### NEWSLETTERS & BRIEFINGS

**ACWA e-news:** 04/19/17

### CEO BULLETIN

**Week of:** 04/14/17 – 04/20/17

### BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS

**BMR/IBMR Weekly Reports:** 04/20/17

- Memo from Jim Fiedler, COO – Water Utility Enterprise, to the Board, dated 04/12/17, regarding State Water Contractors' letter of opposition to AB 472 (Frazier): Water Transfers: Idled Agricultural Land.
- Memo from Jim Fiedler, COO – Water Utility Enterprise, to the Board, dated 04/14/17, regarding a summary of the Overfelt Recharge Ponds meeting.
- Memo from Jim Fiedler, COO – Water Utility Enterprise, to the Board, dated 04/18/17, regarding an updated on the Zone of Benefit study.
- Memo from Michele King, COB, to the Board, dated 04/20/17, regarding the Committee Vacancy Report.

### INCOMING BOARD CORRESPONDENCE

**Board Correspondence Weekly Report:** 04/21/17

- Email from Meg Giberson to the Board, dated 04/13/17, regarding her comments on the PAWS report, groundwater charges, and other water charges for FY 17-18 (C-17-0165).
- Email from Barby Ulmer to the Board, dated 04/13/17, regarding the Delta Tunnels (C-17-0166).
- Email from Bob Cerruti to Chair Varela, dated 04/15/17, regarding south county groundwater charges (C-17-0167).
- Email from Aakriti Pande to Director Keegan, dated 04/16/17, regarding the Delta Tunnels (C-17-0168).
- Email from Mary McVey Gill to Director Kremen, dated 04/18/17, regarding the Delta Tunnels (C-17-0169).
- Email from Stan Williams, Poseidon Water, to the Board, dated 04/19/17, regarding additional comments on the 03/27/17 Board Meeting Agenda Item 2.1 on Expedited Purified Water Project - Dual Track Process (C-17-0170).
Letter from Norman Matteoni, Matteoni O'Laughlin & Hechtman Lawyers, to Nroma Camacho, ICEO, dated 04/17/17, regarding notification of demand for reimbursement for damage to 450 W. Santa Clara St (C-17-0171).

Letter from Peter Miron-Conk to Director Estremera and Mayor Liccardo, dated 04/18/17, regarding storage protocol for property found in homeless encampments during clean ups (C-17-0172).

Email from Gary - San Martin Resident, to the Board, dated 04/20/17, regarding the 4/20/17 community meeting in San Martin and Llagas Creek flooding (C-17-0173).

E. OUTGOING BOARD CORRESPONDENCE

Email from Michele King, COB, to Paul Jensen, dated 04/14/17, regarding the difference in well fees between agricultural and non-agricultural owners (C-17-0146).

Letter from Chair Varela to Sam Liccardo, Mayor – City of San Jose, dated 04/17/17, regarding the upcoming joint meeting.

Email from Chair Varela to Gerhard Eschelbeck, dated 04/19/17, regarding the District’s management of Stevens Creek Reservoir (C-17-0161).

Email from Chair Varela to Elizabeth Lamont, dated 04/19/17, regarding release of retention (C-17-0162).

Email from Chair Varela, to Bob Cerruti, dated 04/21/17, regarding south county groundwater charges (C-17-0167).

Board correspondence has been removed from the online posting of the Non-Agenda to protect personal contact information. Lengthy reports/attachments may also be removed due to file size limitations. Copies of board correspondence and/or reports/attachments are available by submitting a public records request to publicrecords@valleywater.org.
NEWSLETTERS & BRIEFINGS
ACWA eNews for April 19, 2017

in ACWA eNews

ACWA's eNews is a weekly roundup of California water news and events. Manage your subscription here.

DWR Announces Community Meetings on Oroville Dam Repair Project

Submitted by Pamela Martineau on Tue, 04/18/2017 - 10:04am

The California Department of Water Resources has announced it is hosting seven public meetings in multiple locations to update community members in the region about the ongoing Oroville spillway recovery effort.

The meetings will provide opportunities for members of the public to hear from DWR leaders and experts about the status of the Oroville spillway and to ask questions and comment on the recovery process. The meetings will have similar agendas, formats and content.

Read more

CCWD GM to Testify at April 27 Little Hoover Commission Hearing on Tree Mortality Crisis

Submitted by Emily Allshouse on Mon, 04/17/2017 - 8:44am
Calaveras County Water District General Manager David Eggerton will appear before the Little Hoover Commission on April 27 to discuss the impact of unhealthy forests on water supply and quality and how the district is working with regional partners to mitigate the impacts of the current tree mortality crisis that has killed 102 million trees in California.

Other speakers slated to testify during the hearing include representatives from counties, the Department of Insurance, Pacific Gas & Electric, Sierra Pacific Industries, Sierra Forest Legacy and The Nature Conservancy.

Read more

**State Water Project Deliveries Increased to 100% and 85%**

Submitted by Pamela Martineau on Fri, 04/14/2017 - 3:13pm

Record rainfall in the Northern Sierra and a strong snowpack pushed the California Department of Water Resources to increase its estimate of this year’s State Water Project deliveries to 100% for contractors north of the Sacramento-San Joaquin Delta and 85% of requests for other contractors.

Today’s allocation is the highest since the 100% allocation in 2006.

“We’re hopeful we’ll be able to increase deliveries even more as we monitor conditions,” said DWR Acting Director William Croyle in a press release.

Read more

**ACWA Past President Coleman Appears on CBS Morning Show**

Submitted by Emily Allshouse on Thu, 04/13/2017 - 10:22am
East Bay Municipal Utility District Director and ACWA Past President John Coleman on April 9 appeared on CBS’ Matier in the Morning with Phil Matier to talk about the end of California’s drought.

“We’ve been out of the drought for quite a while,” said Coleman. “We were in a crisis situation in the state, and we came out of it and the problem is that local agencies have the ability to determine better than a state government or an agency does whether or not we’re still in a drought or out of a drought.”

Read more

**STORMS Seminar Series: Municipal Finance of Stormwater Projects**

Thu, 04/20/2017 - 10:00am - 11:30am  
**Location:** CalEPA, Byron Sher Auditorium, 1001 I Street, Sacramento

Sponsored by the State Water Resources Control Board, this free seminar will explore some of the legal cases and ongoing efforts to address the municipal finance of stormwater projects. Michael G. Colantuono, a leading expert on the law of local government revenues, is slated to speak at the event.

EventBrite RSVP

Read more

**US EPA Region 9 Harmful Algae Bloom Meeting**

Tue, 04/25/2017 - 12:00pm - Thu, 04/27/2017 - 5:00pm  
**Location:** Southern California Coastal Water Research Project, 3535 Harbor Blvd., Suite 110 Costa Mesa, CA 92626

The U.S.

Registration and information on webinar

Read more

**ACWA 2017 Spring Conference & Exhibition**

Tue, 05/09/2017 - Fri, 05/12/2017  
**Location:** Monterey, CA
ACWA's 2017 Spring Conference & Exhibition is set for May 9-12, 2017, at the Monterey Marriott and Portola Hotel & Spa in Monterey.

Onsite Registration is available at the Portola Hotel beginning Tuesday, May 9 at 8:00 a.m.

IMPORTANT LINKS:

Read more

**ACWA Region 10 Issue Forum - ACWA Spring Conference, Monterey**

Thu, 05/11/2017 - 9:30am - 11:00am  
**Location:** Portal Room, Portola Hotel, Monterey

ACWA Region 10 Program  
Watershed Optimization: Developing a Local Water Supply  
Date: Thursday, May 11, 2017 Time: 9:30 am to 11 am  

Location: Portola Room, Portola Hotel

Read more  1 attachment

**2017 SANTA ANA RIVER WATERSHED CONFERENCE**

Thu, 05/25/2017  
**Location:** Ontario Convention Center

This daylong event – convened by the Santa Ana Watershed Project Authority and coordinated by the Water Education Foundation – will

INFORMATION

Read more

**BAY-DELTA TOUR 2017**

Wed, 06/14/2017 - Fri, 06/16/2017  
**Location:** This tour starts and ends at the Sacramento International Airport

Presented by the Water Education Foundation.

Go deep into California's water hub and traverse the Sacramento-San Joaquin Delta, a 720,000-acre network of islands and canals that support the state’s water system and is California’s most crucial water and ecological resource. The tour makes it way to San Francisco Bay, and includes a ferry ride.

INFORMATION
International Water Association - 11th International Conference on Water Reclamation and Reuse

Sun, 07/23/2017 - Thu, 07/27/2017  
**Location:** Long Beach, CA

National Water Research Institute (NWRI), Water Environment and Research Foundation (WE&RF), and WateReuse California (WRA CA) are teaming up to host the International Water Association's (IWA) annual conference in Long Beach, California, on July 23-27, 2017.

[Conference Website](#)

HEADWATERS TOUR 2017

Wed, 09/13/2017 - Thu, 09/14/2017  
**Location:** The tour begins and ends at Sacramento International Airport.

THIS TOUR WAS RESCHEDULED FROM APRIL TO SEPTEMBER DUE TO SNOW CONDITIONS. Presented by the Water Education Foundation. Sixty percent of California's developed water supply originates high in the Sierra Nevada mountains. Our water supply is largely dependent on the health of our Sierra forests, which are suffering from ecosystem degradation, drought, wildfires and widespread tree mortality. Join us as we head up into the foothills and the mountains to examine water issues that happen upstream but have dramatic impacts downstream and throughout the state.

[Registration](#)


CEO BULLETIN
CEO BULLETIN

To:    Board of Directors
From:  Norma J. Camacho, Interim CEO

Chief Executive Officer Bulletin
Week of April 14 to April 20, 2017

Board Executive Limitation Policy EL-7:
The Board Appointed Officers shall inform and support the Board in its work. Further, a BAO shall
1) inform the Board of relevant trends, anticipated adverse media coverage, or material external
and internal changes, particularly changes in the assumptions upon which any Board policy has
previously been established and 2) report in a timely manner an actual or anticipated
noncompliance with any policy of the Board.

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| 1    | Director Varela
       Staff to provide Mr. Kuersten with status of action and follow up flip chart items
       resulting from a Homeless Encampment Ad Hoc Committee meeting in Mountain View
       R-17-0011 |

Director Varela
Staff to provide Mr. Kuersten with status of action and follow up flip chart items resulting from
a Homeless Encampment Ad Hoc Committee meeting in Mountain View
R-17-0011

On April, 7, 2017, Chris Elias sent an email to and left a voice mail message for Mr. Kuersten to
follow up on his request for information from the February 15, 2017, Mountain View Waverly Park
Community meeting regarding the proposed use of water district residential properties to address the
issue of homelessness along local waterways.

In his communications, Mr. Elias informed Mr. Kuersten that at the upcoming April 11, 2017, board
meeting, the water district board would be considering alternative staff recommendations on
addressing the issue. The recommendations included the option of making no change to the district’s
current property management practices, but using a portion of the net rental income to fund the
homeless encampment cleanup project and for development of a pilot program that focuses on the
waterway and stream stewardship impacts of homeless encampments in each city.

The purpose of the telephone call was to also clarify the preferred format in which Mr. Kuersten would
like to receive the requested information.

For further information, please contact Melanie Richardson, at (408) 630-2035.
BOARD MEMBER REQUESTS
& INFORMATIONAL ITEMS
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<thead>
<tr>
<th>Request</th>
<th>Completed Date</th>
<th>Meeting Date</th>
<th>Director</th>
<th>GM / AGM</th>
<th>Description</th>
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<th>Expected Completion Date</th>
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<tr>
<td>R-16-0021</td>
<td>Pending</td>
<td>04/12/16</td>
<td>Keegan</td>
<td>Stanton</td>
<td>Staff to take a preliminary look at the use of PLAs on Non-federal District projects.</td>
<td>03/22/17</td>
<td>03/02/17 Continued. 07/28/16 CEO Bulletin.</td>
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<tr>
<td>R-17-0003</td>
<td>Pending</td>
<td>02/14/17</td>
<td>Keegan</td>
<td>Fiedler</td>
<td>After storm season is over, staff to review our rule curve in terms of discharge to see if they still serve us well.</td>
<td>03/06/17</td>
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<tr>
<td>R-17-0012</td>
<td>Pending</td>
<td>04/11/17</td>
<td>Santos</td>
<td>Camacho</td>
<td>Staff to prepare a report for the Board regarding Mr. Andrew Galvan’s issues and concerns on Berryessa Creek.</td>
<td>05/02/17</td>
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<tr>
<td>R-17-0011</td>
<td>Pending</td>
<td>03/28/17</td>
<td>Varela</td>
<td>Camacho</td>
<td>Staff is to provide Mr. Kuersten with status of action and follow up flip chart items resulting from a Homeless Encampment Ad Hoc Committee meeting in Mountain View.</td>
<td>04/19/17</td>
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<td>I-17-0006</td>
<td>Pending</td>
<td>04/06/17</td>
<td>Kremen</td>
<td>Fiedler</td>
<td>Staff to provide an estimate of the portion of the costs to expedite the Oroville Dam spillway repairs that may be passed along to the State Water Contractors and what portion of that cost would be the responsibility of the District.</td>
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TO: Board of Directors

FROM: James M. Fiedler

DATE: April 12, 2017

SUBJECT: State Water Contractors letter of opposition to AB 472 (Frazier): Water Transfers: Idled Agricultural Land

The District is a member of the State Water Contractors (SWC), a non profit association of 27 public agencies from Northern, Central and Southern California that purchase water under contract from the State Water Project (SWP). District Imported Water Manager Cindy Kao serves on the board of the SWC and represents the District, Alameda County Water District, and Zone 7 Water Agency. The SWC on occasion has taken positions on bills with concurrence from its member agencies.

SWC staff and member agencies briefly discussed AB 472 in March of 2017. The bill was introduced on February 13, 2017, by Assembly Member Jim Frazier and would require the Department of Water Resources to establish an incentive program for landowners who voluntarily cultivate non-irrigated cover crops or natural vegetation to provide wildlife habitat on lands fallowed to support water transfers. DWR would also be required to consult with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service prior to developing such incentive programs. These requirements may increase the cost of transfers, hinder implementation of transfers, and potentially result in a decrease in the transferable quantity of water, as the amount of water allowable for transfer is generally reduced by any vegetation consuming water on the fallowed lands. Proponents of the bill point out that the bill could increase habitat for wildlife. Section 1018 of the Water Code contains existing language that encourages cultivation or retention of nonirrigated cover crops or natural vegetation to provide wildlife habitat, provided that all other water transfer requirements are met.

The SWC and member agencies anticipated that there would be time for further evaluation and development of a position on the bill. However, the bill moved more quickly than anticipated and was scheduled on short notice to be heard by the Assembly Committee on Water, Parks, and Wildlife on April 4, 2017. Because several SWC member agencies had expressed concern about the bill, the bill was expected to be heard in committee without opposition, and there was limited time to provide comment, the SWC general manager sent an April 3, 2017 letter to the California State Assembly (attached) that opposed AB 472 without seeking concurrence from the SWC board.

Because the District had not had an opportunity to consider the SWC letter, Imported Water Manager Cindy Kao subsequently contacted the SWC general manager and requested that SWC and its member agencies establish a formal approval process to secure concurrence of the SWC board prior to taking positions on legislation. SWC and member agencies will meet in April to have this discussion.

Attachment 1: April 3, 2017 letter regarding AB 472
April 3, 2017

Assembly Member Eduardo Garcia  
California State Assembly  
State Capitol, Room 4140  
Sacramento, CA 95814

Re: AB 472 (Frazier): Water Transfers: Idled Agricultural Land – OPPOSE  
Assembly Water, Parks and Wildlife Committee: April 4, 2017

Dear Assembly Member Garcia:

On behalf of the State Water Contractors, Inc., I regret to inform you of our opposition to AB 472 by Assembly Member Jim Frazier.

The State Water Contractors (SWC) is a non-profit association of 27 public agencies from Northern, Central and Southern California that purchase water under contract from the State Water Project (SWP). As public agencies, the SWC members have an obligation and mandate to provide reliable and safe drinking water, protect the environment and public health and promote water conservation and greater efficiency. Each and every day families, businesses and farms throughout California depend on us. Our commitment is to secure our state’s water future.

Our SWC member agencies value water transfers as an important water management tool, and our member agencies have implemented water transfers in close coordination with the Department of Water Resources (DWR) and US Bureau of Reclamation (USBR).

Historically, DWR and the USBR have not allowed any vegetation on lands fallowed to produce water involved in transfers. This requirement is necessary to be able to accurately determine the amount of water that would have been consumed by the foregone crop, absent the water transfers. The theory behind this requirement is that any vegetation on fallowed lands, even non-irrigated vegetation, will consume water (precipitation or groundwater) that would have gone into the drainage area system and contributed towards the volume intended from the fallowing water transfer.

Despite these concerns regarding lost water transfer supplies, SB 749 in 2013 (Wolk, D-Davis) added Section 1018 to the Water Code which reads:

“When agricultural lands are being idled in order to provide water for transfers pursuant to this division, and an amount of water is determined to be made available by that idling, landowners shall be encouraged to cultivate or retain nonirrigated cover crops or natural vegetation to provide waterfowl, upland game bird, and other wildlife habitat, provided that all other water transfers requirements are met.”
Subsequent to SB 749’s passage, DWR has allowed nonirrigated vegetation to remain on fallowed lands if the landowner can demonstrate such vegetation is not consuming transferred water. This approach allows DWR to continue playing a key role monitoring fallowed lands to ensure legal water users are not negatively impacted by any vegetation consuming water on fallowed lands, while providing habitat values and not hindering important water transfer activities.

The most recent version of AB 472 would create a new significant burden on DWR to establish and implement a new habitat creation incentive program, would could result in increased water transfer costs and/or redirected costs. Finally, AB 472 would make it more difficult for DWR to ensure that purchasers of water transfer supplies and legal users of water, including all State Water Contractors’ member agencies, are not impacted by water consuming vegetation on fallowed lands.

In conclusion, the SWC oppose AB 472 because SB 749 already encourages landowners to retain cover crops on fallowed lands that do not consume transfer water, while maintaining DWR’s role to ensure that legal water users are not negatively impacted. AB 472 may interfere with water transfers that are a necessary and important water management tool for the state.

For all of the above reasons, we urge you and members of the Assembly Water, Parks and Wildlife Committee to vote “no” on AB 472. If you have any questions, please do not hesitate to contact me at (916) 447-7357, x203.

Sincerely,

Jennifer Pierre
General Manager

cc: Assembly Member Jim Frazier  
Members of the Assembly Water, Parks and Wildlife Committee  
Ryan Ojakian, Senior Consultant, Assembly Water, Parks and Wildlife Committee  
Robert Spiegel, Policy Consultant, Assembly Republican Caucus
On Thursday, April 6, 2017, staff from the Water Utility and Watershed Divisions attended a meeting on the Overfelt Recharge Ponds near Penitencia Creek with the City of San Jose, San Jose Water Company (SJWC) and HydroScience, the consultant for SJWC’s Recycled Water Master Plan. The focus was on whether tertiary treated recycled water could be used to fill the ponds to provide a year-round supply for aesthetic reasons. The question is timely because SJWC will soon begin construction of recycled water pipelines nearby, including an alignment to provide irrigation supply at Overfelt Gardens. The Overfelt Ponds are on City-owned land, but were constructed under a 1974 agreement between the City and the District, with the District paying related construction costs, maintaining the ponds, and providing water to fill the ponds. The ponds have been dry for the past several years due to extreme drought. They are currently mostly dry due to rehabilitation work on pipelines serving the ponds.

The Overfelt Ponds are identified in the District’s Groundwater Management Plan as recharge facilities and are known to percolate. At the April 6th meeting, District staff indicated that the use of recycled water in the ponds would likely require a state permit for groundwater recharge and discussed the need to protect groundwater through adequate treatment (e.g., full advanced treatment). The Salt and Nutrient Management Plan for the Santa Clara Subbasin (which receives recharge from the Overfelt Ponds) does not address recharge with tertiary treated recycled water, and would therefore not support any related permitting. Alternatively, the City could consider lining the ponds to prevent infiltration. Because these ponds are used for groundwater recharge, the District would need to pursue additional recharge capacity and review the 1974 agreement for any related requirements.

District staff discussed plans to begin filling the ponds later this year once the pipeline work is complete, and also described the One Water visioning process for the Upper Penitencia Watershed, which is still in its early stages but may lead to future changes in the vicinity of Overfelt Ponds. After discussing issues related to reduced recharge, groundwater quality protection, and permitting requirements, City of San Jose staff present indicated they would not pursue the use of recycled water at the recharge ponds at this time. District staff expressed a willingness to further explore related options with City staff as needed. City staff seemed to understand the complexity of the issues raised by the District and were appreciative of our time.

Jim Fiedler, P.E., D.WRE
Chief Operating Officer
Water Utility Enterprise
TO: Board of Directors

FROM: Jim Fiedler
Chief Operating Officer
Water Utility Enterprise

DATE: April 18, 2017

SUBJECT: Update on the Zone of Benefit Study

The following update on the Zone of Benefit Study (Study) may be of interest to the Board since it has been some time since staff presented information to the Board on the Study. The District is conducting the Study to ensure the groundwater charge zones represent areas receiving similar benefits from District groundwater management activities. The technical analysis is being conducted by Hydrometrics Water Resources, Inc. (Hydrometrics). Stakeholder engagement in developing the Study methodology included a community meeting, small group briefings, and presentations to the Board’s Agricultural Water Advisory Committee and water retailers.

Staff is conducting a technical review of the preliminary Study report to ensure District groundwater management activities are appropriately described and that the rationale for the Hydrometrics recommendations is clear. The preliminary report will also be evaluated by a technical review committee, which includes Carl Hauge, Department of Water Resources Hydrogeologist (retired) and Rebecca Nelson, Fellow at Stanford University’s Water in the West Program.

In addition to the technical Study components, the District is also evaluating administrative issues related to potential groundwater charge zone changes as well as the effect on well owners who may be added to or removed from a zone. Staff expects to bring the preliminary Study report as an informational item to the Board in late summer.

After receiving input from interested stakeholders, the preliminary report will be finalized and brought to the Board for consideration. If the Board directs staff to modify the groundwater charge zones, Hydrometrics will oversee preparation of the legal description of the groundwater charge zones (metes and bounds) as required by the District Act. The new metes and bounds would then be brought back to the Board for adoption, which is anticipated to occur in Spring 2018 (if needed).

Jim Fiedler, P.E., D. WRE
Chief Operating Officer
Water Utility Enterprise

G. Hall, V. De La Piedra, G. Cook
Below is information on the current Board Advisory Committee vacancies. Please note that currently only half of the Director-nominated seats are filled on the Agricultural Water Advisory Committee.

<table>
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<tr>
<th>Committee</th>
<th>Total Vacancies</th>
<th>Nominating Director and Number of Vacancies</th>
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<tr>
<td>1 Agricultural Water Committee</td>
<td>7</td>
<td>• Director Varela – District 1 – One Vacancy</td>
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<td></td>
<td></td>
<td>• Director Keegan – District 2 – One Vacancy</td>
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<td>• Director LeZotte – District 4 – Two Vacancies</td>
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<td></td>
<td>• Director Estremera – District 6 – Two Vacancies</td>
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<td>• Director Kremen – District 7 – One Vacancy</td>
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<td>2 Environmental &amp; Water Resources Committee</td>
<td>2</td>
<td>• Director Keegan – District 2 – One Vacancy</td>
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<td>• Director Estremera – District 6 – One Vacancy</td>
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<td>3 Safe, Clean Water Independent Monitoring Committee</td>
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<td>• Director Varela – District 1 – One Vacancy</td>
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<td>• Board Chair Varela Appointment Vacant</td>
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