

SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the

PUBLIC AFFAIRS AND LEGISLATION COMMITTEE

May 4, 2015, 9:00 a.m.

(or immediately following the Planning & Operations Committee Meeting
which commences at 8:30 a.m.)
Conference Room 101

Teleconference Site:
105 Quarry Lane
Santa Cruz, CA 95065
(949) 244-3043

(Members of the Public may attend and participate in the meeting
at both locations.)

Committee:

Director Barbre, Chairman
Director Tamaribuchi
Director Hinman

Staff: R. Hunter, K. Seckel, J. Ouwkerk,
K. Davanaugh, H. Baez

Ex Officio Member: L. Dick

MWDOC Committee meetings are noticed and held as joint meetings of the Committee and the entire Board of Directors and all members of the Board of Directors may attend and participate in the discussion. Each Committee has designated Committee members, and other members of the Board are designated alternate committee members. If less than a quorum of the full Board is in attendance, the Board meeting will be adjourned for lack of a quorum and the meeting will proceed as a meeting of the Committee with those Committee members and alternate members in attendance acting as the Committee.

PUBLIC PARTICIPATION

Public comments on agenda items and items under the jurisdiction of the Committee should be made at this time.

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

Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Web site, accessible at <http://www.mwdoc.com>.

ACTION ITEMS

1. S.235 & H.R. 167 – THE WILDFIRE DISASTER FUNDING ACT OF 2015
2. CONSIDER AWARD OF CONTRACT FOR SCHOOL PROGRAM

ADJOURNMENT

NOTE: At the discretion of the Committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated, and may be subject to action by the Committee. On those items designated for Board action, the Committee reviews the items and makes a recommendation for final action to the full Board of Directors; final action will be taken by the Board of Directors. Agendas for Committee and Board meetings may be obtained from the District Secretary. Members of the public are advised that the Board consideration process includes consideration of each agenda item by one or more Committees indicated on the Board Action Sheet. Attendance at Committee meetings and the Board meeting considering an item consequently is advised.

Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning Maribeth Goldsby, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at P.O. Box 20895, Fountain Valley, CA 92728. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.



ACTION ITEM

May 4, 2015

TO: Board of Directors

FROM: **Public Affairs & Legislation Committee**
(Directors Barbre, Hinman, Tamaribuchi)

Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: S.235 & H.R. 167 – THE WILDFIRE DISASTER FUNDING ACT OF 2015

STAFF RECOMMENDATION

Staff recommends the Board of Directors vote to support S.235 & H.R. 167 - The Wildfire Disaster Funding Act of 2015 and send a letter indicating our support.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

S. 235 & H.R. 167 – The Wildfire Disaster Funding Act of 2015 would change the way the federal government budgets for wildland fire suppression to eliminate the need to transfer funds from critical forest conservation, management and fuel reduction programs. These measures would treat catastrophic wildfires like other natural disasters. Under the Budget Control Act, agencies responding to natural disasters like hurricanes, floods, or tornadoes have access to disaster funding through a budget cap adjustment. S. 235 & H.R. 167 would make catastrophic wildfire suppression eligible for similar disaster funding. Under the bill, routine wildland firefighting costs, which make up about 70% of the cost of wildfire suppression, would continue to be funded through the normal appropriations process. The true emergency fire events, which represent about 1% of wildland fires but make up 30% of costs, would be treated like similar natural disasters and funded through disaster programs.

This fix will enable federal agencies to continue to deliver on their missions to help sustainably manage America’s forests, both public and private.

Budgeted (Y/N): n/a	Budgeted amount:	Core x	Choice __
Fiscal Impact (explain if unbudgeted):			

ARGUMENTS IN SUPPORT

H.R. 167 & S. 235 is a bipartisan approach to fire suppression funding. For the first time, an emergency funding process would be created for fire response, mirroring the funding mechanism FEMA depends on to respond to other natural disasters. This structure would significantly reduce "borrowing" from other U.S. Forest Service and Department of the Interior (DOI) programs, which disrupts a wide variety of projects, some of which help reduce the risk and costs of future megafires.

These measures do not increase spending. They are budget process bills, not a spending bill. They do not fund wildfire suppression through FEMA's budget, and do not impact the Disaster Relief Fund. Instead, it makes the Forest Service and the DOI eligible for the disaster budget cap adjustment under the Budget Control Act.

ARGUMENTS IN OPPOSITION

Currently, there is no opposition to this measure.

BACKGROUND

Under current budget structures, wildfire suppression is funded through the Interior and Environment Appropriations bill at the 10 year average. When wildfire costs exceed the budgeted amount, the agencies are forced to borrow from other non-fire accounts to pay for fire suppression. This means that funding intended for hazardous fuels removal and other important land management activities gets diverted to fire suppression before those projects can be completed. If Congress pays back these accounts, it is usually too late to make a difference. Because the cost of federal wildfire suppression has increased substantially over the past 20 years, fire borrowing has occurred eight out of the past 10 years. This extraordinary measure has become routine. Robbing these accounts year after year means that important forest management projects don't get done, leaving unhealthy forests that are more susceptible to expensive catastrophic wildfires. In addition, fire suppression eats up over 50% of the Forest Service's budget and crowds out other important programs funded through the Interior and Environment Appropriations bill.

RECENT DEVELOPMENTS

On April 23, the House Committee on Natural Resources, Subcommittee on Federal Lands held a hearing examining, "The Devastating Impacts of Wildland Fires and the Need to Better Manage Our Overgrown, Fire-Prone National Forests." Testifying at the hearing were Andy Fecko, Placer County Water Agency (PCWA); Phil Rigdon, Yakama Nation, Department of Natural Resources; Diane Vosick, Ecological Restoration Institute, Northern Arizona University; and Mitch Friedman, Conservation Northwest, Washington State.

Subcommittee Chairman McClintock (R-CA) framed the purpose of the hearing in his opening statement, "We want the growing scourge of wildfire brought back under control. We want the destruction of mountain habitats by fire, disease and pestilence arrested and

reversed. We want the prosperity of our mountain regions restored. And that will require a dramatic change in current policy, which this majority is preparing to take.”

The hearing was well attended and member remarks were largely nonpartisan. There was agreement on the devastating impacts of wildfires on watersheds, the need for local collaboration and for dedicated federal funding. Congressman Huffman (D-CA) stressed the importance of protecting environmental safeguards and utilizing existing federal programs and authorities to address wildfires.

Since 2000, over 38% of the American River Watershed, where PCWA facilities are located, have burned in a succession of severe wildfires. Andy Fecko testified on the long-term impact of these high intensity wildfires to their water supply and power generation facilities. Specifically, he stated, “This impact can last for many years. While trees and brush can begin to regrow within a decade of even an intense fire, the fertile soils that have taken millennia to establish are damaged for many centuries.”

What’s Next? – According to subcommittee staff, they will be holding a series of oversight hearings focusing on forest health with the goal of producing comprehensive forestry legislation by early summer.

114TH CONGRESS
1ST SESSION

S. 235

To provide for wildfire suppression operations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 22, 2015

Mr. WYDEN (for himself, Mr. CRAPO, Ms. CANTWELL, Mr. RISCH, Mr. BENNET, Mr. GARDNER, Ms. BALDWIN, and Mr. DAINES) introduced the following bill; which was read twice and referred to the Committee on the Budget

A BILL

To provide for wildfire suppression operations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wildfire Disaster
5 Funding Act of 2015”.

6 **SEC. 2. WILDFIRE DISASTER FUNDING AUTHORITY.**

7 (a) IN GENERAL.—Section 251(b)(2) of the Balanced
8 Budget and Emergency Deficit Control Act of 1985 (2
9 U.S.C. 901(b)(2)) is amended by adding at the end the
10 following:

1 “(E) FLAME WILDFIRE SUPPRESSION.—

2 “(i) If a bill or joint resolution mak-
3 ing appropriations for a fiscal year is en-
4 acted that specifies an amount for wildfire
5 suppression operations in the Wildland
6 Fire Management accounts at the Depart-
7 ment of Agriculture or the Department of
8 the Interior, then the adjustments for that
9 fiscal year shall be the amount of addi-
10 tional new budget authority provided in
11 that Act for wildfire suppression operations
12 for that fiscal year, but shall not exceed—

13 “(I) for fiscal year 2016,
14 \$1,410,000,000 in additional new
15 budget authority;

16 “(II) for fiscal year 2017,
17 \$1,460,000,000 in additional new
18 budget authority;

19 “(III) for fiscal year 2018,
20 \$1,560,000,000 in additional new
21 budget authority;

22 “(IV) for fiscal year 2019,
23 \$1,780,000,000 in additional new
24 budget authority;

1 “(V) for fiscal year 2020
2 \$2,030,000,000 in additional new
3 budget authority;

4 “(VI) for fiscal year 2021,
5 \$2,320,000,000 in additional new
6 budget authority;

7 “(VII) for fiscal year 2022,
8 \$2,650,000,000 in additional new
9 budget authority;

10 “(VIII) for fiscal year 2023,
11 \$2,690,000,000 in additional new
12 budget authority;

13 “(IX) for fiscal year 2024,
14 \$2,690,000,000 in additional new
15 budget authority; and

16 “(X) for fiscal year 2025,
17 \$2,690,000,000 in additional new
18 budget authority.

19 “(ii) As used in this subparagraph—

20 “(I) the term ‘additional new
21 budget authority’ means the amount
22 provided for a fiscal year, in excess of
23 70 percent of the average costs for
24 wildfire suppression operations over
25 the previous 10 years, in an appro-

1 patriation Act and specified to pay for
 2 the costs of wildfire suppression oper-
 3 ations; and

4 “(II) the term ‘wildfire suppres-
 5 sion operations’ means the emergency
 6 and unpredictable aspects of wildland
 7 firefighting including support, re-
 8 sponse, and emergency stabilization
 9 activities; other emergency manage-
 10 ment activities; and funds necessary
 11 to repay any transfers needed for
 12 these costs.

13 “(iii) The average costs for wildfire
 14 suppression operations over the previous
 15 10 years shall be calculated annually and
 16 reported in the President’s Budget submis-
 17 sion under section 1105(a) of title 31,
 18 United States Code, for each fiscal year.”.

19 (b) DISASTER FUNDING.—Section 251(b)(2)(D) of
 20 the Balanced Budget and Emergency Deficit Control Act
 21 of 1985 (2 U.S.C. 901(b)(2)(D)) is amended—

22 (1) in clause (i)—

23 (A) in subclause (I), by striking “and” and
 24 inserting “plus”;

1 (B) in subclause (II), by striking the pe-
2 riod and inserting “; less”; and

3 (C) by adding the following:

4 “(III) the additional new budget
5 authority provided in an appropriation
6 Act for wildfire suppression operations
7 pursuant to subparagraph (E) for the
8 preceding fiscal year.”; and

9 (2) by adding at the end the following:

10 “(v) Beginning in fiscal year 2018
11 and in subsequent fiscal years, the calcula-
12 tion of the ‘average funding provided for
13 disaster relief over the previous 10 years’
14 shall include the additional new budget au-
15 thority provided in an appropriation Act
16 for wildfire suppression operations pursu-
17 ant to subparagraph (E) for the preceding
18 fiscal year.”.

19 (c) REPORTING REQUIREMENTS.—If the Secretary of
20 the Interior or the Secretary of Agriculture determines
21 that supplemental appropriations are necessary for a fiscal
22 year for wildfire suppression operations, such Secretary
23 shall promptly submit to Congress—

24 (1) a request for such supplemental appropria-
25 tions; and

1 (2) a plan detailing the manner in which such
2 Secretary intends to obligate the supplemental ap-
3 propriations by not later than 30 days after the date
4 on which the amounts are made available.

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114TH CONGRESS
1ST SESSION

H. R. 167

To provide for adjustments to discretionary spending under section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 to support wildfire suppression operations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2015

Mr. SIMPSON (for himself and Mr. SCHRADER) introduced the following bill; which was referred to the Committee on the Budget, and in addition to the Committees on Agriculture and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for adjustments to discretionary spending under section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 to support wildfire suppression operations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wildfire Disaster
5 Funding Act”.

1 **SEC. 2. WILDFIRE DISASTER FUNDING AUTHORITY.**

2 (a) ADJUSTMENTS TO DISCRETIONARY SPENDING
3 LIMITS.—Section 251(b)(2) of the Balanced Budget and
4 Emergency Deficit Control Act of 1985 (2 U.S.C.
5 901(b)(2)) is amended by adding at the end the following:

6 “(E) FLAME WILDFIRE SUPPRESSION.—(i)
7 If a bill or joint resolution making appropria-
8 tions for a fiscal year is enacted that specifies
9 an amount for wildfire suppression operations
10 in the Wildland Fire Management accounts at
11 the Department of Agriculture or the Depart-
12 ment of the Interior, then the adjustments for
13 that fiscal year shall be the amount of addi-
14 tional new budget authority provided in that
15 Act for wildfire suppression operations for that
16 fiscal year, but shall not exceed \$2,689,000,000
17 in additional new budget authority in each of
18 fiscal years 2015 through 2022.

19 “(ii) If the Secretary of the Interior or the
20 Secretary of Agriculture determines that sup-
21 plemental appropriations are necessary for a
22 fiscal year for wildfire suppression operations,
23 such Secretary shall promptly submit to Con-
24 gress—

25 “(I) a request for such supplemental
26 appropriations; and

1 “(II) a plan detailing the manner in
2 which such Secretary intends to obligate
3 the supplemental appropriations within 30
4 days after the date on which such supple-
5 mental appropriations are made available.

6 “(iii) The average costs for wildfire sup-
7 pression operations over the previous 10 years
8 shall be calculated annually and reported in the
9 President’s budget submission under section
10 1105(a) of title 31, United States Code, for
11 each fiscal year.

12 “(iv) As used in this subparagraph—

13 “(I) the term ‘additional new budget
14 authority’ means the amount provided for
15 a fiscal year, in excess of 70 percent of the
16 average costs for wildfire suppression oper-
17 ations over the previous 10 years, in an
18 appropriation Act and specified to pay for
19 the costs of wildfire suppression oper-
20 ations; and

21 “(II) the term ‘wildfire suppression
22 operations’ means the emergency and un-
23 predictable aspects of wildland firefighting
24 including support, response, and emer-
25 gency stabilization activities, other emer-

1 gency management activities, and funds
2 necessary to repay any transfers needed
3 for these costs.”.

4 (b) DISASTER FUNDING.—Section 251(b)(2)(D) of
5 the Balanced Budget and Emergency Deficit Control Act
6 of 1985 (2 U.S.C. 901(b)(2)(D)) is amended—

7 (1) in clause (i)—

8 (A) in subclause (I), by striking “and” and
9 inserting “plus”;

10 (B) in subclause (II), by striking the pe-
11 riod and inserting “; less”; and

12 (C) by adding the following:

13 “(III) the additional new budget
14 authority provided in an appropriation
15 Act for wildfire suppression operations
16 pursuant to subparagraph (E) for the
17 preceding fiscal year.”; and

18 (2) by adding at the end the following:

19 “(v) Beginning in fiscal year 2017
20 and in subsequent fiscal years, the calcula-
21 tion of the ‘average funding provided for
22 disaster relief over the previous 10 years’
23 under clause (i)(I) shall include any addi-
24 tional new budget authority provided in an
25 appropriation Act for wildfire suppression

5

1 operations pursuant to subparagraph
2 (E).”.

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ACTION ITEM

May 4, 2015

TO: Board of Directors

FROM: **Public Affairs & Legislation Committee**
(Directors Barbre, Hinman, Tamaribuchi)

Robert Hunter
General Manager

Staff Contact: Karl Seckel

SUBJECT: CONSIDER AWARD OF CONTRACT FOR SCHOOL PROGRAM

STAFF RECOMMENDATION

Staff recommends the Board of Directors: Receive the recommendation from the Review Committee, discuss the options, and award the contract for School Program.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

The School Program RFP was sent out and MWDOC received proposals from the following vendors:

- Discovery Science Center
- The Ecology Center
- Inside the Outdoors
- SGA, S. Groner Associates, Inc.
- Building Block Entertainment
- Numedeon, Inc.

The proposals were reviewed and ranked by a combination of MWDOC staff and volunteer representatives from our member agencies from SMWD, Mesa Water, Anaheim and EOCWD. The group invited three of the six proposers for interviews:

Budgeted (Y/N):	Budgeted amount:	Core __	Choice __
Action item amount:		Line item:	
Fiscal Impact (explain if unbudgeted):			

- Discovery Science Center
- The Ecology Center
- Inside the Outdoors

Following the interview process, the group suggested a final recommendation with some details to be worked out that involve MWDOC getting additional information from the proposers to complete the selection process. Staff is in the process of following up and will present a final recommendation for the PAL Committee and Board consideration, but the packet will most likely not be available until Thursday or Friday this week. Thank you for your patience.