice President and the Secretary/Treasurer of the Board are absent, the remaining members present shall select one of themselves to act as chairperson of the meeting.

2.1.6 The President is empowered to chair board meetings with all the commonly accepted power of that position (e.g. ruling, recognizing).

2.1.7 Directors shall use all good faith efforts to thoroughly prepare themselves to discuss agenda items at Board meetings, which should include at a minimum, reading the agenda package in advance of the meeting. Information may be requested from the General Manager before meetings. Information that is exchanged before meetings shall be distributed through the General Manager, and all Directors will receive all information being distributed.

2.1.8 Directors should at all times conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings. As such, Directors shall refrain from personal attacks or unsubstantiated accusations directed at fellow board members, staff or members of the audience

2.1.9 Directors shall defer to the chairperson for conduct of Board meetings, but shall be free to question and discuss items on the agenda, once recognized by the meeting Chairperson. All comments should be brief and confined to the matter being discussed by the Board.

2.1.10 Directors may request for inclusion into minutes brief comments pertinent to an agenda item, only at the meeting at which that item is discussed (including, if desired, a position on abstention or dissenting vote).

2.1.11 When appropriate, directors shall abstain from participating in consideration on any item involving a potential personal or financial conflict of interest. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision making responsibilities.

2.1.12 Requests by individual Directors for substantive information and/or research from Upper District staff will be channeled through the General Manager.

2.1.13 Basis of Authority - The Board of Directors is the unit of authority within the Upper District. Apart from his/her normal functions as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the Upper District to any policy, act or expenditure.

2.1.14 Use of Public Funds - Directors are not free to spend public funds for any purpose they may choose, but must use appropriated funds in accordance with the legislatively designated purpose, pursuant to FPPC regulations. As such, the Directors may utilize Upper District property and staff time for Upper District business once they have the approval of the Board or the General Manager. It is the Director's responsibility to ensure that any and all use of District property shall not be in violation

of the FPPC regulations, including individual promotion, black-out periods prior to elections, etc. Upper District property includes, but is not limited to, office equipment, materials, supplies and postage.

2.1.15 The General Manager shall use all good faith efforts to allow each Board member equal access to use Upper District property and staff time within the guidelines stated herein.

Upper San Gabriel Valley Municipal Water District **MANUAL OF POLICIES**			
Subject	**Policy Number**	**Date Adopted**	**Date Revised**
BOARD MEETING CONDUCT	**2.3**	**05-03-11**	

Purpose

2.3.1 Meetings of the Board of Directors are to conduct the business of the Upper District and shall be conducted by the President of the Board in a manner consistent with the policies of the Upper District. The latest edition of Robert's Rules of Order, Revised shall be used as a guideline for meeting protocol.

Background

2.3.2 The Board Meeting Conduct is essential to encourage board meeting conduct that is dedicated to conducting the business of the Upper District with honesty and integrity.

Policy

2.3.3 The conduct of meetings shall, to the fullest possible extent, enable Directors to:

(a) Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,

(b) Receive, consider and take any needed action with respect to reports of accomplishment of Upper District operations.

2.3.4 Any individual or group wishing to address the Board concerning an item on the agenda of a regular or special meeting that lies within the jurisdiction of the Board of Directors, shall ask the Chairman to recognize them, and will be able to do so, once they receive such authorization to address the Board. .

2.3.5 Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the President finds that there is in fact willful disruption of any meeting of the Board, he/she may call for a recess or order the room cleared and subsequently conduct the Board's business without the audience present.

(a) In such an event, only matters appearing on the agenda may be considered in such a session.

(b) After clearing the room, the President may permit those persons who, in his/her opinion, were not responsible for the willful disruption to re-enter the meeting room.

(c) Duly accredited representatives of the news media, whom the Chairperson finds not to have participated in the disruption, shall be admitted to the remainder of the meeting.

2.3.6 Board Actions and Decisions - Actions by the Board of Directors may include, but are not limited to, the following:

(a) Adoption or rejection of regulations or policies;

(b) Adoption or rejection of a resolution;

(c) Approval or rejection of any contract or expenditure;

(d) Approval or rejection of any proposal which commits Upper District funds or facilities, including employment and dismissal of personnel; and,

(e) Approval or disapproval of matters which require or may require the Upper District or its employees to take action and/or provide services.

2.3.7 Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors represent a quorum for the conduct of business. Actions taken at a meeting where only a quorum is

present, therefore, require all three votes to be effective (unless a 4/5 vote is required by policy or other law). A member abstaining in a vote is considered as absent for that vote.

WaterWorld.

Water Reuse

California to implement direct potable reuse

Sept. 18, 2024

California's Office of Administrative Law approved direct potable reuse regulations.

California's Office of Administrative Law (OAL) approved OAL File No. 2024-0624-02S – the Direct Potable Reuse Regulations – and filed with the Secretary of State on August 6, 2024.

The regulations will take effect on October 1, 2024.

This is a step in the evolution of using recycled water as a safe and reliable water supply for Californians.

Direct potable reuse is a practice which uses multiple phases of advanced water treatment technology to transform recycled water into safe, reliable purified water, for blending directly into a community's existing drinking water system.

California is considered a pioneer in purifying recycled water for use in drinking water systems.

In the 1960's, the Montebello Forebay Ground Water Recharge Project in Los Angeles made history by recharging a drinking water aquifer with purified recycled water.

Today, communities across the state use purified water to recharge groundwater, reservoirs and rivers, in a practice known as indirect potable reuse.

The new regulations create additional flexibility by allowing advanced purified water to be added directly into drinking water systems where it isn't feasible to first blend it into a larger body.

"These new regulations are a tremendous step forward as we develop Pure Water Southern California, which will be one of the largest recycled water facilities in the world and benefit 19 million people in our service area," said Interim General Manager of the Metropolitan Water District of Southern California and Vice President of the WateReuse Association Deven Upadhyay in a press release. "Pursuing direct potable reuse for a portion of the supplies produced at our Pure Water facility will allow us to better manage the weather extremes we face from a changing climate. This is a critical new resource, and these regulations make public health the top priority."

DWR NEWS: Improving the lives of Californians: DWR marks 10 years of the Sustainable Groundwater Management Act and progress made to protect water supplies

mavensnotebook.com/2024/09/17/dwr-news-improving-the-lives-of-californians-dwr-marks-10-years-of-the-sustainable-groundwater-management-act-and-progress-made-to-protect-water-supplies/

Department of Water Resources (DWR) Agency News September 17, 2024 0 7 September 17, 2024

Landmark law has driven significant progress to protect drinking water supplies against the impacts of climate change

From the Department of Water Resources

Today marks the 10th anniversary of the Sustainable Groundwater Management Act (SGMA), a landmark law that is driving reductions in the overuse of groundwater, protecting drinking water supplies, and making communities, agriculture and ecosystems more resilient to the impacts of climate change.

SGMA was signed into law on September 16, 2014, midway through the historic 2012-2016 drought. Driven by the need to address declining groundwater supplies, the law created a statewide framework to protect this critical resource in California, which provides 41 percent of the state's total supply in a normal year and up to 60 percent during droughts. About 85 percent of Californians rely on groundwater for some portion of their water needs.

In the 10 years since its passage, remarkable accomplishments have been achieved under SGMA:

- More than 250 local Groundwater Sustainability Agencies (GSAs) have been formed to protect drinking water wells, reduce land sinking and improve groundwater supplies.
- These GSAs are implementing over 100 Groundwater Sustainability Plans, using creative solutions like recharging groundwater supplies, limiting usage, and other management actions that will help create a resilient and sustainable water supply for California.
- California is now collecting more groundwater data than ever before, providing a better understanding of groundwater conditions and ultimately leading to better management decisions.
- SGMA has raised public awareness about the importance of protecting groundwater and has encouraged more cooperative management efforts.
- Water supply reliability is improving with efforts to recharge groundwater. In 2023 alone, 4.1 million acre-feet of water were added to underground aquifers through managed efforts.
- The State has invested nearly $1 billion in SGMA in 10 years, including more than $100 million through the Department of Water Resources for local groundwater recharge projects.

"It has been impressive to see that through the tireless efforts of local groundwater sustainability agencies, every ambitious SGMA milestone has been met so far," said Paul Gosselin, DWR Deputy Director of Sustainable Water Management. "A foundational part of SGMA is that groundwater is best managed locally, by the people that know their groundwater basins and depend on the resource. As a result, over 95 percent of groundwater pumping is subject to a locally adopted, enforceable groundwater sustainability plan."

The State's goal is to help GSAs reach sustainable groundwater conditions in their basins while maintaining local control, for the benefit of sustainable agriculture, drinking water supplies, and healthy ecosystems.

Under SGMA, local agencies are responsible for the sustainable management of their groundwater basins. However, state agencies — namely DWR and State Water Board — are responsible for ensuring local groundwater management achieves SGMA's goals.

DWR is the primary technical assistance and oversight agency responsible for assessing and evaluating basin compliance with SGMA. The State Water Board acts as the state "backstop" and will temporarily intervene in the management of a groundwater basin when DWR determines that the basin is not in compliance, working with local agencies to resolve failures and end state intervention.

"Improving groundwater management practices to achieve sustainable aquifers is essential for the future of California and the ability of agriculture to continue food production in a hotter, drier future," said Karen Ross, Secretary, California Department of Food and Agriculture. "The State of California has made significant investments to support local authorities with financial investments, policy development to accelerate groundwater recharge, sharing of data and technical assistance to chart a pathway forward to successfully implement this historic law."

"Ten years ago, when SGMA became law, all of us took on the responsibility of bringing about sustainable management of our groundwater basins for the benefit of everyone who relies on them," said Joaquin Esquivel, board chair of the State Water Resources Control Board. "A lot of progress has happened since then to meet this challenge, and we have more work to do to achieve sustainability for California's groundwater basins."

The next 10 years of SGMA will focus on implementing the plans developed so far. Projects and decisions aim to bring California's groundwater basins to sustainable conditions by the early 2040s. Weather extremes, especially drought, make this work even more critical, as the state must store and capture as much water as possible during wet years.

To celebrate this milestone anniversary, DWR will host an event on Nov. 18. Featured speakers and panelists will include DWR Director Karla Nemeth, and DWR Deputy Director of Sustainable Water Management Paul Gosselin, as well as representatives from GSAs, community organizations, State leaders and others in the SGMA community. This all-day event will be held in person at the California Natural Resources Agency building in Sacramento and online via Zoom. More information will be announced soon. To receive the latest in groundwater news and updates on 10-Year Anniversary events from DWR, visit the DWR email subscription page and select the 'Sustainable Groundwater Management' topic.

For more information:

- Sustainable Groundwater Management Act (SGMA) (ca.gov)
- DWR SGMA Portal
- DWR SGMA Data Viewer
- California's Groundwater (Bulletin 118)

NOSSAMAN LLP

New California Legislation on Water Issues

By Alexander Van Roekel on 09.16.2024

Posted in Clean Up of Groundwater & Contaminated Media, Climate Change, Groundwater Management & SGMA, New Legislation, Recycled Water, Water Quality, Water Rights, Water Supply

The 2024 legislative session ended on August 31, meaning the legislature passed all bills for this year. All of the bills are currently with Governor Newsom. He has until September 30 to sign or veto any bills. Any bills not signed by September 30 will be vetoed through a 'pocket veto.'

This session was a busy one for bills affecting the water sector with at least nine bills passed impacting water and sewer systems in California. The bills cover a wide range of topics, including fines for violating State Water Resources Control Board (State Water Board) orders, Proposition 26 and 218 requirements for water-related fees, Sustainable Groundwater Management Act (SGMA) requirements, and the California Water Plan.

AB 460

AB 460 is focused on increasing penalties for parties who use water illegally. It requires the State Water Board to increase the maximum amounts of civil and administrative liabilities or penalties it imposes by inflation every year starting in 2026. It also increases the penalty for not complying with a State Water Board cease and desist order from $1,000 per day to $2,500 per day. Further, it increases the penalty for not complying with a condition of a permit, license, or order from the State Water Board from $500 per day to $1,000 per day. If the non-compliance is with a curtailment order, the maximum fine is increased to $10,000 per day and $2,500 per day for each acre-foot of water.

AB 2257

AB 2257 includes an exhaustion of administrative remedies requirement for Proposition 218 and 26 challenges to property-related water or sewer fees or charges. It requires parties interested in challenging a fee under California Constitution Article XIII D (created and modified by Props 218 and 26) to submit written objections to the agency that passed those fees. The agency's response to those objections would impact the weight of the evidence in a subsequent lawsuit; it is unclear what impact this provision will have on any judicial challenge, although it does imply that the agency's written response to objections will help it survive any legal challenge thereto. The bill limits the administrative record in a lawsuit to certain documents although it does contain exceptions.

AB 1827

AB 1827 is intended to be declaratory of existing law and provides that fees or charges for property-related water service may be higher based on demand, maximum use, or projected peak water use. Like AB 2257, this bill is based on Propositions 218 and 26.

AB 828

AB 828 is focused on changing the SGMA requirements related to managed wetlands and small community water systems. It requires that a groundwater sustainability plan (GSP) under SGMA now include the GSP's impacts on managed wetlands, managed wetland extractors, and small community water systems serving disadvantaged communities. It also prohibits groundwater sustainability agencies (GSAs) from regulating groundwater extraction by small community water systems or by managed wetland extractors. Last, the bill prevents GSAs from imposing certain fees on small community water systems or managed wetland purposes.

SB 366

SB 366 is designed to modify the contents of the California Water Plan while making new findings and declarations. The changes it makes include:

- Requiring the Department of Water Resources (DWR) to expand the membership of the plan's advisory committee to include tribes, labor, and environmental justice parties;
- The plan must discuss groundwater recharge, conveyance, stormwater capture, water transfers, and demand management activities;
- The plan must discuss the following water needs: environmental, urban sector, and agricultural;
- The plan must discuss the estimated costs and benefits of any project type or action that could help achieve water supply targets and is recommended by DWR; and
- DWR must report to the Legislature and conduct public workshops.

AB 805

AB 805 is designed to allow the State Water Board to take over a struggling sewer system – which it calls a "designated sewer system" with a definition within the bill – and essentially act as a trustee or conservator. To qualify as a "designated sewer system," the system must serve a disadvantaged community and must have a "demonstrated failure to maintain technical, managerial, or financial capacity to prevent waste, fraud, and abuse." The State Water Board would not be authorized to take control until it provides the sewer system with an opportunity to show that the state involvement is not necessary. Once the State Water Board takes over, it would have broad powers to improve the system and its operations with the ultimate goal of stepping aside and allowing the system to run itself once it has overcome its problems.

AB 2454

AB 2454 is focused on expanding domestic well testing to rental properties. It requires that an owner of a domestic well serving a rental property participate in the state's current testing program, provide those results to the residents, and provide safe drinking water if the testing shows an exceedance of a primary drinking water standard. It also prevents the owner from imposing any fee for the testing and states that it is a crime for the owner made a false statement or misrepresentation in providing the test results to the renters. Last, it requires the state to post certain information related to the testing.

AB 2875

AB 2875 puts key aspects of Governor Pete Wilson's Executive Order No. W-59-93 into legislation. That Order provides that it is the policy of the state to coordinate programs and policies that affect California wetlands; that the state wetland policy has three objectives – ensuring no net loss and long-term gain in the quantity, quality, and permanence of wetlands; to reduce complexity in the management of government wetlands programs, and to encourage partnerships to promote wetland conservation; created a California Wetlands Conservation Policy and detailed how to institute that policy; and more. AB 2875 makes legislative findings and declarations and provides that "It is the policy of the state to ensure no net loss and long-term gain in the quantity, quality, and permanence of wetlands acreage and values in California."

SB 1304

SB 1304 increases the level of governmental review prior to the state submitting certain wells (Class II) as exempt from some EPA regulations. The review process for the state currently evaluating Class II wells is the Geologic Energy Management Division (CalGEM) and the State Water Board evaluate the issue together. This bill changes that initial evaluation to CalGEM and State Water Board staff. If CalGEM and the State Water Board staff agree, then the staff should submit a report to the State Water Board, who makes a final decision.

NOTICE: Sites Reservoir Project: Denial without prejudice of water quality certification

State Water Board ANNOUNCEMENTSNews September 16, 2024 0 1209 September 16, 2024

From the State Water Resources Control Board:

On September 16, 2024, the Chief Deputy Director for the State Water Resources Control Board (State Water Board) notified the Sites Project Authority (Authority) that its March 1, 2024 request for Clean Water Act section 401 water quality certification (certification) for the Sites Reservoir Project is denied without prejudice, effective immediately.

As noted in the denial without prejudice, the United States Army Corps of Engineers (USACE) issued the Authority a letter on May 17, 2024 stating that its Clean Water Act section 404 application (USACE Permit ID No. SPK-2001-00055) had been administratively withdrawn. The State Water Board has found that the Authority's application for certification suffers from a procedural inadequacy.

More information on the Project can be found on the Water Storage Investment Program webpage (https://www.waterboards.ca.gov/waterrights/water_issues/programs/wsip/).

Sites Denial Without Prejudice
If you have questions, please contact Division of Water Rights staff by email to: WR401program@waterboards.ca.gov.

News for Immediate Release__

Metropolitan invests in health of northern Sierra watersheds through forest resilience bonds

Agency aims to better understand benefits of watershed health to water supply, quality, including impacts of increasingly severe wildfires

Sept. 13, 2024

Metropolitan Water District will be one of the first backers of an innovative new approach to restore forests, improve watershed health and increase the reliability of the state's water supplies in the face of climate change and worsening wildfires.

Metropolitan's Board of Directors voted Tuesday (Sept. 10) to provide funding for three forest restoration programs in the northern Sierra – headwaters of the State Water Project, which on average delivers 30 percent of the water used in Southern California. The programs will include pilot investigations to better understand the effect of improving watershed health on water quality, water supply, habitat protection, wildfire risk reduction, and carbon sequestration.

"We know that healthy forests have many benefits. But we want to better understand the connection between the health of this watershed and our state project supply to see if the benefits can be quantified," Metropolitan Interim General Manager Deven Upadhyay said. "With state supplies increasingly stressed by drought, climate change and wildfires, these studies will give us the data we need to more confidently identify cost-effective measures that can be deployed quickly and efficiently to protect watershed health."

The forest restoration programs are being funded through a new finance model known as a **Forest Resilience Bond**, managed by the non-profit Blue Forest, which was founded to advance restoration projects through partnerships. The financing mechanism combines public and private funding to expedite restoration efforts that otherwise could take decades to advance. Forest Resilience Bonds are financed by private investors and provide upfront capital to partners who will be able to more quickly conduct the restoration activities. The bonds are then repaid by utilities, governments and other public and private entities that ultimately benefit from having a healthy forest, like Metropolitan.

"Use of these bonds is increasing across the West. Metropolitan is one of the first agencies to step up to support these particular programs in the high Sierra. We're hopeful that other utilities and partners will similarly recognize the value of investing in the health of natural resources they benefit from," Metropolitan board Chair Adán Ortega, Jr. said.

Metropolitan's board agreed to provide up to $200,000 each year over the next two years to the three restoration programs – two in the Feather River watershed above Lake Oroville and one in Upper Butte Creek. The restoration efforts vary by watershed,

but include forest thinning, forest restoration after a wildfire, and protection of areas not recently burned. Lassen National Forest, Plumas National Forest, Sierra Institute and other organizations will help implement the programs.

The three restoration programs range in cost from $3.5 million to more than $5 million. Blue Forest is working to bring in other partners who benefit from a healthy forest to support the full cost, in addition to state and federal funding.

The Upper Butte Creek program will also offer a unique opportunity to investigate the benefits of improving the health of a watershed on vulnerable fish species. Butte Creek supports the largest population of naturally spawning wild spring run chinook salmon and may be the only remaining naturally spawning population in the region, given recent wildfires.

Wildfires are becoming more frequent and more severe in California and across the West due to climate change and overly dense forests – a product of modern fire suppression practices. Catastrophic wildfires have burned more than 1.5 million acres in the Feather River watershed.

In addition, climate change is challenging Metropolitan's state project supplies, causing reduced snowpack, increased drought severity and frequency, changing precipitation patterns, degradation of habitat and ecosystems, and sea level rise.

Improving watershed health could lessen some of those impacts, Upadhyay said. For example, programs to thin out dense forests could not only help reduce the severity of wildfires, but also shrink evapotranspiration, as less water is used by trees.

"If these restoration programs demonstrate that they significantly improve water supply and water quality, it opens the door to working with other large water agencies across the state to make these investments in watershed health on a much broader scale," Upadhyay said.

The Metropolitan Water District of Southern California is a state-established cooperative that, along with its 26 cities and retail suppliers, provides water for 19 million people in six counties. The district imports water from the Colorado River and Northern California to supplement local supplies, and helps its members to develop increased water conservation, recycling, storage and other resource-management programs.

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Rebecca Kimitch

California WaterBlog
A biologist, economist, engineer and geologist walk onto a bar…

Exploring Equity in California Water Rights: A Historical Perspective

Posted on September 8, 2024 by Christine Parisek

By Audrey Cho

This blog post highlights my undergraduate thesis at UC Davis titled Water, Land, and Power: The Legacy of Asian American Exclusion in the California Water Rights System. This blog post sheds light on historical injustices perpetuated by systems of state water management. Its content is informed by interviews with Japanese farmers as well as professionals in the fields of water and immigration law, environmental advocacy, and local water governance.

The system of water rights in California is dauntingly complex. It consists of various types of water rights, methods of water distribution, and challenges regarding quality and availability, which are exacerbated by global climate change. From a historical perspective, water rights are even more complicated than they initially appear. Notably, there is a fraught history of systematic exclusion of Asian American immigrants, among many other marginalized groups, from property ownership and, by extension, water rights.

Water Rights Overview

A water right indicates the ability to use but not own state water resources for certain purposes, such as irrigation, municipal uses, and domestic uses. California recognizes a dual system of riparian and appropriative rights. Riparian rights allow a landowner to use the natural flow of a watercourse adjacent to their property. Appropriative rights, independent of property ownership, allow for water diversion based on who claimed the water first. If obtained after 1914, appropriative rights holders must have a permit from the State Water Resources Control Board. These two doctrines serve as the backbone for the state's allocation and use of water.

Restrictions on the Rights of Asians

This dual riparian–appropriative system interacts with efforts to restrict the rights of Asian American immigrants throughout California's history. The Alien Land Law, passed in 1913, aimed to prevent primarily first-generation Japanese immigrants from owning property in the state. This was California's first state statute depriving "noncitizens of other races of the ability to hold land title." Discriminatory laws at the federal level, such as the Chinese Exclusion Act, worked alongside this state legislation to exclude Asians from land access. In particular, these restrictions inhibited Asians from acquiring small farms through the Homestead Act, which was a major driver of land ownership for their white counterparts. Moreover, Executive Order 9066 authorized the forced removal and incarceration of Japanese Americans beginning in 1942. Under this order, government agencies forced Japanese individuals to give up their hard-earned possessions and property. These two targeted efforts had deliberate, long-term effects on Japanese Americans, and particularly those working in California agriculture. For

example, the Legislature stated that the Alien Land Law was enacted to explicitly prevent "Orientals, specifically Japanese, from owning agricultural land in California."

Photo by Audrey Cho of a mural at the Historical Society of Winters. Painted by the Winters Participation Art Gallery, this mural depicts the 1942 incarceration of Japanese residents.

To investigate the links between racially exclusionary legislation and access to water rights, my work highlighted documentary data and the stories of multigenerational Japanese American farmers through interviews.

Exclusion in the Water Landscape

- Asian exclusion in matters of California water finds expression in the Reclamation Act of 1902, which funded irrigation projects in the American West but prohibited "Mongolian labor" on the projects. The literature also shows a clear connection between efforts to develop irrigation infrastructure in the American West and the oppression of Japanese immigrants. During incarceration, "three of the ten concentration camps were built on U.S. Bureau of Reclamation irrigation projects." Japanese forced labor was then used to further develop water infrastructure on those lands.

Impacts of the Alien Land Law

- Interviewees shared that the Alien Land Law was a generational setback, as it restricted property ownership for the first generation of their families. This law impacted the types of land Japanese farmers could obtain and their access to water. This is because perfecting a water right in California often relies on property ownership, which the Alien Land Law restricted. They also reported that land purchased by Japanese farmers was typically of lower quality. Interviewees shared accounts of the substantial, expensive, and sometimes dangerous labor required to bring this land into productivity.

Ongoing water challenges

- Interviewees noted various concerns regarding water supply, quality, and cost. These challenges were echoed by the State Water Resources Control Board, which acknowledged the negative impact of race-based restrictions, land seizures, and the incarceration of Japanese Americans. Impacts included "the loss of the associated water rights and other natural resources of value...and forced relocation to areas with fewer or lower quality natural resources." This demonstrates a direct link between California's exclusionary legal landscape and Japanese Americans' water rights and land access.

Photo by Audrey Cho of compiled photographs from "The Lost Japanese Community of Winters" exhibit.

What does this history mean for water rights now? Legislative, administrative, and community-based interventions could help advance equity within California's water governance system. Here are a few examples:

Implementing Time Limits to Verify Senior Water Rights

- The appropriative water rights system has been criticized for favoring a select few, particularly those who obtained their rights before 1914 when permits became officially required. Time limits to verify water rights are not new and have been utilized throughout the country. California's Legislature could also require all pre-1914 appropriative rights holders to file a claim of water right with the Board within a specified period. After this period, the Board could identify unclaimed rights and consider reallocating them, especially to communities facing water insecurity.

Reviewing Equity in the Water District System

- Water districts such as irrigation districts and water agencies play key roles in water governance across the state. Many water districts require landowners in their service area to participate in decision-making, often giving more voting power to those large landholdings. Scholars suggest interventions such as prohibiting water districts with non-representative voting structures from receiving government grant funding. This could encourage water districts to adopt more democratic and equitable governance structures.

Addressing Equity at the Board Level

- The State Water Resources Control Board comprises five members appointed by the Governor, each with a different required skillset. Scholars have recommended that one of these members be qualified in the fields of environmental and water justice. Adequate inclusion of water justice concerns is essential given the role of the State Water Resources Control Board in administering such an extensive water rights program.

Supporting Community Education

- Many interviewees noted a lack of conversation within the Japanese community about incarceration and other historical inequities. Kansha Open History is a community research effort working to digitize records of farm transfers out of Japanese hands that the federal government orchestrated during World War II. Efforts like this help shed light on such inequities and increase conversations within the Japanese community.

Drawing attention to the intersection between Asian American exclusion and water rights reveals key power structures embedded within state water processes. Ultimately, racial equity and water resources management must work hand in hand to truly protect the environment and all those who depend on it.

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UC SANTA BARBARA
THE Current

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James Badham

Making desalination more efficient, by way of renewable energy

With freshwater becoming an ever scarcer resource, desalination of ocean water is increasingly employed to bridge the gap between supply and demand.. However, desalination is energy-intensive, often powered by fossil fuels, so meeting the need for freshwater can exacerbate the challenge of reducing atmospheric CO_2, the main driver of climate change.

Yangying Zhu, an assistant professor in the Department of Mechanical Engineering at UC Santa Barbara, wants to address that conundrum. Now, a two-year, $500,000 seed grant from the Advanced Research Projects Agency-Energy (ARPA-E) within the U.S. Department of Energy (DOE) will make it possible for her to start the work. The grant was provided as part of Inspiring Generations of New Innovators to Impact Technologies in Energy (IGNIITE 2024) a new ARPA-E program focused on supporting early-career scientists and engineers to convert disruptive ideas into impactful energy technologies, with an eye toward bringing promising technologies to market.

"It's not the typical kind of funding from ARPA-E, which usually gives much larger grants that require multiple PIs and industry collaboration," Zhu said, adding that this is the first time the agency has funded early-career single-investigator research. "Instead of being solely focused on fundamental discoveries, this one is focused on supporting ideas that align with the ARPA-E mission of improving energy efficiency and sustainability for the United States." The agency received 400 applications for the highly competitive grants, selecting 23 for funding. Of those, 13 were from academia, with the rest in industry, startups and national labs.

"Securing one of the first-ever ARPA-E single-researcher grants is a tremendous achievement for Zhu, one of our extraordinary junior faculty members," said College of Engineering Dean Umesh Mishra. "It reflects so well both on her and on the college, where we support one another in effective and timely ways, including with small seed grants like the one she received that provided a spark for this idea. We are extremely proud of this major accomplishment and now look forward to the evolution of the important energy-saving technology she will pursue."

"It's surreal to be in the first group to receive these awards," Zhu said. "I feel very lucky to have been selected after a demanding application process that involved submitting a concept paper, giving an in-person poster and presentation about the proposal and then submitting a full proposal."

The rigorous process reflects how seriously ARPA-E takes energy efficiency, as well as the significant long-term support it is prepared to provide for technologies that appear promising after the seed-grant stage.

Zhu has two main objectives in her project. "We first want to improve the energy efficiency of the thermal distillation desalination process compared to the current state of the art," she said. "Second, we want to use renewable energy — either solar or waste heat from industry, such as that from power plants and data centers — to power the process. So, we are targeting both energy efficiency and reduced dependence on fossil fuels."

To do that, Zhu, who has expertise in heat and mass transfer, plans to develop "a novel architecture" that optimizes both of those elements for the desalination process, she said. "Our targetis two times the energy efficiency, which would reduce energy consumption by half."

Conventional thermal distillation, which is accomplished by evaporating saltwater to obtain pure water vapor and then condensing the vapor back to liquid, consumes thermal energy to heat the bulk saltwater for distillation. Zhu is proposing to engineer microstructured materials that will enable the system to achieve evaporation by delivering heat directly to the liquid-vapor interfaces, without relying on energy-and her team develop their efficient thermal-distillation process, she will also receive support from ARPA-E scientists and experts in business. "I look forward to learning from the experts within ARPA-E for the next two years," she said.

That interaction includes an annual weeklong visit to ARPA-E headquarters in Washington, D.C., to network with agency experts who support the program. "I hope that with the mentorship and support from ARPA-E this project will grow into a sustainable long-term collaboration," Zhu said. "I'm also very excited to receive mentorship from ARPA-E in terms of technology-to-market transfer because junior faculty usually don't have a lot of experience with that."

The project might not have happened, Zhu noted, if not for an initial $50,000 seed grant she received from the Institute for Energy Efficiency at UCSB in 2021, which provided support for a postdoctoral researcher who worked with her on the initial proof of concept. Also critical was a California Nanosystems Institute (CNSI) Climate Innovation postdoc fellowship in 2023, which helped Zhu and her team generate preliminary data on market feasibility. "I'm really grateful for these campus seed-grant opportunities," she said. "They're not big, but they get you time to think and some freedom to pursue the idea."

Those smaller grants positioned Zhu to receive this new ARPA-E grant, which gives her a shot at expanded future support should the project go well, and the distinct opportunity to make significant gains in the efficiency of desalination technologythat will likely play a critical role in the future.

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About UC Santa Barbara

The University of California, Santa Barbara is a leading research institution that also provides a comprehensive liberal arts learning experience. Our academic community of faculty, students, and staff is characterized by a culture of interdisciplinary collaboration that is responsive to the needs of our multicultural and global society.All of this takes place within a living and learning environment like no other, as we draw inspiration from the beauty and resources of our extraordinary location at the edge of the Pacific Ocean.