

MEETING OF THE
BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the
PUBLIC AFFAIRS AND LEGISLATION COMMITTEE
May 15, 2017, 8:30 a.m.
Conference Room 101

Committee:

Director Tamaribuchi, Chairman
Director Dick
Director Yoo Schneider

Staff: R. Hunter, K. Seckel, J. Volzke,
P. Meszaros, H. Baez, D. Micalizzi, T.
Baca

Ex Officio Member: W. Osborne

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 RECEIVED TOO LATE TO BE AGENDIZED - Determine there is a need to take immediate action on item(s) and that the need for action came to the attention of the District subsequent to the posting of the Agenda. (Requires a unanimous vote of the Committee)

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>.

DISCUSSION ITEMS

1. LEGISLATIVE ACTIVITIES
 - a. Federal Legislative Report (Barker)
 - b. State Legislative Report (BBK)
 - c. County Legislative Report (Lewis)
 - d. Legal and Regulatory Report (Ackerman)
 - e. MWDOC Legislative Matrix
 - f. Metropolitan Legislative Matrix

ACTION ITEMS

2. ADOPT LEGISLATIVE POSITIONS
 - a. H.R. 1430 (Lamar Smith, R-TX) – Honest and Open New EPA Science Treatment Act of 2017
 - b. H.R. 1431 (Frank Lucas, R-OK) – EPA Science Advisory Board Reform Act of 2017
 - c. H.R. 1654 (McClintock, R-CA) – Water Supply Permitting Coordination Act
 - d. SB 231 (Hertzberg) – Local Government: Fees and Charges
3. TRAVEL TO WASHINGTON, DC TO COVER FEDERAL INITIATIVES
4. TRAVEL TO SACRAMENTO TO COVER STATE INITIATIVES
5. AUTHORIZATION TO CONTRACT FOR MWDOC ENTRY HALLWAY DISPLAY DESIGN AND CONSTRUCTION
6. ASSOCIATION OF CALIFORNIA WATER AGENCIES REGION 10 CALL FOR CANDIDATES
7. AUTHORIZATION TO PARTICIPATE IN SOUTHERN CALIFORNIA WATER COMMITTEE CALIFORNIA WATERFIX EDUCATION CAMPAIGN

INFORMATION ITEMS (THE FOLLOWING ITEMS ARE FOR INFORMATIONAL PURPOSES ONLY – BACKGROUND INFORMATION IS INCLUDED IN THE PACKET. DISCUSSION IS NOT NECESSARY UNLESS REQUESTED BY A DIRECTOR.)

8. WYLAND MAYOR'S CHALLENGE – POCKET PARK
9. EDUCATION REPORT
 - a. Elementary
 - b. High School
10. UPDATE ON WATER SUMMIT PLANNING (JUNE 16, 2017)
11. OC LAFCO UPDATE
12. PUBLIC AFFAIRS ACTIVITIES REPORT

OTHER ITEMS

13. REVIEW ISSUES RELATED TO LEGISLATION, OUTREACH, PUBLIC INFORMATION ISSUES, AND MET

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.

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Nicholas Crockett
Alia Cardwell

Municipal Water District of Orange County, California
Washington Update
May 8, 2017

Activity in Congress:

As we are entering the fifth month of the legislative year, Congress is in full swing and passed the Omnibus Appropriations Bill for FY2017 last week. This is the legislation that funds our federal government agencies through September 30, 2017.

In another major action, on May 4th the House of Representatives passed their version of the Obama Care Repeal and Replace legislation by a margin of 217-213, in a very close vote. The health care bill will now go to the U.S. Senate where key Senate leaders have indicated that they intend to “rewrite the entire bill”. The health care legislation promises to be a very challenging issue for the Senate and importantly, as this report is being prepared, Senate Leadership is indicating that it will not be able to move forward with tax reform or with infrastructure legislation until the health care legislation has been passed.

It is noteworthy to mention that if the Senate can not come to an agreement on the repeal and replacing of Obama Care, there will need to be some form of legislative fix required to prop up the existing Obama Care law—due to the fact that there are many areas of the country where the law is not working as intended.

Filling the Administration’s key positions:

One of the other major issues in the background here is the slow pace at which the Trump Administration is filling key policy positions within their Administration. As an example in the area of natural resources, the number two person at the Department of Interior, David Bernhardt’s name as been floated to be the Deputy Undersecretary but at press time, his paperwork has still not been submitted to the key confirmation

committee in the Senate—the Senate Energy and Natural Resources Committee.

There is no word yet on who will be the Assistant Secretary of Water and Science or the Commissioner of the Bureau of Reclamation. With nominations for Senate-confirmed Interior Department positions still held up at the White House, Secretary Ryan Zinke last week appointed his former campaign manager to the second highest job at the Bureau of Reclamation.

His name is Alan Mikkelsen, and he led Zinke's first successful bid for Congress in 2014. Zinke was re-elected last year before being nominated by President Trump as Interior secretary. The incoming Reclamation deputy commissioner was a police officer and farmer before getting into Montana politics and policy. For more than 30 years, he worked as a consultant on land, water and tribal issues.

Water Issues:

On May 3, 2017, the EPA announced that it had received 43 letters of interest from entities seeking credit assistance through the agency's brand new Water Infrastructure Finance and Innovation Act (known as WIFIA). The Agency said that \$17 Million of budget authority was approved for WIFIA in this first round of financing—which EPA said it expected to fund water infrastructure project costs of more than \$2 Billion. There may be another round of funding that will be announced in a subsequent federal register notice later this year.

If the EPA believes a proposed project is worthy of funding, after reviewing the letter of intent, the agency will ask the applicant to submit a formal application packet and make an oral presentation to EPA Staff.

MWDOC staff has been active in assisting certain member agencies in reviewing the viability of applying for WIFIA Funds.

During the passage of the WIFIA enabling legislation, MWDOC was instrumental in obtaining language which allowed: 1) all project costs, including up-front feasibility related costs to be part of a WIFIA repayment loan; 2) ocean water desalination as a project purpose; and 3) the use of municipal tax free bonds in conjunction with WIFIA financing.

Key Funding Levels for Water Related Programs on the Federal Level in the FY2017 Omnibus Appropriations Bill:

<i>Agency</i>	<i>FY2016 Funding</i>	<i>FY2017 Omnibus Bill</i>
EPA	\$8.1 Billion	\$8.1 Billion
Clean Water SRF	\$1.39 Billion	\$1.35 Billion
WIFIA		\$30 Million
Dept of Interior	\$12 Billion	\$12.3 Billion
Fish and Wildlife Service	\$1.2 Billion	\$1.2 Billion
Bureau of Reclamation	\$1.12 Billion	\$1.15 Billion
Title XVI	\$23.4 Million	\$24.4 Million
Cal Fed	\$37 Million	\$36 Million
Water Smart	\$20 Million	\$24 Million
Western Drought	\$100 Million	\$44 Million
WIIN/WRDA Water Recycling Grant Program	NA	\$10 Million
WIIN Desalination Grant Program	NA	\$6 Million
WINN Storage Projects	NA	\$67 Million
Army Corps	\$6 Billion	\$6 Billion
Army Corps O&M	\$3.14 Billion	\$3.15 Billion
Army Corps Construction	\$1.86 Billion	\$1.88 Billion
Army Corps Environmental Infrastructure		\$55 Million

The FY2018 Budget and Appropriations Cycle:

The Trump Administration is expected to release their budget recommendations with full documentation and justifications by late May. This will be for the funding year that starts October 1, 2017. This will be the first opportunity for the Trump Administration to put its own “stamp” on recommended spending. Later this year, Congress will need to pass another Debt Limit Extension—which is recent years has been very controversial. Many observers here believe that the funding decisions for FY2018 will be wrapped up and decided at the same time that the Debt Limit is increased.

MWDOC has been meeting with key offices and has submitted Appropriations Requests to the both House and the Senate to allow Army Corps funding to be used for Environmental Infrastructure Projects within the State of California. We are tracking this issue carefully. Now that the FY2017 Omnibus Appropriations Bill has passed, the various Appropriations Committee will turn to holding hearings and advancing the FY2018 Agency funding bills.

Activities in the House and Senate “Water Subcommittees”:

Two Senate committees will discuss water infrastructure and drought preparedness, including a series of bills on the subject, at separate hearings this week.

While neither of these committee meetings deal directly with California, it is nevertheless instructive to see what water issues the Congress is dealing with at the present time.

It should be noted that there is a clear recognition here in Washington that the heavy rains earlier this year ended the drought in California—just as the Department of Interior was about to implement many of the provisions of the California Drought Bill which passed in December 2016.

The “Water Fix” Legislation continues to be one of the high priorities for California water interests. State and Federal Wildlife Agencies have been looking to see if the Delta Water Tunnels Project will harm endangered salmon and the Delta Smelt, as well as other species. And in their review, they will determine how much water the Delta Tunnels can deliver in order to ensure that the species don’t go extinct. We are waiting on those opinions before other key decisions are made regarding the tunnels.

The Environment and Public Works Subcommittee on Transportation and Infrastructure

will hold a hearing on the roles the public and private sectors play in developing water resources.

Lt. Gen. Todd Semonite, the Army Corps of Engineers' commanding general and chief of engineers, will testify, along with officials from ports across the country, about the benefits water resources can bring local, state and national economies.

In the Senate Energy and Natural Resources Committee, the Subcommittee on Water, Power and Oceans will hold a hearing on a number of water resources bills.

One of those bills is a drought relief measure, S. 1012, from New Mexico Democratic Sens. Tom Udall and Martin Heinrich. This is legislation that was first introduced in 2015 and has still not passed the Congress.

In New Mexico, the Middle Rio Grande Conservancy District, which provides irrigation water to the region's farms, recently changed its position to favor water leasing programs that would enable temporary transfers from agriculture to environmental flows. The Udall-Heinrich bill would lay a legal foundation to allow such transfers to take place.

The panel will consider six other proposals:

S.440, from Sen. John Hoeven (R-N.D.), to establish a procedure to convey certain federal property around the Dickinson Reservoir in North Dakota.

S. 677 from Sen. John Barrasso (R-Wyo.), to authorize the Bureau of Reclamation to coordinate federal and state permitting processes relating to the construction of new water storage projects on lands belonging to the Interior Department and the Department of Agriculture.

S.685 from Sen. Steve Daines (R-Mont.), to authorize the Dry-Redwater Regional Water Authority System and the Musselshell-Judith Rural Water System in Montana and North Dakota.

S.930 from Sen. Jeff Flake (R-Ariz.), the "Western Area Power Administration Transparency Act."

S. 1029, from Sen. Angus King (I-Maine), to amend the Public Utility Regulatory Policies Act of 1978 to exempt certain small hydroelectric power projects that are applying for relicensing under the Federal Power Act from the licensing requirements of that act.

S. 1030, also from King, to require the Federal Energy Regulatory Commission to submit reports to Congress on certain hydropower projects.

Turf Rebate Issue:

Barker, PC has continued to track the turf rebate issue. Senator Feinstein's office advised us that they understood they were set to get a response from Treasury in January 2017 but the letter by the Obama Administration wasn't signed before the end of their Administration. Senator Feinstein did send the letter noted below in February to the Trump Administration and have been told that the Treasury Department needs additional personnel positions to be in place to make a final decision. With some positions recently named, we're hoping that is a positive step. Senator Feinstein's office is following up with Treasury and we will continue to monitor this. Senator Feinstein's office has indicated that it is willing to discuss legislation if the administrative process doesn't work.

Update on Funding Related Issues for the Municipal Water District of Orange County:

There is a Funding Scorecard attached to this Report. It provides a listing of current federal grants available that may be of interest to MWD OC's Member Agencies at the present time. The Scorecard works electronically. The Scorecard contains a listing of current grants and some grants that have expired—the purpose of showing the expired grants is to allow water districts to see what federal grants may be on the horizon based upon last year's grants. In many cases, these competitive grants often, but not always repeat, for the next year.

Items of General Interest

The letter below is the letter that Senator Feinstein along with several other Senators recently sent to the Department of the Treasury regarding the Turf Rebate issue.

United States Senate
WASHINGTON, DC 20510

February 3, 2017

The Honorable Acting Secretary Adam Szubin
Department of Treasury
1500 Pennsylvania Avenue NW
Washington, DC 20220

Dear Acting Secretary Szubin:

We are writing to request that the Department of the Treasury clarify that water conservation rebates and storm water management rebates, including the installation of green infrastructure, can be excluded from residents' taxable income. We have recently received information showing significant, measurable energy savings that result from water conservation. Given the compelling data we have received, we have reason to believe that water conservation rebates should be considered exempt from inclusion in gross income under 26 U.S.C. § 136 (Section 136), which provides such an exemption for energy conservation measures.

Significant conservation measures are underway at urban utilities throughout the country, including in Nevada, Washington, California, Colorado, and Arizona. For example, conservation programs in Arizona have been very effective. Over the past five years, rebates of over \$4,500,000 have contributed to a growing population and economy with shrinking water use. In Colorado, water utilities have also been working to implement conservation programs that have the benefit of saving water and electricity or natural gas, including residential shower head exchange programs. Nevada water managers have deployed a variety of innovative water conservation programs that are yielding immense benefits. Southern Nevada alone cut per capita consumption over the past decade by over 30 percent even though the region has added over 200,000 new residents in that same time span. In Washington state's largest metropolitan county, \$4,800,000 in rebates for rain gardens have helped manage nearly 20 million gallons of storm water, the most cost-effective method available.

In addition, we have attached a letter from the Director of the Center for Water-Energy Efficiency at the University of California, Davis, which details the Center's findings that water conservation in California in Summer 2015 resulted in energy savings equivalent to those of energy efficiency programs. Notably, their research found that water conservation-related greenhouse gas savings over the Summer of 2015 were equivalent to taking about 50,000 cars off the road for a year. Additionally, the Los Angeles Department of Water and Power has estimated total energy savings of approximately 24,400 MWh for fiscal year 2015/16 from the residential and commercial


indoor and outdoor water conservation rebates that it provides. These figures are even higher after including energy savings from hot water heating and other customer end uses.


Section 136 was added in 1992, and there is now a clear nexus between saving water and saving energy. Water conservation results in energy savings, including reductions in energy use for heating and for treatment, and it provides significant benefits for enhancing water and energy infrastructure by helping to modernize equipment and facilities and make user systems more efficient and cost effective. We believe the federal agencies involved in energy and water conservation and the Department of the Treasury currently have the authority to interpret Section 136 more broadly.

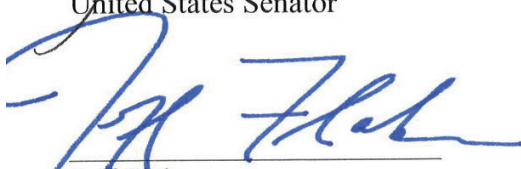
It appears that many, if not all, water conservation rebates result in per capita energy savings. The same is true of rebates designed to collect, treat, and use storm water or reduce storm water inflows into combined sewers. There are many challenges impacting our nation's water supplies, and it is imperative to maintain the effectiveness of incentives for residents to participate in water efficiency and storm water management programs. We would like to request that you clarify that in cases where a public utility can attest to energy savings from water conservation and storm water management measures, such rebates issued by a public utility can be excluded from gross income under Section 136. This is in line with the process many utilities already follow for energy conservation measures.


We look forward to working with you to ensure the success of water conservation and water quality efforts in our states.

Sincerely,


 Dianne Feinstein
 United States Senator


 Dean Heller
 United States Senator


 Jeff Flake
 United States Senator


 Cory Gardner
 United States Senator



Memorandum

To: Municipal Water District of Orange County
From: Syrus Devers, Best Best & Krieger
Date: May 15, 2017
Re: Monthly State Political Report

Permanent Conservation Regulations

If the process that includes the administration's trailer bill language, the water industry supported legislation (the Rubio bills), and the bills that contain the administration's language (the Friedman bills), were compared to a chess game, the water industry should be pleased with its opening moves. The administration's trailer bill language was held in the Assembly Budget Subcommittee, and the effort the industry put into the Rubio bills was a major part of the reason behind that success.

While we succeeded in keeping the fight in the legislative process, we now have to figure the middle game. How this process will play out is under discussion right now. It could be a negotiation between the administration and the water industry to merge the bills somehow, or it could be a member lead process, which Assembly Speaker Rendon seems to prefer. If progress is made in the week prior to the PAL Committee meeting, BB&K will provide an update at the hearing.

Legislative Update

Water Conservation bill package:

To recap, the bills dealing with making "Conservation A Way of Life" are as follows:

- AB 968 (Rubio): Urban water management plans.
- AB 1654 (Rubio): Water shortage contingency plan requirements.
- AB 1668 (Friedman): Urban water management plans.
- AB 1669 (Friedman): Water shortage contingency plan requirements.

All bills were moved to the Assembly Appropriations Committee where they may go on the Suspense File while the parties figure out the process to move forward per the note above.



WaterFix:

AB 791 (Opposed): This bill would require a detailed financial analysis by DWR before a state water contractor can enter into a contract to pay for the Delta conveyance facilities. This bill barely made it out of policy committee with a votes that defies analysis. Assemblyman Harper did vote “NO,” along Republican Frank Bigelow who represents a northern district, but opposite them were two Democrats from Southern California. The best explanation is that the attention was on the water conservation bill package and this bill slipped through the net.

The net did catch AB 792 (Opposed) by the same author, Assm. Fraizer (D-Oakley), which was another attempt to stop the tunnels through “death by process.” Keep in mind that this is the first year of the two-year session, so nothing is really dead.

Other legislation:

AB 732 (Opposed) is a reintroduction of the Delta levee maintenance bill that was vetoed last year. Past bills similar to this one almost always move out of the policy committees simply because the concept of maintaining Delta levees is compelling and it’s a small amount of money relative to the overall budget. As before, ACWA is sidelined by internal divisions. The bill is now in the Appropriations Committee where it may face a less friendly audience.

There were no other bills opposed by MWDOC heard in committee since the last PAL Committee, and supported legislation advanced. The next procedural deadline is on the 26th when bills must move out of the fiscal committees to the floors of each house.

Activity Report

- Attended water conservation and long-term efficiency drafting sessions on behalf of MWDOC.
- Attended ACWA’s State Legislative Committee meetings and lobbyist meetings.
- Participated in meetings with legislators and staff on the water conservation bill package prior to the March 25th hearing date, and undertook other activities in advance of the Assembly Budget Subcommittee hearing on the administration’s trailer bill language, which took place on May 3rd.
- Attended Water Education Foundation Water Summit on Building Capacity.
- Monitored Water Commission hearing on SGMA and Prop 1 funding. (April 20th.)

The County of Orange Report

May 8, 2017
by Lewis Consulting Group



The May 10th meeting of Orange County LAFCO was held after the print deadline for PAL, so this report will be given orally at the May 15, 2017 meeting.

However, the agenda includes a number of interesting topics including:

- ◆The oath of office for new Commission Alternate Michelle Steel
- ◆The proposed Work Plan for fiscal year 2017-2018
- ◆Approval of contract with Management Partners regarding design and implementation of MSR and sphere of influence stakeholders input process
- ◆Potential waiver of MOU regarding transfer of jurisdiction sphere of influence between OC and Riverside LAFCO's related to water service for The Preserve at San Juan Project.



The May 9th meeting of the Orange County Board of Supervisors also took place post PAL Report print deadline.

Here are some of the items that might be discussed at PAL on Monday:

- ◆County approving \$500,000 or \$125,000 per year for four years to extend it's Associate membership with Southern California Coastal Water Research Project Authority
- ◆Five year agreement with U.S. immigration and Customs to add 120 beds for detainees, increasing from 838-958 beds throughout July 19, 2020
- ◆Possible approval of Esperanza Hills Specific Plan and re-zoning of proposed housing project in unincorporated Yorba Linda.

Supervisors Block Commission Funding

About 100 attendees at the April 27, 2017 meeting of the Board of Supervisors were disappointed to learn that a \$250,000 budget request to augment staff funding for the Orange County Human Relations Council had been deleted from that meeting's agenda. The Council is a non-profit entity whose work often augments the work of the Orange County Human Relations Committee. The Committee was founded by the Board of Supervisors in 1971 and the Council was formed 20 years later.

Supervisors Steel and Do in particular have been critical of the apparent blending of responsibilities between the two groups and the blurring of the Commission's independence. As a result, Steel and Do will co-chair a sub-committee to explore and cure inappropriate entanglements prior to consideration of augmented Commission funding at some future meeting.

County Opens Year-Round Homeless Center

For months the Orange County Board of Supervisors have been subjected to intense criticism by activists complaining that County leaders weren't doing enough to address Orange County's homeless problem.

However, the Supervisors have been working towards siting a homeless facility in North Orange County since 2013 and their efforts have finally borne fruit.

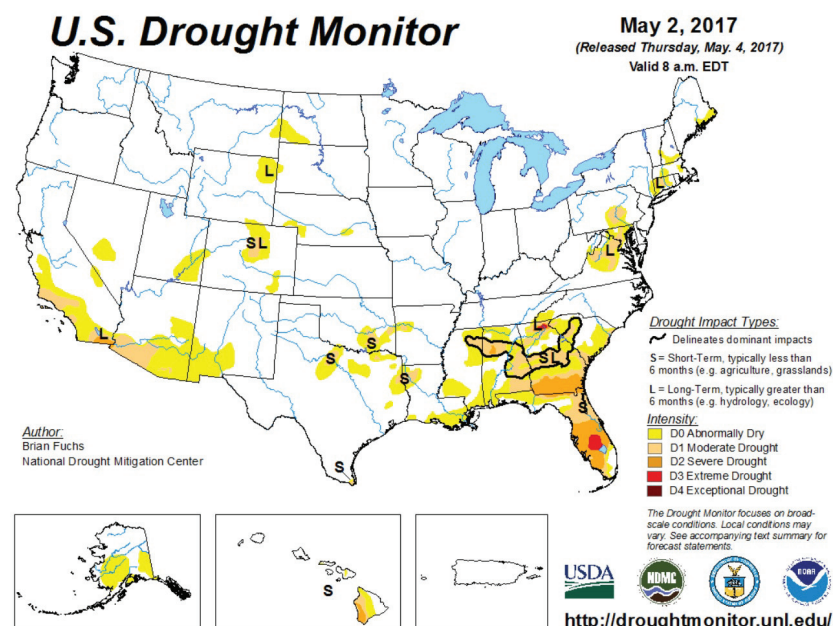


Bridges at Kraemer Place Homeless Center in Anaheim

On May 5, 2017, the County opened Bridges at Kraemer Place in Anaheim, a facility with an initial 100 beds which includes services such as laundry, shuttle services, job referrals and day care. Those served by the facility must reside in North Orange County and be referred for inclusion. Later this summer, the facility will be completed with a total build out of 200 beds along with a health clinic and a kitchen. Supervisors Nelson and Spitzer in particular championed this new facility.

Drought Wanes Across U.S.

The latest weekly figure published by the U.S. Drought Monitor on May 2nd confirms the extreme amount of rain across the country has really diminished U.S. drought levels. In fact, the May 2nd reading indicates the lowest level of national drought in the 17 year history of weekly charting.



OTE: To view regional drought conditions, click on map above. State maps can be accessed from regional maps.

The data cutoff for Drought Monitor maps is each Tuesday at 8 a.m. EDT. The maps, which are based on analysis of the data, are released each Thursday at 8:30 a.m. Eastern Time.

[Download PDF](#) [View last week's map](#) [Statistics Comparison](#) [Statistics Table](#) [Change Maps](#)



The U.S. Drought Monitor is produced through a partnership between the National Drought Mitigation Center at the University of Nebraska-Lincoln, the United States Department of Agriculture, and the National Oceanic and Atmospheric Administration.

For local details and impacts, please contact your [State Climatologist](#) or [Regional Climate Center](#).

Current National Drought Summary

Summary

An intense storm developed over the central Plains and moved through the Midwest, bringing with it torrential rains and thunderstorms on the front side and heavy, wet snow on the back side. A wide swath of the country from eastern Oklahoma through Arkansas, Missouri and into Illinois recorded over 5 inches of rain with the event. Portions of western Kansas and the Oklahoma Panhandle recorded several inches of snow, with some places over a foot. The Southeast remained dry as well as much of the Southwest. Long-term drought issues still linger in the Northeast even with the wet pattern of the last several months. Snow was still accumulating in

The Northeast

Southeast

Midwest

High Plains

South

West

Hawaii, Alaska and Puerto Rico

Looking Ahead

Author(s):

Brian Fuchs, National Drought Mitigation Center

[View a printable narrative here.](#)

[Download a PDF of the narrative.](#)

Drought Condition (Percent Area): United States

Statistics type: ☒ Traditional (D0-D4, D1-D4, etc.) ☐ Categorical (D0, D1, etc.)

Conditions for the U.S., including Alaska, Hawaii and Puerto Rico

Week	Date	Nothing	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	2017-05-02	82.62	17.38	4.21	1.11	0.10	0.00
Last Week	2017-04-25	76.38	23.62	5.16	0.92	0.03	0.00
3 Months Ago	2017-01-31	71.74	28.26	12.16	3.20	0.34	0.00
Start of Calendar Year	2016-12-27	56.09	43.91	20.09	8.43	3.78	1.51
Start of Water Year	2016-09-27	61.21	38.79	15.85	6.77	2.67	0.97
One Year Ago	2016-05-03	67.86	32.14	12.28	4.64	2.88	0.92

Conditions for the Contiguous U.S.

Week	Date	Nothing	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	2017-05-02	85.69	14.31	4.98	1.30	0.13	0.00
Last Week	2017-04-25	78.33	21.67	6.11	1.07	0.03	0.00
3 Months Ago	2017-01-31	68.02	31.98	14.55	3.83	0.41	0.00
Start of Calendar Year	2016-12-27	49.19	50.81	24.04	10.09	4.53	1.81
Start of Water Year	2016-09-27	53.60	46.40	18.96	8.10	3.20	1.16
One Year Ago	2016-05-03	66.11	33.89	14.56	5.46	3.44	1.11

ACKERMAN CONSULTING

Legal and Regulatory

May 17, 2017

1. **Russian/Eel River Fight over Hydro:** The two largest rivers in the North Coast are the Russian River and the Eel River. Most of the 600,000 North Bay residents depend on the Russian River for drinking water. Mendocino has a rich farming and cattle industry. However, salmon and trout runs have diminished over time and normal water runs have been changed. Even though the two rivers have distinct paths and watersheds, they come within two miles of each other near Potter Valley. In 1908, a SF industrialist, W. W. Van Arsdale connected the two via a tunnel and built a power plant and dams known as the Potter Valley Project. The purpose was to replace a coal fired plant to furnish electricity to the area and water for farming and human use. PG &E ultimately acquired ownership of the plant which had been relicensed twice since 1922 by the FERC and is coming up for renewal in 2022. Renewal applications must start 5 years ahead, hence the battle is commencing now between the environmentalists wanting to remove the two dams and the power plant and the farmers and most residents wanting to keep the Project in place. The agricultural use of the Project is worth hundreds of millions of dollars to Mendocino and Sonoma Counties as well as providing consistent water supply to the area. The battle begins!!
2. **Fresno Water Fees:** The City of Fresno recently passed a hook up fee on every new residential home of \$4,246. The original proposal was over \$6,000 per unit but was reduced after much opposition. The fee is to cover additional costs to provide water for future growth which includes water treatment, distribution, new wells and groundwater recharge. The charge was much debated and goes into effect this month.
3. **Drought Gone, Bugs Here!:** The drought is over and now we are experiencing an onslaught of little critters. Throughout California, the extensive rain and snow have brought moisture which produces food and damp conditions which bugs enjoy. The list grows: butterflies, mosquitoes, gnats, beetles, termites and the like. Exotic ones such as the *Tipula silvestra* or crane fly, which looks like a giant mosquito but are harmless. More bugs usually mean more problems. While many are harmless, many are very harmful. Termites are most common but the mosquito risk is very real with all the serious virus they carry.
4. **Clear Lake High Water Cost:** The City of Lucerne on Clear Lake has one of the highest water rates in the US. The average two month water bill nationally is \$240. In Lucerne it is over \$700. Lucerne's water supply comes from Clear Lake which is impacted with green algae. This water

requires extensive treatment and the provider Cal Water invested over \$7 million upgrading the old plant. Lucerne has only 1800 residents and many of the businesses which helped the financial condition of the town have closed or left town. Cal Water is looking into combining the Lucerne operation with other adjoining districts they control to spread out the costs. This is subject to PUC rules since private water agencies are under their jurisdiction.

5. **OC Algae Bloom Kills Sea Lions:** A large algae bloom has developed off the coast of Orange County. It is believed to be partially caused by fertilizer runoff. These blooms have not been at this magnitude since 2002. They contain a neurotoxin, domoic acid, which gets into the food chain and can cause sickness and death. The algae is eaten by the sardines which in turn are consumed by the sea lions. Last month 7 pregnant sea lions were rescued but subsequently died in this manner. The disease is potentially transferrable to humans although none have been reported.
6. **El Nino Predictions Begin:** If you recall a year ago, every week it seemed, there was a new report or prediction on El Nino. How strong it would be, where it would impact, how long it would be. Now, the forecasters and scientists are at it again. The current prediction is a weak to medium version this year and the odds of it happening are double the normal. The significance is twofold: One, that we could have a significant rain event on the west coast and second, it would be two El Ninos in a row, which is very uncommon. Warming trends have already begun around the Equator which are a precursor for an El Nino condition. Scientists admit that even if we have similar initial conditions, that the final results may differ as a result of Pacific Northwest temperatures. As you can see, El Nino has lots of moving parts, which we will hear about as the season progresses.
7. **More Water, Same Food Prices:** Even though our farm areas have had very wet seasons and the expected allotment this year has been substantially increased, UC Davis ag economists have warned not to expect cheaper food prices. The farm areas continued to produce their high value crops, carrots, strawberries, etc, by drawing down the groundwater. They grew less low value crops, corn, alfalfa, etc, because of the economics. Those products were generally used to feed cattle. To the extent those crops pick up, you could see lower milk prices but maybe not. Most California milk is used to make cheese which is exported.
8. **More Salty Aquifers Found:** We have previously reported on the existence brackish aquifers and attempts to put them to good use in water world. The US Geological Survey (USGS) recently released a report on the 60 major brackish aquifers in the US. The amount discovered is more than 35 times the amount of regular groundwater used in all 50 states each year. It is estimated that California in the Central Valley and Coastal Basin has almost 7 billion acre feet of salty water which is enough to provide water for the entire State for the next 160 years. This water can be used for mining and petroleum purposes in its untreated state. This water can also be used for certain agricultural and even livestock purposes depending on the salt concentration. Of course,

for human use, it would require full desal processing. Brackish water desal supplies about 40% of Alameda County Water District demand. Other such projects are being used in Tustin, Irvine, Dana Point and many other areas in California. The cost of this is quite favorable when looking at other alternatives. Long term sustainability is still being discussed as many of the aquifers are very old and difficult to recharge in a timely fashion.

9. **Global Groundwater/Global Food:** A growing number of scientists from around the world are studying the depletion of groundwater aquifers on a global level and the impact that could have on world food issues. Much of this groundwater is used to provide basic food, rice, wheat, soybean and other food crops, for billions of people worldwide. Pakistan, the US and India provide 2/3 of all exported crops irrigated from groundwater. A UCI professor and NASA scientist Jay Famiglietti indicates that groundwater conditions throughout the world may be reaching a tipping point as a result of over drafting. California is ahead of the rest of the world in trying to fashion solutions to this fact. He is still concerned from a world food situation that 2 billion folks rely on basic food from other countries whom are drawing down their aquifers to produce this food.
10. **Santa Clara Reservoir?:** Santa Clara Valley Water District (supplier to Silicon Valley) is pushing forward to increase water supply for its customers. The proposal is to build an \$800 million dam near Pacheco Pass which would hold 130,000 acre feet of water. A couple of other proposals from the District have been stopped because of environmental concerns and this one may have challenges as well. But thus far they are still proceeding through the process. They are also looking at raising the dam at Vaqueros Reservoir by 50 feet which would increase its storage from 160,000 to 275,000 acre feet.

MWDOC

PAL Committee

Prepared by Best Best & Krieger

May 8th, 2017

A. Priority Support/Oppose

AB 313

(Gray D) Water.

Current Text: Amended: 4/18/2017 [Text](#)

Current Analysis: 04/21/2017 [Assembly Water, Parks And Wildlife \(text 4/18/2017\)](#)

Last Amend: 4/18/2017

Status: 4/26/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 13. Noes 0.) (April 25). Re-referred to Com. on APPR.

Is Urgency: N

Summary: Current law authorizes the State Water Resources Control Board to adopt an order setting administrative civil liability based on the allegations set forth in the complaint without a hearing, unless a written request for a hearing signed by, or on behalf of, the party served with the complaint is delivered to or received by mail by the board within 20 days after receipt of the complaint. This bill, commencing July 1, 2018, would establish a Water Rights Division within the Office of Administrative Hearings, as prescribed.

Laws: An act to add Article 2.5 (commencing with Section 11375) to Chapter 4 of Part 1 of Division 3 of Title 2 of the Government Code, and to amend, repeal, and add Sections 1055 and 1552 of the Water Code, relating to water.

Position	Priority
Watch	A. Priority Support/Oppose

AB 574

(Quirk D) Potable reuse.

Current Text: Amended: 4/18/2017 [Text](#)

Current Analysis: 05/01/2017 [Assembly Appropriations \(text 4/18/2017\)](#)

Last Amend: 4/18/2017

Status: 5/3/2017-In committee: Set, first hearing. Referred to APPR. suspense file.

Is Urgency: N

Summary: Current law required the State Department of Public Health to develop and adopt uniform water recycling criteria for surface water augmentation, as defined, by December 31, 2016, if a specified expert panel found that the criteria would adequately protect public health health. Current law defined the terms "direct potable reuse," "indirect potable reuse for groundwater recharge," and "surface water augmentation" for these purposes. This bill would remove certain references to "direct potable reuse," "indirect potable reuse for groundwater recharge," and "surface water augmentation," and would instead specify the four different types of potable reuse projects as "groundwater augmentation," "reservoir augmentation," "raw water augmentation," and "treated drinking water augmentation."

Laws: An act to amend Sections 13560 and 13561 of, to amend the heading of Chapter 7.3 (commencing with Section 13560) of Division 7 of, and to add Sections 13560.5 and 13561.2 to, the Water Code, relating to water.

Position	Priority
Support	A. Priority Support/Oppose

AB 732*(Frazier D) Delta levee maintenance.**Current Text: Amended: 3/23/2017 [Text](#)**Current Analysis: 04/21/2017 [Assembly Water, Parks And Wildlife \(text 3/23/2017\)](#)**Last Amend: 3/23/2017**Status: 4/26/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 11. Noes 4.) (April 25). Re-referred to Com. on APPR.**Is Urgency: N*

Summary: Current law establishes a delta levee maintenance program pursuant to which a local agency may request reimbursement for costs incurred in connection with the maintenance or improvement of project or nonproject levees in the Sacramento-San Joaquin Delta. Current law declares legislative intent to reimburse eligible local agencies under this program, until July 1, 2018, in an amount not to exceed 75% of those costs that are incurred in excess of \$1,000 per mile of levee. Existing law, until July 1, 2018, authorizes the board to provide funds to an eligible local agency under this program in the form of an advance in an amount that does not exceed 75% of the estimated state share. This bill would extend indefinitely the operation of that declaration of legislative intent and the authorization to advance funds.

Laws: An act to amend Section 12987.5 of, and to amend and repeal Section 12986 of, the Water Code, relating to water.

Position	Priority
Opposition	A. Priority Support/Oppose

AB 791*(Frazier D) Sacramento-San Joaquin Delta: State Water Project and federal Central Valley Project: new conveyance facility.**Current Text: Amended: 3/21/2017 [Text](#)**Current Analysis: 04/21/2017 [Assembly Water, Parks And Wildlife \(text 3/21/2017\)](#)**Last Amend: 3/21/2017**Status: 4/26/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 7.) (April 25). Re-referred to Com. on APPR.**Is Urgency: N*

Summary: The Sacramento-San Joaquin Delta Reform Act of 2009 prohibits construction of a new Delta conveyance facility from being initiated until the persons or entities that contract to receive water from the State Water Project and the federal Central Valley Project or a joint powers authority representing those entities have made arrangements or entered into contracts to pay for certain costs required for the construction, operation, and maintenance of the facility and full mitigation of property tax or assessments levied for land used in the construction, location, mitigation, or operation of the facility. This bill would require, before a water contractor enters into a contract to pay for these costs, that the lead agency provide the breakdown of costs for each water contractor entering into a contract and what benefits each contractor will receive based on the proportion it has financed of the proposed conveyance project.

Laws: An act to amend Section 85089 of the Water Code, relating to the Sacramento-San Joaquin Delta.

Position	Priority
Opposition	A. Priority Support/Oppose

AB 793*(Frazier D) Sacramento-San Joaquin Delta: financing.**Current Text: Amended: 3/27/2017 [Text](#)**Last Amend: 3/27/2017**Status: 4/20/2017-In committee: Set, second hearing. Hearing canceled at the request of author.**Is Urgency: N*

Summary: Would declare it to be state policy that the existing state of the Sacramento-San Joaquin Delta is recognized and defined as an integral component of California's water infrastructure. The bill would state that the maintenance and repair of the Delta are eligible for the same forms of financing as other water collection and treatment infrastructure and would specify the maintenance and repair activities that are eligible are limited to certain cleanup and abatement-related restoration and conservation activities.

Laws: An act to add Section 108.7 to the Water Code, relating to water.

<i>Position</i>	<i>Priority</i>
<i>Opposition</i>	<i>A. Priority</i>
	<i>Support/Oppose</i>

[AB 869](#)

(Rubio D) Sustainable water use and demand reduction: recycled water.

Current Text: Amended: 3/28/2017 [Text](#)

Current Analysis: 04/21/2017 [Assembly Water, Parks And Wildlife \(text 3/28/2017\)](#)

Last Amend: 3/28/2017

Status: 4/26/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (April 25). Re-referred to Com. on APPR.

Is Urgency: N

Summary: Current law imposes various water use reduction requirements that apply to urban retail water suppliers, including a requirement that the state achieve a 20% reduction in urban per capita water use by December 31, 2020. This bill would require recycled water delivered within the service area of an urban retail water supplier or its urban wholesale water supplier for either nonpotable or potable use or that replenishes a groundwater basin and supplements the groundwater supply available to an urban retail water supplier be excluded from the calculation of any urban water use target or reduction in urban per capita water use.

Laws: An act to amend Sections 10608.8 and 10608.12 of, and to add Section 13551.5 to, the Water Code, relating to water.

<i>Position</i>	<i>Priority</i>
<i>Support</i>	<i>A. Priority</i>
	<i>Support/Oppose</i>

[AB 968](#)

(Rubio D) Urban water use: water efficiency.

Current Text: Amended: 4/17/2017 [Text](#)

Current Analysis: 04/21/2017 [Assembly Water, Parks And Wildlife \(text 4/17/2017\)](#)

Last Amend: 4/17/2017

Status: 4/26/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (April 25). Re-referred to Com. on APPR.

Is Urgency: N

Summary: Would require each urban retail water supplier to develop a water efficiency target, as defined, for 2025 in its 2020 urban water management plan required to be submitted by July 1, 2021, and to achieve that target. The bill would authorize an urban retail water supplier to adjust and update the water efficiency target, as appropriate, when the supplier reports its compliance in achieving the water efficiency targets and its implementation of the identified performance measures in its 2025 urban water management plan required to be submitted by July 1, 2026. The bill would require each urban retail water supplier to meet its adjusted 2025 water efficiency target by December 31, 2025, unless the supplier makes a certain report to the department.

Laws: An act to amend Sections 10608, 10608.4, 10608.8, 10608.12, 10608.20, 10608.24 of, to add Sections 10608.25, 10608.46, and 10608.47 to, and to add and repeal Section 10608.45 of, the Water Code, relating to water.

<i>Position</i>	<i>Priority</i>
<i>Support</i>	<i>A. Priority</i>
	<i>Support/Oppose</i>

[AB 1654](#)

(Rubio D) Water shortage: urban water management planning.

Current Text: Amended: 3/28/2017 [Text](#)

Current Analysis: 04/21/2017 [Assembly Water, Parks And Wildlife \(text 3/28/2017\)](#)

Last Amend: 3/28/2017

Status: 4/26/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (April 25). Re-referred to Com. on APPR.

Is Urgency: N

Summary: Would require each urban retail water supplier to report annually by June 15 to the Department of Water Resources the status of its water supplies for that year and whether the supplies will be adequate to meet projected customer demand, as prescribed. The bill would require the urban retail water supplier to implement the appropriate responses as described in its water shortage contingency analysis if the urban retail water supplier reports that all available water supplies for the applicable water year will not be adequate to meet projected customer demand.

Laws: An act to amend Sections 10621, 10631, 10632, and 10635 of, to repeal Section 10631.7 of, to add Sections 10613.5 and 10658 to, and to add Part 2.56 (commencing with Section 10609) to Division 6 of, the Water Code, relating to water.

<i>Position</i>	<i>Priority</i>
<i>Support</i>	<i>A. Priority</i>
	<i>Support/Oppose</i>

[AB 1668](#)

(Friedman D) Water management planning.

Current Text: Amended: 4/18/2017 [Text](#)

Current Analysis: 04/21/2017 [Assembly Water, Parks And Wildlife \(text 4/18/2017\)](#)

Last Amend: 4/18/2017

Status: 4/26/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 5.) (April 25). Re-referred to Com. on APPR.

Is Urgency: N

Summary: Current law, the Urban Water Management Planning Act, requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan and to update its plan once every 5 years on or before December 31 in years ending in 5 and zero, except as specified. This bill would require an urban water management plan to be updated on or before July 1, in years ending in 6 and one, incorporating updated and new information from the 5 years preceding the plan update.

Laws: An act to amend Sections 350, 10610.2, 10610.4, 10620, 10621, 10630, 10631, 10631.2, 10635, 10640, 10641, 10642, 10644, 10645, 10650, 10651, 10653, 10654, 10656, and 10814 of, to amend and renumber Sections 10612 and 10617 of, to repeal Section 10631.7 of, to repeal and add Section 10632 of, and to add Sections 10612, 10617, 10617.5, 10632.1, 10632.2, 10632.3, and 10643.5 to, the Water Code, relating to water.

<i>Position</i>	<i>Priority</i>
<i>Opposition</i>	<i>A. Priority</i>
	<i>Support/Oppose</i>

[AB 1669](#)

(Friedman D) Urban water conservation standards and use reporting.

Current Text: Amended: 4/18/2017 [Text](#)

Current Analysis: 04/21/2017 [Assembly Water, Parks And Wildlife \(text 4/18/2017\)](#)

Last Amend: 4/18/2017

Status: 4/26/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 6.) (April 25). Re-referred to Com. on APPR.

Is Urgency: N

Summary: Would require the State Water Resources Control Board, in consultation with the Department of Water Resources, to adopt long-term standards for urban water conservation and water use by May 20, 2021. The bill would authorize the board, in consultation with the department, to adopt interim standards for urban water conservation and water use by emergency regulation. The bill would require the board, before adopting an emergency regulation, to provide at least 60 days for the public to review and comment on the proposed regulation and would require the board to hold a public hearing.

Laws: An act to amend Sections 377, 1058.5, 1120, 1831, and 10608.20 of, and to add Chapter 9 (commencing with Section 10609) to Part 2.55 of Division 6 of, the Water Code, relating to water.

<i>Position</i>	<i>Priority</i>
<i>Opposition</i>	<i>A. Priority</i>
	<i>Support/Oppose</i>

[SB 778](#)

(Hertzberg D) Water systems: consolidations: administrative and managerial services.

Current Text: Amended: 4/26/2017 [Text](#)

Current Analysis: 04/17/2017 [Senate Environmental Quality \(text 4/5/2017\)](#)

Last Amend: 4/26/2017

Status: 5/4/2017-Set for hearing May 15.

Is Urgency: N

Summary: Would require, on or before March 1, 2018, the State Water Resources Control Board to track and publish on its Internet Web site an analysis of all voluntary and ordered consolidations of water systems, including publishing information on the resulting outcomes of the consolidations and whether the consolidations have succeeded or failed in providing an adequate supply of safe drinking water to the communities served by the consolidated water systems.

Laws: An act to amend Section 116682 of, and to add Chapter 4.1 (commencing with Section 116756) to Part 12 of Division 104 of, the Health and Safety Code, relating to drinking water.

<i>Position</i>	<i>Priority</i>
<i>Watch</i>	<i>A. Priority</i>
	<i>Support/Oppose</i>

Notes 1: Flagged for possible vehicle for public goods charge.

SCA 4

(Hertzberg D) Water conservation.

Current Text: Introduced: 2/2/2017 [Text](#)

Status: 2/16/2017-Referred to Com. on RLS.

Is Urgency:

Summary: The California Constitution requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented. This measure would declare the intent of the Legislature to amend the California Constitution to provide a program that would ensure that affordable water is available to all Californians and to ensure that water conservation is given a permanent role in California's future.

Laws: A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Article X C thereto, relating to water.

<i>Position</i>	<i>Priority</i>
<i>Watch</i>	<i>A. Priority</i>
	<i>Support/Oppose</i>

Notes 1: Possible future action item depending on amendments.

--- B. Watch ---

AB 18

(Garcia, Eduardo D) California Clean Water, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

Current Text: Amended: 2/23/2017 [Text](#)

Current Analysis: 03/09/2017 [Assembly Floor Analysis \(text 2/23/2017\)](#)

Last Amend: 2/23/2017

Status: 3/20/2017-Read third time. Urgency clause adopted. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Is Urgency: Y

Summary: Would enact the California Clean Water, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,105,000,000 pursuant to the State General Obligation Bond Law to finance a clean water, climate, coastal protection, and outdoor access for all program. This bill contains other related provisions.

Laws: An act to add Chapter 14 (commencing with Section 5880) to Division 5 of the Public Resources Code, relating to a clean water, climate, coastal protection, and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

<i>Position</i>	<i>Priority</i>
<i>Out for Analysis</i>	<i>B. Watch</i>

Notes 1: More park bond than water bond. The better vehicle is SB 5 (De Leon). Nothing to oppose, but not the bill to support if MWDOC were to consider a position.

AB 196

(Bigelow R) Greenhouse Gas Reduction Fund: water supply and wastewater systems.

Current Text: Amended: 3/6/2017 [Text](#)

Current Analysis: 05/01/2017 [Assembly Appropriations \(text 3/6/2017\)](#)

Last Amend: 3/6/2017

Status: 5/3/2017-In committee: Set, first hearing. Referred to APPR. suspense file.

Is Urgency: N

Summary: Current law requires moneys from the Greenhouse Gas Reduction Fund to be allocated for the purpose of reducing greenhouse gas emissions in this state and satisfying other purposes. Current law authorizes specified investments, including water use and supply, if the investment furthers the regulatory purposes of the California Global Warming Solutions Act of 2006 and is consistent with law. This bill would authorize the use of the moneys in the fund for electric pump efficiency, water and wastewater systems, pump and pump motor efficiency improvements, and drinking water transmission and distribution systems' water loss if the investment furthers the regulatory purposes of the act and is consistent with law.

Laws: An act to amend Section 39712 of the Health and Safety Code, relating to greenhouse gases.

Position	Priority
Watch	B. Watch

AB 277

([Mathis R](#)) Water and Wastewater Loan and Grant Program.

Current Text: Amended: 3/27/2017 [Text](#)

Current Analysis: 04/03/2017 [Assembly Appropriations \(text 3/27/2017\)](#)

Last Amend: 3/27/2017

Status: 4/5/2017-In committee: Set, first hearing. Referred to suspense file.

Is Urgency: N

Summary: Would, to the extent funding is made available, authorize the State Water Resources Control Board to establish the Water and Wastewater Loan and Grant Program to provide funding to eligible applicants for specified purposes relating to drinking water and wastewater treatment. This bill would authorize a county or qualified nonprofit organization to apply to the board for a grant to award loans or grants, or both, to an eligible applicant. The bill would authorize the board to use a funding source that is authorized for and consistent with the purposes of the program.

Laws: An act to add Chapter 6.6 (commencing with Section 13486) to Division 7 of the Water Code, relating to water.

Position	Priority
Watch	B. Watch

AB 464

([Gallagher R](#)) Local government reorganization.

Current Text: Amended: 3/14/2017 [Text](#)

Current Analysis: 05/02/2017 [Assembly Local Government \(text 3/14/2017\)](#)

Last Amend: 3/14/2017

Status: 5/8/2017-Action From SECOND READING: Read second time.To CONSENT CALENDAR.

Is Urgency: N

Summary: Under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, current law requires that an applicant seeking a change of organization or reorganization submit a plan for providing services within the affected territory that includes, among other requirements, an enumeration and description of the services to be extended to the affected territory and an indication of when those services can feasibly be extended. This bill would specify that the plan is required to also include specific information regarding services currently provided to the affected territory, as applicable, and make related changes.

Laws: An act to amend Sections 56653 and 56857 of the Government Code, relating to local government.

Position	Priority
Watch	B. Watch

AB 474

([Garcia, Eduardo D](#)) Hazardous waste: spent brine solutions.

Current Text: Introduced: 2/13/2017 [Text](#)

Current Analysis: 04/03/2017 [Assembly Appropriations \(text 2/13/2017\)](#)

Status: 4/5/2017-In committee: Set, first hearing. Referred to suspense file.

Is Urgency: N

Summary: Current law exempts from certain requirements of the Hazardous Waste Control Law wastes from the extraction, beneficiation, or processing of ores and minerals that are not subject to regulation under the federal Resource Conservation and Recovery Act of 1976, including spent brine solutions used to produce geothermal energy

that meet specified requirements. This bill would exempt spent brine solutions that are byproducts of the treatment of groundwater to meet California drinking water standards from those same requirements if certain conditions are met, including that the spent brine solutions are transferred for dewatering via a closed piping system to lined surface impoundments regulated by the California regional water quality control boards.

Laws: An act to add Section 25143.6 to the Health and Safety Code, relating to hazardous waste.

Position	Priority
	B. Watch

Notes 1: Possible bill to support.

AB 885

(Rubio D) Pupil health: drinking water: lead.

Current Text: Amended: 4/27/2017 Text

Current Analysis: 04/21/2017 Assembly Environmental Safety And Toxic Materials (text 4/18/2017)

Last Amend: 4/27/2017

Status: 5/1/2017-Re-referred to Com. on APPR.

Is Urgency: N

Summary: Would require a community water system, as defined, to test, on or before July 1, 2019, and every year thereafter, for the presence of lead at a sample of water outlets used for drinking or cooking at each school, defined to include a public elementary school, a public secondary school, a public preschool located on public school property, and a public day care facility located on public school property, constructed before January 1, 1993, within the boundaries of the community water system.

Laws: An act to add Section 32247 to the Education Code, relating to pupil health.

Position	Priority
Watch	B. Watch

AB 1323

(Weber D) Sustainable water use and demand reduction: stakeholder workgroup.

Current Text: Introduced: 2/17/2017 Text

Current Analysis: 04/21/2017 Assembly Water, Parks And Wildlife (text 2/17/2017)

Status: 4/26/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (April 25). Re-referred to Com. on APPR.

Is Urgency: N

Summary: Would require the Department of Water Resources to convene a stakeholder workgroup with prescribed representatives invited to participate, including, among others, representatives of the department and the State Water Resources Control Board, no later than February 1, 2018. The bill would require the stakeholder workgroup to develop, evaluate, and recommend proposals for establishing new water use targets for urban water suppliers and to examine and report to the Governor and the Legislature by December 31, 2018, as specified.

Laws: An act to add and repeal Section 10608.9 of the Water Code, relating to water.

Position	Priority
Watch	B. Watch

Notes 1: This may duplicate the stakeholder process that was just completed for the long-term conservation framework. Unsure at this time if that's good or bad.

AB 1369

(Gray D) Water quality and storage.

Current Text: Introduced: 2/17/2017 Text

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/27/2017)(May be acted upon Jan 2018)

Is Urgency: N

Summary: Current law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism relative to reduction of greenhouse gas emissions to be deposited in the Greenhouse Gas Reduction Fund. This bill would require the Department of Water Resources to increase statewide water storage capacity by 25% by January 1, 2025, and 50% by January 1, 2050, as specified.

Laws: An act to amend Section 39719 of the Health and Safety Code, and to add Section 13145.5 to, and to add Chapter 4.5 (commencing with Section 430) to Division 1 of, the Water Code, relating to water, and making an appropriation therefor.

Position	Priority
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Out for Analysis B. Watch

AB 1605

(Caballero D) Maximum contaminant level: nitrate: replacement water.

Current Text: Amended: 4/27/2017 [Text](#)

Current Analysis: 04/26/2017 [Assembly Judiciary \(text 4/18/2017\)](#)

Last Amend: 4/27/2017

Status: 5/1/2017-Re-referred to Com. on JUD.

Is Urgency: N

Summary: The California Safe Drinking Water Act, requires the state board to administer provisions relating to the regulation of drinking water to protect public health and vests with the state board specified responsibilities. This bill would prohibit a person or entity providing replacement water, as defined, to address drinking water that exceeds the maximum contaminant level for nitrate in groundwater from being deemed to have caused pollution or a nuisance, or from being liable for negligence or trespass, if certain conditions are met.

Laws: An act to add Chapter 5.1 (commencing with Section 13366) to Division 7 of the Water Code, relating to water quality.

Position Priority
Out for Analysis B. Watch

AB 1667

(Friedman D) Agricultural water management planning.

Current Text: Amended: 4/18/2017 [Text](#)

Current Analysis: 04/24/2017 [Assembly Water, Parks And Wildlife \(text 4/18/2017\)](#)

Last Amend: 4/18/2017

Status: 4/26/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 6.) (April 25). Re-referred to Com. on APPR.

Is Urgency: N

Summary: Current law requires an agricultural water supplier to prepare and adopt an agricultural water management plan with specified components on or before December 31, 2012, and to update that plan on December 31, 2015, and on or before December 31 every 5 years thereafter. This bill would revise the components of the plan and additionally require the agricultural water management plan to quantify measures to increase agricultural water use efficiency, describe the agricultural water supplier's water management strategy with specified elements, and include a drought plan describing the actions of the agricultural water supplier for drought preparedness and management of water supplies and allocations during drought conditions.

Laws: An act to amend Sections 531.10, 10608.48, 10820, 10826, 10843, 10845, and 10850 of, to add Section 10826.2 to, and to repeal Section 10853 of, the Water Code, relating to water.

Position Priority
B. Watch

Notes 1: This bill was substantially amended following the oppose adopted by PAL. It is now limited to agricultural water management plans.

SB 5

(De León D) California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

Current Text: Amended: 3/28/2017 [Text](#)

Current Analysis: 03/17/2017 [Senate Governance And Finance \(text 3/15/2017\)](#)

Last Amend: 3/28/2017

Status: 4/20/2017-April 24 set for second hearing canceled at the request of author.

Is Urgency: Y

Summary: Would enact the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program.

Laws: An act to add Division 45 (commencing with Section 80000) to the Public Resources Code, relating to a drought, water, parks, climate, coastal protection, and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

Position Priority
Watch B. Watch

Notes 1: Better of the two park bond bills. Possible future action item.

SB 80

(Wieckowski D) California Environmental Quality Act: notices.

Current Text: Amended: 2/14/2017 [Text](#)

Current Analysis: 04/19/2017 [Senate Floor Analyses \(text 2/14/2017\)](#)

Last Amend: 2/14/2017

Status: 4/24/2017-Read third time. Passed. (Ayes 27. Noes 7.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Is Urgency: N

Summary: The California Environmental Quality Act requires the lead agency to mail certain notices to persons who have filed a written request for notices. The act provides that if the agencies offer to provide the notices by email, upon filing a written request for notices, a person may request that the notices be provided to him or her by email. This bill would require the lead agency to post those notices on the agency's Internet Web site. The bill would require the agency to offer to provide those notices by email. Because this bill would increase the level of service provided by a local agency, this bill would impose a state-mandated local program.

Laws: An act to amend Sections 21092.2, 21092.3, 21108, and 21152 of the Public Resources Code, relating to environmental quality.

Position	Priority
Watch	B. Watch

SB 146

(Wilk R) Water resources: permit to appropriate: protected species.

Current Text: Amended: 3/20/2017 [Text](#)

Current Analysis: 03/23/2017 [Senate Natural Resources And Water \(text 2/17/2017\)](#)

Last Amend: 3/20/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was N.R. & W. on 1/26/2017)(May be acted upon Jan 2018)

Is Urgency: N

Summary: Under current law, the State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Current law prohibits the taking or possession of a fully protected fish, except as provided, and designates the unarmored threespine stickleback as a fully protected fish. This bill would prohibit the board from issuing on or after January 1, 2018, a new permit to appropriate water from any river or stream that has, or is reasonably expected to have, a population of unarmored threespine stickleback.

Laws: An act to add Section 1257.7 to the Water Code, relating to water resources.

Position	Priority
Watch	B. Watch

Notes 1: ACWA opposed

SB 210

(Leyva D) Pupil health: drinking water.

Current Text: Amended: 3/15/2017 [Text](#)

Current Analysis: 04/17/2017 [Senate Appropriations \(text 3/15/2017\)](#)

Last Amend: 3/15/2017

Status: 4/17/2017-April 17 hearing: Placed on APPR. suspense file.

Is Urgency: N

Summary: Would require a school district that has drinking water fixtures with drinking water that does not meet the United States Environmental Protection Agency drinking water standards for lead or is above the California maximum contaminant level for any other contaminant, as specified, to close access to those drinking water fixtures, to provide alternative drinking water sources, as specified, and to notify specified persons if the school district is required to provide those alternative drinking water sources.

Laws: An act to add Section 32246 to, and to add Article 15 (commencing with Section 49595) to Chapter 9 of Part 27 of Division 4 of Title 2 of, the Education Code, and to amend Section 116276 of the Health and Safety Code, relating to public health.

Position	Priority
	B. Watch

SB 224

(Jackson D) California Environmental Quality Act: baseline conditions.

Current Text: Amended: 4/5/2017 [Text](#)

Current Analysis: 05/01/2017 [Senate Appropriations \(text 4/5/2017\)](#)

Last Amend: 4/5/2017

Status: 5/1/2017-May 1 hearing: Placed on APPR. suspense file.

Is Urgency: N

Summary: Would require the Office of Planning and Research, on or after January 1, 2018, at the time of the next review of the guidelines, to prepare, develop, and transmit to the secretary proposed changes or amendments to determine the baseline physical conditions by which a lead agency determines whether a project has a significant effect on the environment. The bill would require the office, in developing the recommendations to limit the consideration of modifications to the environment at the project site cause by certain actions. The bill would require the secretary to certify and adopt the recommended proposed changes or amendments.

Laws: An act to add Section 21083.02 to the Public Resources Code, relating to environmental quality.

<i>Position</i>	<i>Priority</i>
	<i>B. Watch</i>

SB 231

(Hertzberg D) Local government: fees and charges.

Current Text: Amended: 4/19/2017 [Text](#)

Current Analysis: 04/28/2017 [Senate Floor Analyses \(text 4/19/2017\)](#)

Last Amend: 4/19/2017

Status: 4/27/2017-Read third time. Passed. (Ayes 23. Noes 10.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Is Urgency: N

Summary: Articles XIIC and XIID of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Current law, the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with Articles XIIC and XIID of the California Constitution and defines terms for these purposes. This bill would define the term "sewer" for these purposes. The bill would also make findings and declarations relating to the definition of the term "sewer" for these purposes.

Laws: An act to amend Section 53750 of, and to add Section 53751 to, the Government Code, relating to local government finance.

<i>Position</i>	<i>Priority</i>
<i>Watch</i>	<i>B. Watch</i>

SB 252

(Dodd D) Water wells.

Current Text: Amended: 5/2/2017 [Text](#)

Current Analysis: 05/02/2017 [Senate Governance And Finance \(text 4/17/2017\)](#)

Last Amend: 5/2/2017

Status: 5/4/2017-Set for hearing May 15.

Is Urgency: N

Summary: Current provisions of the California Constitution declare the policy that the water resources of the state be put to beneficial use to the fullest extent of which they are capable, that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of these waters is to be exercised with a view to the reasonable and beneficial use of the waters in the interest of the people and for the public welfare.

Current law establishes various state water policies, including the policy that the use of water for domestic purposes is the highest use of water. This bill would require, in an action alleging liability for interference with a well, reasonableness of each party's beneficial use of water to be determined through consideration of specified factors. This bill contains other related provisions and other existing laws.

Laws: An act to amend Section 13751 of, to add Sections 106.1 and 10729.4 to, and to add Article 5 (commencing with Section 13807) to Chapter 10 of Division 7 of, the Water Code, relating to groundwater.

<i>Position</i>	<i>Priority</i>
<i>Watch</i>	<i>B. Watch</i>

SB 623

(Monning D) Safe and Affordable Drinking Water Fund.

Current Text: Amended: 4/26/2017 [Text](#)

Current Analysis: 04/17/2017 [Senate Environmental Quality \(text 3/30/2017\)](#)

Last Amend: 4/26/2017

Status: 5/4/2017-Set for hearing May 15.

Is Urgency: N

Summary: Would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are available, upon appropriation, to the State Water Resources Control Board. The bill would require the board to administer the fund and authorize the board to provide for the deposit of federal contributions and voluntary contributions, gifts, grants, or bequests. The bill would require the board to expend moneys in the fund for grants, loans, contracts, or services to assist those without access to safe and affordable drinking water consistent with a fund implementation plan adopted annually by the board, as prescribed.

Laws: An act to add Chapter 4.6 (commencing with Section 116765) to Part 12 of Division 104 of the Health and Safety Code, relating to drinking water.

Position

Priority

B. Watch

SB 740

(Wiener D) Onsite treated water.

Current Text: Amended: 4/26/2017 Text

Current Analysis: 04/17/2017 Senate Environmental Quality (text 3/23/2017)

Last Amend: 4/26/2017

Status: 5/4/2017-Set for hearing May 15.

Is Urgency: N

Summary: Would, on or before December 1, 2018, require the State Water Resources Control Board, in consultation with other state agencies, to adopt regulations, consistent with federal and state law in effect on January 1, 2018, to provide comprehensive risk-based standards for local jurisdictions permitting programs for onsite recycling of water in multifamily residential, commercial, and mixed-use buildings for nonpotable use. The bill would require the regulations to address specified issues and practices relating to the management, monitoring, and treatment of recycled water for nonpotable use.

Laws: An act to add Article 8 (commencing with Section 13558) to Chapter 7 of Division 7 of the Water Code, relating to water quality.

Position

Priority

B. Watch

Total Measures: 31

Total Tracking Forms: 31

Metropolitan Water District of Southern California
State Legislation Matrix 5/8/2017

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 472 Frazier (D) Sponsor: California Waterfowl Association	Amended 3/28/17 Assembly Appropriations Committee Suspense File	Water Transfers: Requires Department of Water Resources (DWR) to, without penalty, allow nonirrigated vegetation to remain on land that has been idled for a water transfer, unless it determines, as specified, injury to another legal user of water would result from allowing vegetation to remain. Also creates incentive program for landowners to cultivate or retain nonirrigated vegetation for wildlife habitat.	<p style="text-align: center;">OPPOSE (4/11/17)</p>	Would create new and significant burden on DWR to establish and implement costly habitat creation incentive program that could result in increased water transfer costs and/or redirected costs. Would also make it more difficult for DWR to ensure that purchasers of water transfer supplies and legal users of water are not impacted by water consuming vegetation on fallowed lands.
AB 574 Quirk (D) Sponsor: WateReuse California and California Coastkeeper Alliance	Amended 4/18/17 Assembly Appropriations Committee Suspense File	Potable Reuse: Promotes water recycling by categorizing potable reuse alternatives and by establishing a clear regulatory pathway and timeframe for raw water augmentation.	<p style="text-align: center;">SUPPORT (3/14/17)</p>	By continuing to advance regulatory criteria for various types of potable reuse, AB 574 may accelerate deployment of recycled water projects throughout California. Metropolitan's clarifying amendment regarding placement of recycled water into aqueducts feeding raw surface water reservoir was accepted by author.

Metropolitan Water District of Southern California
State Legislation Matrix 5/8/2017

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 732 Frazier (D) Sponsor: Author	Amended 3/23/17 Assembly Appropriations Committee Date of Hearing: 5/10/17	Delta Levee Maintenance: Delta levee maintenance program has been established for reimbursement of costs incurred in connection with maintenance or improvement of projects or non-project levees in the Sacramento-San Joaquin Delta. AB 732 would declare legislative intent and authorize Central Valley Flood Protection Board to reimburse up to 75% of those costs incurred in any year for maintenance or improvement of levees in excess of \$1,000 per levee mile.	OPPOSE UNLESS AMENDED based upon prior opposition to SB 554 (Wolk) from 2016	AB 732 is contrary to “beneficiaries pay” principle as it seeks to permanently encumber state General Fund for levee maintenance responsibilities on private lands in Sacramento-San Joaquin Delta absent financial justification for such level of state investment. Amendments are necessary to direct Dept. of Water Resources to enlist outside entity to conduct affordability/beneficiaries assessment for Delta levee subventions program.
AB 791 Frazier (D) Sponsor: Author	Amended 3/21/17 Assembly Appropriations Committee Date of Hearing: 5/10/17	New Conveyance Facility: Would impose new and unnecessary requirements on “lead agency” (presumably DWR) to provide certain information about costs and benefits of new water delivery system improvements on a water-contractor-by-water-contractor basis <i>before</i> any water contractor could enter any contracts to fund design, construction and mitigation.	OPPOSE based upon June 2007 Board-adopted Delta Action Plan	Could delay construction of California WaterFix, with no added benefit to the public process or environment.

Metropolitan Water District of Southern California
State Legislation Matrix 5/8/2017

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 792 Frazier (D) Sponsor: Author	Amended 3/28/17 Assembly Water, Parks and Wildlife Committee Two-Year Bill	Delta Plan: Would take unprecedented and unnecessary step of requiring Delta Stewardship Council to affirmatively “grant” a certification of consistency with the Delta Plan before construction of California WaterFix could begin. Council could not “grant” the certification until <u>after</u> State Water Resources Control Board adopts update to 2006 Bay-Delta Water Quality Control Plan.	OPPOSE based upon June 2007 Board-adopted Delta Action Plan	Delta Reform Act of 2009 recognized need for new Delta conveyance to address declines in water supply reliability and the Delta ecosystem. Likewise, the Governor’s California Water Action Plan calls for new Delta conveyance, among a suite of other measures, to further the coequal goals, and to restore water supply reliability to millions of Californians. AB 792 is at odds with both.
AB 793 Frazier (D) Sponsor: Author	Amended 3/27/17 Assembly Water, Parks and Wildlife Committee Two-Year Bill	Sacramento-San Joaquin Delta – Financing: Would declare it state policy that the <u>existing</u> Sacramento-San Joaquin Delta be recognized and defined as an integral component of California’s water infrastructure. Would state also that the maintenance and repair of Delta are eligible for same forms of financing as other water collection and treatment infrastructure and specifies that eligible maintenance and repair activities be limited to certain cleanup-and-abatement-related restoration and conservation activities.	OPPOSE based upon June 2007 Board-adopted Delta Action Plan	Ignores the fact that the Delta, in its <u>current</u> state, has not been developed as a “water collection or treatment facility.” The current configuration of levees was largely completed in the early 20th century to reclaim swamp and overflow land for farming or other uses. Thus, the declaration of intent is contrary to reality and is not a sound basis for infrastructure financing.

Metropolitan Water District of Southern California
State Legislation Matrix 5/8/2017

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 1427 Eggman (D) Sponsor: Stockton-East Water District	Amended 3/21/17 Assembly Appropriations Committee Suspense File	Water – Underground Storage: Amends Water Code Section 1242 to declare that storing water underground, including diverting surface water for storage, for purposes including, but not limited to, protection of water quality or recovery of groundwater levels, are beneficial uses. Also states that existing forfeiture provisions for non-use of water for a period of longer than five years would not apply.	<p style="text-align: center;">OPPOSE UNLESS AMENDED</p> based upon prior opposition to AB 647 (Eggman) from 2015	Must include safeguards to ensure that permanent underground storage is implemented in reasonable manner. SWRCB must confirm that flows are not already otherwise appropriated or diverted at times when federal Central Valley Project and State Water Project are required to release supplemental project water to meet water quality objectives in Delta watershed. Additional amendments are necessary to ensure alignment with Groundwater Management Sustainability Act of 2014.
AB 1654 Rubio (D) Sponsor: Regional Water Authority and Irvine Ranch Water District	Amended 3/28/17 Assembly Appropriations Committee Date of Hearing: 5/10/17	Drought Contingency Planning: Would require each urban retail water supplier to conduct an annual water shortage contingency analysis and implement certain actions and reporting when a water shortage is determined. Proposes changes to the Urban Water Management Planning Act, which would require urban water suppliers, as part of their five-year water supply planning and reporting, to include a detailed description of their water shortage contingency analysis, related actions and monitoring processes.	<p style="text-align: center;">SUPPORT AND SEEK AMENDMENTS</p> (4/11/17)	Would clarify adequacy of water supply reliability investments and shortage contingency actions to respond to future droughts and shortage conditions.

Metropolitan Water District of Southern California
State Legislation Matrix 5/8/2017

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 80 Wieckowski (D) Sponsor: Author	Amended 2/14/17 Assembly Desk	California Environmental Quality Act: Provides specified notice requirements regarding posting on websites and sending notices via email pursuant to CEQA. Also makes filing a Notice of Determination mandatory for a project subject to a categorical exemption.	OPPOSE UNLESS AMENDED based upon January 2017 Board-adopted State Legislative Priorities	Would require public agencies to prepare, file and post on the internet dozens, if not hundreds, of additional Notices of Exemption every month for every discretionary action that would cause any change in the physical environment, regardless how insignificant.
SB 224 Jackson (D) Sponsor: Environmental Defense Center and the Planning and Conservation League	Amended 4/5/17 Senate Appropriations Committee Suspense File	California Environmental Quality Act: Would require Office of Planning and Research to prepare, and Secretary of CA Natural Resources Agency to adopt, CEQA guidelines to make exceptions to general rule that environmental review should focus on each project's impacts on the existing physical environment. Lead agencies undertaking their own projects, and project proponents seeking permits, funding or other discretionary approvals from lead agencies, would be required to analyze every proposed project's impacts relative to an environmental condition that no longer existed at any site where unpermitted, illegal or previous emergency response actions occurred.	OPPOSE based upon January 2017 Board-adopted State Legislative Priorities	SB 224 is at odds with the fundamental precept of CEQA as a forward-looking statute. Lead agencies that undertake their own projects could be required to mitigate for environmental harms committed by others, which is inequitable and fails to deter bad actors.

**Metropolitan Water District of Southern California
State Legislation Matrix 5/8/2017**

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 231 Hertzberg (D) Sponsor: Water Foundation	Amended 4/19/17 Assembly Desk	Local Government - Fees and Charges: Provides a definition of "sewer" that predates Proposition 218 and treats fees for stormwater like all other water and sewer fees. Seeks to clarify where stormwater and flood control systems may overlap with water and sewer systems for which Proposition 218 requires a lower approval threshold. SB 231 does not change the CA Constitution's mandate for rigorous oversight of water and sewer fees, including reports, hearings and protest votes.	SUPPORT (4/11/17)	Stormwater is an important source of local water supply and careful management is necessary to reduce pollution. Currently, property-related fees to fund stormwater and flood control programs, not associated with water supply, require a higher approval standard than property-related fees for other water services.

**ACTION ITEM**

May 17, 2017

TO: Board of Directors**FROM:** **Public Affairs & Legislation Committee**
(Directors Dick, Tamaribuchi and Yoo Schneider)Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: **H.R. 1430 (Lamar Smith, R-TX) – Honest and Open New EPA Science Treatment Act of 2017****STAFF RECOMMENDATION**

Staff recommends the Board of Directors vote to adopt a watch position on H.R. 1430 (Smith, TX).

COMMITTEE RECOMMENDATION

Committee recommends (To be determined by committee)

SUMMARY

H.R. 1430, the Honest and Open New Environmental Protection Agency (EPA) Science Treatment Act of 2017 or the HONEST Act would amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to prohibit the EPA from proposing, finalizing, or disseminating a covered action unless all scientific and technical information relied on to support such action is the best available science, specifically identified, and publicly available in a manner sufficient for independent analysis and substantial reproduction of research results.

A covered action includes a risk exposure, or hazard assessment, criteria document, standard, limitation, regulation, regulatory impact analysis, or guidance. Personally identifiable information, trade secrets, or commercial or financial information obtained from a person and privileged or confidential must be redacted prior to public availability.

Budgeted (Y/N): n/a	Budgeted amount: n/a	Core x	Choice __
Action Item Amount: none		Line Item:	
Fiscal Impact (explain if unbudgeted):			

BACKGROUND

H.R. 1430 builds on previous House passed legislation from 2015, H.R. 1030 (Smith, TX) - The Secret Science Reform Act. That bill also required the EPA to base its decisions on information available to scientists and the American public. (Note, H.R. 1030 passed the House but was not signed into law.)

H.R. 1430 adds provisions to protect personally identifiable information and confidential business information and stipulates that this bill does *not* retroactively apply to past regulations, but instead focuses on new regulations.

ARGUMENTS IN SUPPORT

According to the author, H.R. 1430 ensures that sound science is the basis for EPA decisions and regulatory actions. “In our modern information age, federal regulations should be based only upon data that is available for every American to see and can be subjected to independent review. That’s the scientific method. We can all agree that the government should rely on the best available science. Unfortunately, the government does not always hold to this standard.”

Proponents of this measure believe that if the EPA’s mandates are based on sound science, then they should demonstrate to the public the data that was used to justify that decision. The EPA’s refusal to share the data is leading some to believe that they have something to hide or are making decisions based on a political agenda instead of science. H.R. 1430 would require that data be available for everyone’s review in a manner that is sufficient for independent analysis and substantial reproduction of research results. It would increase transparency and public confidence in the EPA’s use of science.

ARGUMENTS IN OPPOSITION

Opponents of the bill argue that the bill would prevent the EPA from using studies that it needs to create important programs. The EPA has itself noted that it would use far fewer scientific studies to develop public protections and make less of its science publicly available under the proposed law. Standards that safeguard children from lead-based paint hazards, protect first responders from chemical explosions, and help reduce contaminants in drinking water, for example, rely in large part on the types of studies that H.R. 1430 would prohibit. By preventing the EPA from drawing on a large body of useful research, the bill would stifle the agency’s ability to protect the public as required by law.

Many scientists fear H.R. 1430 would jeopardize public health by restricting EPA’s authority to make decisions about air and water quality. The bill would mandate that the EPA release all the data from studies it uses to justify its regulations, so that it can be reanalyzed, reevaluated and replicated, said Thomas Burke, associate dean for public health practice and training at the Johns Hopkins University. The EPA would not be able to take action,

despite evidence of a threat, until all data are available for analysis – which is a difficult threshold to meet.

Lastly, the term “best available science” is difficult to determine, is subjective, and is not defined in the bill.

MWDOC LEGISLATIVE POLICY PRINCIPLES

As MWDOC’s adopted policy principles do not cover this particular area/subject matter, and consistent with MWD’s approach, staff recommends a watch position.

COMMENTS

Coauthors to H.R. 1430:

Congressman Henry Cuellar (D - TX)
 Congressman Frank Lucas (R – OK)
 Congressman Andy Biggs (R – AZ)
 Congressman Jim Banks (R – IN)
 Congressman Dana Rohrabacher (R – CA)
 Congressman Bill Posey (R – FL)
 Congressman Mo Brooks (R- AL)
 Congressman Randy Weber (R- TX)
 Congressman Brian Babin (R – TX)
 Congressman Gary Palmer (R – AL)
 Congressman Clay Higgins (R –LA)
 Congressman Randy Hultgreen (R – IL)
 Congressman Jim Bridestine (R – OK)
 Congressman Ralph Lee Abraham (R – LA)
 Congressman Darin LaHood (R – IL)
 Congressman Daniel Webster (R – FL)
 Congressman Roger Marshall (R – KS)
 Congressman Neal Dunn (R – FL)
 Congressman Pete Sessions (R – TX)
 Congressman Jason Chaffetz (R –UT)
 Congressman David Schweikert (R – AZ)
 Congressman Bruce Westerman (R – AR)
 Congressman Steven Palazzo (R – MS)
 Congressman Don Young (R – AK)
 Congressman Joe Barton (R – TX)
 Congressman Stevan Pearce (R – NM)
 Congressman Paul Gosar (R – AZ)
 Congressman Scott Tipton (R – CO)
 Congressman Bob Goodlatte (R – VA)

This measure was approved by the House by a vote of 228-194 on March 29, 2017.

DETAILED REPORT

The full text of H.R. 1430 is attached for your information.

115TH CONGRESS
1ST SESSION

H. R. 1430

IN THE SENATE OF THE UNITED STATES

MARCH 30, 2017

Received; read twice and referred to the Committee on Environment and
Public Works

AN ACT

To prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Honest and Open New
3 EPA Science Treatment Act of 2017” or the “HONEST
4 Act”.

5 **SEC. 2. DATA TRANSPARENCY.**

6 Section 6(b) of the Environmental Research, Devel-
7 opment, and Demonstration Authorization Act of 1978
8 (42 U.S.C. 4363 note) is amended to read as follows:

9 “(b)(1) The Administrator shall not propose, finalize,
10 or disseminate a covered action unless all scientific and
11 technical information relied on to support such covered ac-
12 tion is—

13 “(A) the best available science;

14 “(B) specifically identified; and

15 “(C) publicly available online in a manner that
16 is sufficient for independent analysis and substantial
17 reproduction of research results, except that any
18 personally identifiable information, trade secrets, or
19 commercial or financial information obtained from a
20 person and privileged or confidential, shall be re-
21 dacted prior to public availability.

22 “(2) The redacted information described in para-
23 graph (1)(C) shall be disclosed to a person only after such
24 person signs a written confidentiality agreement with the
25 Administrator, subject to guidance to be developed by the
26 Administrator.

1 “(3) Nothing in the subsection shall be construed
2 as—

3 “(A) requiring the Administrator to disseminate
4 scientific and technical information;

5 “(B) superseding any nondiscretionary statu-
6 tory requirement; or

7 “(C) requiring the Administrator to repeal, re-
8 issue, or modify a regulation in effect on the date of
9 enactment of the Honest and Open New EPA
10 Science Treatment Act of 2017.

11 “(4) In this subsection—

12 “(A) the term ‘covered action’ means a risk, ex-
13 posure, or hazard assessment, criteria document,
14 standard, limitation, regulation, regulatory impact
15 analysis, or guidance; and

16 “(B) the term ‘scientific and technical informa-
17 tion’ includes—

18 “(i) materials, data, and associated proto-
19 cols necessary to understand, assess, and ex-
20 tend conclusions;

21 “(ii) computer codes and models involved
22 in the creation and analysis of such informa-
23 tion;

24 “(iii) recorded factual materials; and

1 “(iv) detailed descriptions of how to access
2 and use such information.

3 “(5) The Administrator shall carry out this sub-
4 section in a manner that does not exceed \$1,000,000 per
5 fiscal year, to be derived from amounts otherwise author-
6 ized to be appropriated.”.

 Passed the House of Representatives March 29,
2017.

Attest:

KAREN L. HAAS,
Clerk.

**ACTION ITEM**

May 17, 2017

TO: Board of Directors**FROM:** **Public Affairs & Legislation Committee**
(Directors Dick, Tamaribuchi and Yoo Schneider)

Robert Hunter, General Manager

Staff Contact: Heather Baez

SUBJECT: **H.R. 1431 (Frank Lucas, R-OK) – EPA Science Advisory Board Reform Act of 2017****STAFF RECOMMENDATION**

Staff recommends the Board of Directors vote to adopt a watch position on H.R. 1431 (Lucas, OK).

COMMITTEE RECOMMENDATION

Committee recommends (To be determined by committee)

SUMMARY

H.R. 1431 would amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to revise the process of selecting members of the Science Advisory Board, guidelines for participation in board advisory activities, and terms of office. The board provides scientific advice to the Environmental Protection Agency (EPA). This bill requires the board to independently provide that advice.

BACKGROUND

The Science Advisory Board (SAB) is authorized to review the quality and relevance of the scientific and technical information being used by the EPA or proposed as the basis for Agency regulations; review EPA research programs and plans; provide science advice as requested by the EPA Administrator, and advise the agency on broad scientific matters.

Most (though not all) preliminary work of the SAB is done by subcommittees or panels focused on various environmental science topics. These groups are chaired by SAB members. Recommendations of subcommittees and panels are transmitted to the SAB for

Budgeted (Y/N): n/a	Budgeted amount: n/a	Core x	Choice __
Action Item Amount: none	Line Item:		
Fiscal Impact (explain if unbudgeted):			

discussion and deliberation. Recommendations are forwarded to EPA only if the SAB determines that it is appropriate.

The SAB has seven standing committees:

- Agricultural Science Committee
- Chemical Assessment Advisory Committee
- Drinking Water Committee
- Ecological Processes and Effects Committee
- Environmental Economics Advisory Committee
- Environmental Engineering Committee
- Radiation Advisory Committee

Members of the SAB are listed below:

Thorne, Peter S.	Chair University of Iowa	Iowa City	IA
Arvai, Joseph	University of Michigan	Ann Arbor	MI
Bennett, Deborah Hall	University of California, Davis	Davis	CA
Berhane, Kiros T.	University of Southern California	Los Angeles	CA
Brouder, Sylvie M.	Purdue University	West Lafayette	IN
Burken, Joel G.	Missouri University of Science and Technology	Rolla	MO
Chambers, Janice E.	Mississippi State University	Starksville	MS
Cullen, Alison C.	University of Washington	Seattle	WA
Diez Roux, Ana V.	Drexel University	Philadelphia	PA
Doering III, Otto C.	Purdue University	W. Lafayette	IN
Dourson, Michael	University of Cincinnati	Cincinnati	OH
Ducoste, Joel J.	North Carolina State University	Raleigh	NC
Felter, Susan P.	Procter & Gamble	Mason	OH
Field, R. William	University of Iowa	Iowa City	IA
Frey, H. Christopher	North Carolina State University	Raleigh	NC
Gardella, Joseph A.	University at Buffalo	Buffalo	NY
Hamburg, Steven P.	Environmental Defense Fund	Boston	MA
Harris, Cynthia M.	Florida A&M University	Tallahassee	FL
Johnston, Robert J.	Clark University	Worcester	MA
Jones, Kimberly L.	Howard University	Washington	DC
Karr, Catherine J.	University of Washington	Seattle	WA
Khanna, Madhu	University of Illinois at Urbana-Champaign	Urbana	IL
Laden, Francine	Harvard T.H. Chan School of Public Health	Boston	MA
Mace, Robert E.	Texas Water Development Board	Austin	TX
Martin, Clyde F.	Texas Tech University	Crofton	MD
Marty, Sue	The Dow Chemical Company	Midland	MI
Mauzerall, Denise	Princeton University	Princeton	NJ
Mena, Kristina D.	University of Texas Health Science Center at Houston	El Paso	TX
Menon, Surabi	ClimateWorks Foundation	San Francisco	CA
Nadeau, Kari	Stanford University School of Medicine	Stanford	CA
Opaluch, James	University of Rhode Island	Kingston	RI
Parkerton, Thomas F.	ExxonMobil Biomedical Science	Houston	TX

Poirot, Richard L.	Independent Consultant	Burlington	VT
Portier, Kenneth M.	American Cancer Society	Atlanta	GA
Ramos, Kenneth	University of Arizona	Tucson	AZ
Richardson, David B.	University of North Carolina	Chapel Hill	NC
Sabo-Attwood, Tara L.	University of Florida	Gainesville	FL
Schlesinger, William	Cary Institute of Ecosystem Studies	Millbrook	NY
Solomon, Gina	California Environmental Protection Agency	Sacramento	CA
Stram, Daniel O.	University of Southern California	Los Angeles	CA
Turner, Jay	Washington University	St. Louis	MO
van Wijngaarden, Edwin	University of Rochester	Rochester	NY
VanBriesen, Jeanne M.	Carnegie Mellon University	Pittsburgh	PA
Weber, Elke	Princeton University	Princeton	NJ
Werth, Charles	University of Texas at Austin	Austin	TX
Wilcoxon, Peter J.	Syracuse University	Syracuse	NY
Wilson, Robyn S.	Ohio State University	Columbus	OH

ARGUMENTS IN SUPPORT

According to the author, H.R. 1431, "The Science Advisory Board (or SAB) was created in 1978 to provide independent expert advice on scientific and technical information. This information is used to justify important policy decisions and should be held to a high standard.

In the subsequent decades and years, there have been serious deficiencies with the SAB and the process to select Board Members. Among other issues, there has been limited public participation, EPA interference with expert advice, and potential conflicts of interest. If the EPA undermines the Board's independence or prevents it from providing candid advice to Congress, then the SAB serves no value to the EPA. The Board should be free to function as intended to ensure that sound science is driving policy decisions.

We must reaffirm the Board's independence so that the public can be confident that policy decisions are not hijacked by a pre-determined political agenda. It's time to update the law to restore scientific integrity to the process and independence to the Board."

ARGUMENTS IN OPPOSITION

According to opponents, H.R. 1431 would make it easier for members of private industry to sit on the SAB while placing increased restrictions on scientists. The provisions of the measure states that scientists applying to sit on the board cannot hold an EPA grant, and that current members cannot apply for such grants for three years, or have current contracts with the EPA. It also bans academic scientists from participating in "advisory activities that directly or indirectly involve review and evaluation of their own work."

The goal of this language is to prevent conflicts of interest, but it only applies to academic scientists—not to representatives of for-profit corporations. Instead, language in the bill states that SAB members who have financial ties to corporations that may be affected by the board's decisions are specifically not excluded. This is presumably to balance the SAB

with additional members from industry as many feel it is stacked with scientists who are supportive of the EPA's views.

MWDOC LEGISLATIVE POLICY PRINCIPLES

As MWDOC's adopted policy principles do not cover this particular area/subject matter, and consistent with MWD's approach, staff recommends a watch position.

COMMENTS

Coauthors to H.R. 1431:

Congressman Collin Peterson (D – NM)
 Congressman Lamar Smith (R – TX)
 Congressman Andy Biggs (R – AZ)
 Congressman Jim Banks (R – IN)
 Congressman Dana Rohrabacher (R – CA)
 Congressman Bill Posey (R – FL)
 Congressman Mo Brooks (R- AL)
 Congressman Randy Weber (R- TX)
 Congressman Brian Babin (R – TX)
 Congressman Clay Higgins (R –LA)
 Congressman Randy Hultgreen (R – IL)
 Congressman Jim Bridestine (R – OK)
 Congressman Ralph Lee Abraham (R – LA)
 Congressman Darin LaHood (R – IL)
 Congressman Daniel Webster (R – FL)
 Congressman Roger Marshall (R – KS)
 Congressman Neal Dunn (R – FL)
 Congressman Pete Sessions (R – TX)
 Congressman Jason Chaffetz (R –UT)
 Congressman David Schweikert (R – AZ)
 Congressman Bruce Westerman (R – AR)
 Congressman Steven Palazzo (R – MS)
 Congressman Don Young (R – AK)
 Congressman Joe Barton (R – TX)
 Congressman Stevan Pearce (R – NM)
 Congressman Blake Farenthold (R –TX)
 Congressman Paul Gosar (R – AZ)
 Congressman Scott Tipton (R – CO)
 Congressman Bob Goodlatte (R – VA)

This measure was approved by the House by a vote of 229-193 on March 30, 2017.

DETAILED REPORT

The full text of H.R. 1431 is attached for your information.

115TH CONGRESS
1ST SESSION

H. R. 1431

IN THE SENATE OF THE UNITED STATES

MARCH 30, 2017

Received; read twice and referred to the Committee on Environment and
Public Works

AN ACT

To amend the Environmental Research, Development, and
Demonstration Authorization Act of 1978 to provide for
Scientific Advisory Board member qualifications, public
participation, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “EPA Science Advisory
3 Board Reform Act of 2017”.

4 **SEC. 2. SCIENCE ADVISORY BOARD.**

5 (a) INDEPENDENT ADVICE.—Section 8(a) of the En-
6 vironmental Research, Development, and Demonstration
7 Authorization Act of 1978 (42 U.S.C. 4365(a)) is amend-
8 ed by inserting “independently” after “Advisory Board
9 which shall”.

10 (b) MEMBERSHIP.—Section 8(b) of the Environ-
11 mental Research, Development, and Demonstration Au-
12 thorization Act of 1978 (42 U.S.C. 4365(b)) is amended
13 to read as follows:

14 “(b)(1) The Board shall be composed of at least nine
15 members, one of whom shall be designated Chairman, and
16 shall meet at such times and places as may be designated
17 by the Chairman.

18 “(2) Each member of the Board shall be qualified by
19 education, training, and experience to evaluate scientific
20 and technical information on matters referred to the
21 Board under this section. The Administrator shall ensure
22 that—

23 “(A) the scientific and technical points of view
24 represented on and the functions to be performed by
25 the Board are fairly balanced among the members of
26 the Board;

1 “(B) at least ten percent of the membership of
2 the Board are from State, local, or tribal govern-
3 ments;

4 “(C) persons with substantial and relevant ex-
5 pertise are not excluded from the Board due to af-
6 filiation with or representation of entities that may
7 have a potential interest in the Board’s advisory ac-
8 tivities, so long as that interest is fully disclosed to
9 the Administrator and the public and appointment
10 to the Board complies with section 208 of title 18,
11 United States Code;

12 “(D) in the case of a Board advisory activity on
13 a particular matter involving, or for which the Board
14 has evidence that it may involve, a specific party, no
15 Board member having an interest in the specific
16 party shall participate in that activity;

17 “(E) Board members may not participate in ad-
18 visory activities that directly or indirectly involve re-
19 view or evaluation of their own work, unless fully
20 disclosed to the public and the work has been exter-
21 nally peer-reviewed;

22 “(F) Board members shall be designated as
23 special Government employees;

24 “(G) no registered lobbyist is appointed to the
25 Board; and

1 “(H) a Board member shall have no current
2 grants or contracts from the Environmental Protec-
3 tion Agency and shall not apply for a grant or con-
4 tract for 3 years following the end of that member’s
5 service on the Board.

6 “(3) The Administrator shall—

7 “(A) solicit public nominations for the Board by
8 publishing a notification in the Federal Register;

9 “(B) solicit nominations from relevant Federal
10 agencies, including the Departments of Agriculture,
11 Defense, Energy, the Interior, and Health and
12 Human Services;

13 “(C) solicit nominations from—

14 “(i) institutions of higher education (as de-
15 fined in section 101(a) of the Higher Education
16 Act of 1965 (20 U.S.C. 1001(a))); and

17 “(ii) scientific and research institutions
18 based in work relevant to that of the Board;

19 “(D) make public the list of nominees, includ-
20 ing the identity of the entities that nominated each,
21 and shall accept public comment on the nominees;

22 “(E) require that, upon their provisional nomi-
23 nation, nominees shall file a written report disclosing
24 financial relationships and interests, including Envi-
25 ronmental Protection Agency grants, contracts, co-

1 operative agreements, or other financial assistance,
2 that are relevant to the Board's advisory activities
3 for the three-year period prior to the date of their
4 nomination, and relevant professional activities and
5 public statements for the five-year period prior to
6 the date of their nomination; and

7 “(F) make such reports public, with the excep-
8 tion of specific dollar amounts, for each member of
9 the Board upon such member's selection.

10 “(4) Disclosure of relevant professional activities
11 under paragraph (3)(E) shall include all representational
12 work, expert testimony, and contract work as well as iden-
13 tifying the party for which the work was done.

14 “(5) Except when specifically prohibited by law, the
15 Agency shall make all conflict of interest waivers granted
16 to members of the Board, member committees, or inves-
17 tigative panels publicly available.

18 “(6) Any recusal agreement made by a member of
19 the Board, a member committee, or an investigative panel,
20 or any recusal known to the Agency that occurs during
21 the course of a meeting or other work of the Board, mem-
22 ber committee, or investigative panel shall promptly be
23 made public by the Administrator.

24 “(7) The terms of the members of the Board shall
25 be three years and shall be staggered so that the terms

1 of no more than one-third of the total membership of the
2 Board shall expire within a single fiscal year. No member
3 shall serve more than two terms over a ten-year period.”.

4 (c) RECORD.—Section 8(c) of such Act (42 U.S.C.
5 4365(c)) is amended—

6 (1) in paragraph (1)—

7 (A) by inserting “or draft risk or hazard
8 assessment,” after “at the time any proposed”;

9 (B) by striking “formal”; and

10 (C) by inserting “or draft risk or hazard
11 assessment,” after “to the Board such pro-
12 posed”; and

13 (2) in paragraph (2)—

14 (A) by inserting “or draft risk or hazard
15 assessment,” after “the scientific and technical
16 basis of the proposed”; and

17 (B) by adding at the end the following:
18 “The Board’s advice and comments, including
19 dissenting views of Board members, and the re-
20 sponse of the Administrator shall be included in
21 the record with respect to any proposed risk or
22 hazard assessment, criteria document, standard,
23 limitation, or regulation and published in the
24 Federal Register.”.

1 (d) MEMBER COMMITTEES AND INVESTIGATIVE PAN-
 2 ELS.—Section 8(e)(1)(A) of such Act (42 U.S.C.
 3 4365(e)(1)(A)) is amended by adding at the end the fol-
 4 lowing: “These member committees and investigative pan-
 5 els—

6 “(i) shall be constituted and operate
 7 in accordance with the provisions set forth
 8 in paragraphs (2) and (3) of subsection
 9 (b), in subsection (h), and in subsection
 10 (i);

11 “(ii) do not have authority to make
 12 decisions on behalf of the Board; and

13 “(iii) may not report directly to the
 14 Environmental Protection Agency.”.

15 (e) PUBLIC PARTICIPATION.—Section 8 of such Act
 16 (42 U.S.C. 4365) is amended by amending subsection (h)
 17 to read as follows:

18 “(h)(1) To facilitate public participation in the advi-
 19 sory activities of the Board, the Administrator and the
 20 Board shall make public all reports and relevant scientific
 21 information and shall provide materials to the public at
 22 the same time as received by members of the Board.

23 “(2) Prior to conducting major advisory activities, the
 24 Board shall hold a public information-gathering session to

1 discuss the state of the science related to the advisory ac-
2 tivity.

3 “(3) Prior to convening a member committee or in-
4 vestigative panel under subsection (e) or requesting sci-
5 entific advice from the Board, the Administrator shall ac-
6 cept, consider, and address public comments on questions
7 to be asked of the Board. The Board, member committees,
8 and investigative panels shall accept, consider, and ad-
9 dress public comments on such questions and shall not ac-
10 cept a question that unduly narrows the scope of an advi-
11 sory activity.

12 “(4) The Administrator and the Board shall encour-
13 age public comments, including oral comments and discus-
14 sion during the proceedings, that shall not be limited by
15 an insufficient or arbitrary time restriction. Public com-
16 ments shall be provided to the Board when received, and
17 shall be published in the Federal Register grouped by com-
18 mon themes. If multiple repetitious comments are re-
19 ceived, only one such comment shall be published along
20 with the number of such repetitious comments received.
21 Any report made public by the Board shall include written
22 responses to significant comments, including those that
23 present an alternative hypothesis-based scientific point of
24 view, offered by members of the public to the Board.

1 “(5) Following Board meetings, the public shall be
2 given 15 calendar days to provide additional comments for
3 consideration by the Board.”.

4 (f) OPERATIONS.—Section 8 of such Act (42 U.S.C.
5 4365) is further amended by amending subsection (i) to
6 read as follows:

7 “(i)(1) In carrying out its advisory activities, the
8 Board shall strive to avoid making policy determinations
9 or recommendations, and, in the event the Board feels
10 compelled to offer policy advice, shall explicitly distinguish
11 between scientific determinations and policy advice.

12 “(2) The Board shall clearly communicate uncertain-
13 ties associated with the scientific advice provided to the
14 Administrator or Congress.

15 “(3) The Board shall ensure that advice and com-
16 ments reflect the views of the members and shall encour-
17 age dissenting members to make their views known to the
18 public, the Administrator, and Congress.

19 “(4) The Board shall conduct periodic reviews to en-
20 sure that its advisory activities are addressing the most
21 important scientific issues affecting the Environmental
22 Protection Agency.

23 “(5) The Board shall be fully and timely responsive
24 to Congress.”.

1 **SEC. 3. RELATION TO THE FEDERAL ADVISORY COM-**
2 **MITTEE ACT.**

3 Nothing in this Act or the amendments made by this
4 Act shall be construed as supplanting the requirements of
5 the Federal Advisory Committee Act (5 U.S.C. App.).

6 **SEC. 4. RELATION TO THE ETHICS IN GOVERNMENT ACT OF**
7 **1978.**

8 Nothing in this Act or the amendments made by this
9 Act shall be construed as supplanting the requirements of
10 the Ethics in Government Act of 1978 (5 U.S.C. App.).

Passed the House of Representatives March 30,
2017.

Attest:

KAREN L. HAAS,
Clerk.

**ACTION ITEM**

May 17, 2017

TO: Board of Directors**FROM:** **Public Affairs & Legislation Committee**
(Directors Dick, Tamaribuchi and Yoo Schneider)Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: H.R. 1654 (McClintock, R-CA)–Water Supply Permitting Coordination Act**STAFF RECOMMENDATION**

Staff recommends the Board of Directors vote to adopt a support position on H.R. 1654 (McClintock, TX).

COMMITTEE RECOMMENDATION

Committee recommends (To be determined by committee)

SUMMARY

This bill would authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes.

ARGUMENTS IN SUPPORT

According to the author, H.R. 1654, "... will establish a framework in which federal agencies with permitting responsibilities for the construction of new surface water storage projects must work together, coordinate their schedules, share data and technical materials, and make their findings publicly available. The end result would be fewer delays, more efficient use of taxpayer dollars, and ultimately, more abundant water supplies."

Budgeted (Y/N): n/a	Budgeted amount: n/a	Core x	Choice __
Action Item Amount: none		Line Item:	
Fiscal Impact (explain if unbudgeted):			

In addition, “It also requires transparency, assuring that all data is available to the public online so the science guiding these decisions can be rigorously scrutinized by all interested parties.”

It allows water agencies to fund the review process if federal funding isn’t provided, removing one of the excuses that federal agencies have made in slow-walking or stalling review of these projects. This provision also has plenty of precedent – it is modeled on provisions sponsored by House Democrats that expedited improvements on the Hetch Hetchy dam, serving the San Francisco region.

This does not bypass ANY environmental laws – it simply says that the process needs to be more efficient and that government agencies should talk with each other and not past each other.

Nor does the bill affect the rigorous engineering process required to assure dam safety.

ARGUMENTS IN OPPOSITION

None on file

MWDOC LEGISLATIVE POLICY PRINCIPLES

MWDOC’s adopted policy principles support legislation that, “Supports the development of, provides funding for, and authorizes and/or facilitates the expanded use of, water recycling, potable reuse, conservation, groundwater recovery and recharge, storage, brackish and ocean water desalination and surface water development projects where the beneficiaries of the project pay for the portions of the project not funded by state or federal funds.”

COMMENTS

Coauthors to H.R. 1654:

Congresswoman Liz Cheney (D-WY)
 Congressman Paul Cook (R-CA)
 Congressman Kevin Cramer (R-ND)
 Congressman Paul Gosar (R-AZ)
 Congressman Darrell Issa (R-CA)
 Congressman Doug LaMalfa (R-CA)
 Congressman Dana Rohrabacher (R-CA)
 Congressman Scott Tipton (R-CO)

This measure was approved by the House Natural Resources Committee by a vote of 24-16 on April 27, 2017. It will next be sent to the House Floor for a vote.

DETAILED REPORT

The full text of H.R. 1654 is attached for your information.

115TH CONGRESS
1ST SESSION

H. R. 1654

To authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2017

Mr. MCCLINTOCK (for himself, Ms. CHENEY, Mr. COOK, Mr. CRAMER, Mr. GOSAR, Mr. ISSA, Mr. LAMALFA, Mr. ROHRABACHER, and Mr. TIPTON) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Water Supply Permit-
3 ting Coordination Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **BUREAU.**—The term “Bureau” means the
7 Bureau of Reclamation.

8 (2) **COOPERATING AGENCIES.**—The term “co-
9 operating agency” means a Federal agency with ju-
10 risdiction over a review, analysis, opinion, statement,
11 permit, license, or other approval or decision re-
12 quired for a qualifying project under applicable Fed-
13 eral laws and regulations, or a State agency subject
14 to section 3(c).

15 (3) **QUALIFYING PROJECTS.**—The term “quali-
16 fying projects” means new surface water storage
17 projects in the States covered under the Act of June
18 17, 1902 (32 Stat. 388, chapter 1093), and Acts
19 supplemental to and amendatory of that Act (43
20 U.S.C. 371 et seq.) constructed on lands adminis-
21 tered by the Department of the Interior or the De-
22 partment of Agriculture, exclusive of any easement,
23 right-of-way, lease, or any private holding.

24 (4) **SECRETARY.**—The term “Secretary” means
25 the Secretary of the Interior.

1 **SEC. 3. ESTABLISHMENT OF LEAD AGENCY AND COOPER-**
 2 **ATING AGENCIES.**

3 (a) **ESTABLISHMENT OF LEAD AGENCY.**—The Bu-
 4 reau is established as the lead agency for purposes of co-
 5 ordinating all reviews, analyses, opinions, statements, per-
 6 mits, licenses, or other approvals or decisions required
 7 under Federal law to construct qualifying projects.

8 (b) **IDENTIFICATION AND ESTABLISHMENT OF CO-**
 9 **OPERATING AGENCIES.**—The Commissioner of the Bureau
 10 shall—

11 (1) identify, as early as practicable upon receipt
 12 of an application for a qualifying project, any Fed-
 13 eral agency that may have jurisdiction over a review,
 14 analysis, opinion, statement, permit, license, ap-
 15 proval, or decision required for a qualifying project
 16 under applicable Federal laws and regulations; and

17 (2) notify any such agency, within a reasonable
 18 timeframe, that the agency has been designated as
 19 a cooperating agency in regards to the qualifying
 20 project unless that agency responds to the Bureau in
 21 writing, within a timeframe set forth by the Bureau,
 22 notifying the Bureau that the agency—

23 (A) has no jurisdiction or authority with
 24 respect to the qualifying project;

25 (B) has no expertise or information rel-
 26 evant to the qualifying project or any review,

1 analysis, opinion, statement, permit, license, or
 2 other approval or decision associated therewith;
 3 or

4 (C) does not intend to submit comments
 5 on the qualifying project or conduct any review
 6 of such a project or make any decision with re-
 7 spect to such project in a manner other than in
 8 cooperation with the Bureau.

9 (c) STATE AUTHORITY.—A State in which a quali-
 10 fying project is being considered may choose, consistent
 11 with State law—

12 (1) to participate as a cooperating agency; and
 13 (2) to make subject to the processes of this Act
 14 all State agencies that—

15 (A) have jurisdiction over the qualifying
 16 project;

17 (B) are required to conduct or issue a re-
 18 view, analysis, or opinion for the qualifying
 19 project; or

20 (C) are required to make a determination
 21 on issuing a permit, license, or approval for the
 22 qualifying project.

23 **SEC. 4. BUREAU RESPONSIBILITIES.**

24 (a) IN GENERAL.—The principal responsibilities of
 25 the Bureau under this Act are—

1 (1) to serve as the point of contact for appli-
2 cants, State agencies, Indian tribes, and others re-
3 garding proposed qualifying projects;

4 (2) to coordinate preparation of unified environ-
5 mental documentation that will serve as the basis for
6 all Federal decisions necessary to authorize the use
7 of Federal lands for qualifying projects; and

8 (3) to coordinate all Federal agency reviews
9 necessary for project development and construction
10 of qualifying projects.

11 (b) COORDINATION PROCESS.—The Bureau shall
12 have the following coordination responsibilities:

13 (1) PREAPPLICATION COORDINATION.—Notify
14 cooperating agencies of proposed qualifying projects
15 not later than 30 days after receipt of a proposal
16 and facilitate a preapplication meeting for prospec-
17 tive applicants, relevant Federal and State agencies,
18 and Indian tribes—

19 (A) to explain applicable processes, data
20 requirements, and applicant submissions nec-
21 essary to complete the required Federal agency
22 reviews within the timeframe established; and

23 (B) to establish the schedule for the quali-
24 fying project.

1 (2) CONSULTATION WITH COOPERATING AGEN-
2 CIES.—Consult with the cooperating agencies
3 throughout the Federal agency review process, iden-
4 tify and obtain relevant data in a timely manner,
5 and set necessary deadlines for cooperating agencies.

6 (3) SCHEDULE.—Work with the qualifying
7 project applicant and cooperating agencies to estab-
8 lish a project schedule. In establishing the schedule,
9 the Bureau shall consider, among other factors—

10 (A) the responsibilities of cooperating
11 agencies under applicable laws and regulations;

12 (B) the resources available to the cooper-
13 ating agencies and the non-Federal qualifying
14 project sponsor, as applicable;

15 (C) the overall size and complexity of the
16 qualifying project;

17 (D) the overall schedule for and cost of the
18 qualifying project; and

19 (E) the sensitivity of the natural and his-
20 toric resources that may be affected by the
21 qualifying project.

22 (4) ENVIRONMENTAL COMPLIANCE.—Prepare a
23 unified environmental review document for each
24 qualifying project application, incorporating a single
25 environmental record on which all cooperating agen-

1 cies with authority to issue approvals for a given
 2 qualifying project shall base project approval deci-
 3 sions. Help ensure that cooperating agencies make
 4 necessary decisions, within their respective authori-
 5 ties, regarding Federal approvals in accordance with
 6 the following timelines:

7 (A) Not later than 1 year after acceptance
 8 of a completed project application when an en-
 9 vironmental assessment and finding of no sig-
 10 nificant impact is determined to be the appro-
 11 priate level of review under the National Envi-
 12 ronmental Policy Act of 1969 (42 U.S.C. 4321
 13 et seq.).

14 (B) Not later than 1 year and 30 days
 15 after the close of the public comment period for
 16 a draft environmental impact statement under
 17 the National Environmental Policy Act of 1969
 18 (42 U.S.C. 4321 et seq.), when an environ-
 19 mental impact statement is required under the
 20 same.

21 (5) CONSOLIDATED ADMINISTRATIVE
 22 RECORD.—Maintain a consolidated administrative
 23 record of the information assembled and used by the
 24 cooperating agencies as the basis for agency deci-
 25 sions.

1 (6) PROJECT DATA RECORDS.—To the extent
 2 practicable and consistent with Federal law, ensure
 3 that all project data is submitted and maintained in
 4 generally accessible electronic format, compile, and
 5 where authorized under existing law, make available
 6 such project data to cooperating agencies, the quali-
 7 fying project applicant, and to the public.

8 (7) PROJECT MANAGER.—Appoint a project
 9 manager for each qualifying project. The project
 10 manager shall have authority to oversee the project
 11 and to facilitate the issuance of the relevant final
 12 authorizing documents, and shall be responsible for
 13 ensuring fulfillment of all Bureau responsibilities set
 14 forth in this section and all cooperating agency re-
 15 sponsibilities under section 5.

16 **SEC. 5. COOPERATING AGENCY RESPONSIBILITIES.**

17 (a) ADHERENCE TO BUREAU SCHEDULE.—

18 (1) TIMEFRAMES.—On notification of an appli-
 19 cation for a qualifying project, the head of each co-
 20 operating agency shall submit to the Bureau a time-
 21 frame under which the cooperating agency reason-
 22 ably will be able to complete the authorizing respon-
 23 sibilities of the cooperating agency.

24 (2) SCHEDULE.—

1 (A) USE OF TIMEFRAMES.—The Bureau
 2 shall use the timeframes submitted under this
 3 subsection to establish the project schedule
 4 under section 4.

5 (B) ADHERENCE.—Each cooperating agen-
 6 cy shall adhere to the project schedule estab-
 7 lished by the Bureau under subparagraph (A).

8 (b) ENVIRONMENTAL RECORD.—The head of each
 9 cooperating agency shall submit to the Bureau all environ-
 10 mental review material produced or compiled in the course
 11 of carrying out activities required under Federal law, con-
 12 sistent with the project schedule established by the Bureau
 13 under subsection (a)(2).

14 (c) DATA SUBMISSION.—To the extent practicable
 15 and consistent with Federal law, the head of each cooper-
 16 ating agency shall submit all relevant project data to the
 17 Bureau in a generally accessible electronic format, subject
 18 to the project schedule established by the Bureau under
 19 subsection (a)(2).

20 **SEC. 6. FUNDING TO PROCESS PERMITS.**

21 (a) IN GENERAL.—The Secretary, after public notice
 22 in accordance with subchapter II of chapter 5, and chapter
 23 7, of title 5, United States Code (commonly known as the
 24 “Administrative Procedure Act”), may accept and expend
 25 funds contributed by a non-Federal public entity to expe-

1 dite the evaluation of a permit of that entity related to
 2 a qualifying project.

3 (b) EFFECT ON PERMITTING.—

4 (1) IN GENERAL.—In carrying out this section,
 5 the Secretary shall ensure that the use of funds ac-
 6 cepted under subsection (a) will not substantively or
 7 procedurally impact impartial decisionmaking with
 8 respect to permits.

9 (2) EVALUATION OF PERMITS.—In carrying out
 10 this section, the Secretary shall ensure that the eval-
 11 uation of permits carried out using funds accepted
 12 under this section shall—

13 (A) be reviewed by the Regional Director
 14 of the Bureau of the region in which the quali-
 15 fying project or activity is located (or a des-
 16 ignee); and

17 (B) use the same procedures for decisions
 18 that would otherwise be required for the evalua-
 19 tion of permits for similar projects or activities
 20 not carried out using funds authorized under
 21 this section.

22 (3) IMPARTIAL DECISIONMAKING.—In carrying
 23 out this section, the Secretary and the head of each
 24 cooperating agency receiving funds under this sec-
 25 tion for a qualifying project shall ensure that the use

1 of the funds accepted under this section for the
2 qualifying project shall not—

3 (A) substantively or procedurally impact
4 impartial decisionmaking with respect to the
5 issuance of permits; or

6 (B) diminish, modify, or otherwise affect
7 the statutory or regulatory authorities of the
8 cooperating agency.

9 (c) LIMITATION ON USE OF FUNDS.—None of the
10 funds accepted under this section shall be used to carry
11 out a review of the evaluation of permits required under
12 subsection (b)(2)(A).

13 (d) PUBLIC AVAILABILITY.—The Secretary shall en-
14 sure that all final permit decisions carried out using funds
15 authorized under this section are made available to the
16 public, including on the Internet.

○

**ACTION ITEM**

May 17, 2017

TO: Board of Directors**FROM:** **Public Affairs & Legislation Committee**
(Directors Dick, Tamaribuchi and Yoo Schneider)Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: SB 231 (Hertzberg) – Local Government: Fees and Charges**STAFF RECOMMENDATION**

Staff recommends the Board of Directors vote to adopt a watch position on SB 231 (Hertzberg).

COMMITTEE RECOMMENDATION

Committee recommends (To be determined by committee)

SUMMARY

SB 231 amends state law to clarify the statutory authority of cities, counties, and local water agencies to finance stormwater projects.

Specifically, it defines “sewer” to include storm drainage, conforming to an existing 25-year-old definition in the California Public Utilities Code and encourages the courts to adopt this definition. This clarification makes it clear that local governments may build projects necessary to manage and reuse stormwater. Additionally, this will provide opportunities to access state and federal dollars that require local matching funds.

ARGUMENTS IN SUPPORT

Under current law, water agencies are limited in the type of infrastructure they can fund to manage storm and flood waters. Local governments are often underfunded and are constrained from easily charging and financing stormwater projects that we need to manage water supplies and address water pollution in our communities.

Budgeted (Y/N): n/a	Budgeted amount: n/a	Core x	Choice __
Action Item Amount: none	Line Item:		
Fiscal Impact (explain if unbudgeted):			

Stormwater is a key source of local water supply and careful management is necessary now more than ever due to California's continuing cycles of drought.

ARGUMENTS IN OPPOSITION

Opponents of the bill argue that Proposition 218 was intended to provide an expansive right for the public to vote on water rates increases and only included limited exemptions from this requirement to maintain basic public health and safety services, such as providing drinking and irrigation water and disposing of sanitary sewage and refuse. Cleaning up storm water and discharging it simply to benefit the environment shouldn't fall within those categories, and, based on the Salinas court decision, it doesn't. In 2002, the Howard Jarvis Tax Payers Association (HJTPA) successfully sued the City of Salinas after the city began charging residents for "storm water runoff" as part of their sewer bill. SB 231 directly contradicts this decision. Should the Legislature override the courts, and potentially the will of the people, by allowing local governments to raise fees for storm water cleanup projects without a vote? The answer to that question is no.

MWDOC'S POLICY PRINCIPLES

MWDOC's adopted policy principles directly reflect a position regarding stormwater. Specifically, MWDOC supports legislation that, "Ensures that decision-making with regard to stormwater management and recapture is kept at the local or regional level through local water agencies, stormwater districts, cities, counties, and regional water management groups"; "Recognizes that stormwater management and recapture are important tools in a diversified water portfolio that can help to achieve improved water quality in local surface and groundwater supplies, and augment surface and groundwater supplies for local water agencies"; "Reduces or removes regulatory hurdles that hinder the use of stormwater".

SB 231 *does* allow for decision making to be kept at the local level when it comes to making decisions in regard to stormwater management and recapture. Only districts that want to add stormwater to their Prop 218 rate increase proposal would be allowed to do so under SB 231; the bill does not mandate charging for stormwater recapture. In addition, SB 231 falls in line with the policy principle that recognizes that stormwater management and recapture are important tools in a diversified water portfolio. It allows for agencies that might not otherwise use stormwater recapture, due to the cost, to add the infrastructure to do so.

However, the way that SB 231 is drafted, as regular legislation as opposed to a constitutional amendment to Prop 218 that was approved by the voters, is not good policy. The author's office believes they have legal precedence, although they acknowledge that it will likely be challenged in court.

Although MWDOC's adopted policy principles would seem to indicate support for SB 231, amending a constitutional article through legislation is not good policy. Therefore staff is recommending a watch or no position on SB 231.

COMMENTS

Support on file:

Water Foundation (source)
Bay Area Stormwater Management Agencies Association
California Association of Sanitation Agencies
California Building Industries Association
California Council for Environmental and Economic Balance
California State Association of Counties
California Stormwater Quality Association
City/County Association of Governments of San Mateo County
City of Alameda
City of Beverly Hills
City of Commerce
City of Covina
City of Commerce
City of Hawthorne
City of Hermosa Beach
City of Industry
City of Lawndale
City of Norwalk
City of Petaluma
City of San Gabriel
City of Signal Hill
County of Contra Costa
County of San Joaquin
Inland Empire Utilities Agency
Los Angeles Gateway Region Integrated Regional Water Management Authority
Metropolitan Water District of Southern California
Santa Clara Valley Water District
Save the Bay
Sierra Club California
State Building and Construction Trades Council of California
Tree People

Opposition on File:
BizFed
City of Claremont
City of Diamond Bar
City of Glendora
City of Los Alamitos
City of Rosemead
City of Sierra Madre
City of West Covina
Howard Jarvis Taxpayers Association

This measure was approved by the Senate by a vote of 23-10 with 7 members not voting.

DETAILED REPORT

The full text of SB 231 is attached for your information.

Introduced by Senator Hertzberg

February 2, 2017

An act to amend Section 53750 of, and to add Section 53751 to, the Government Code, relating to local government finance.

LEGISLATIVE COUNSEL'S DIGEST

SB 231, as amended, Hertzberg. Local government: fees and charges.

Articles XIII C and XIII D of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Existing law, the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with Articles XIII C and XIII D of the California Constitution and defines terms for these purposes.

This bill would define the term “sewer” for these purposes. The bill would also make findings and declarations relating to the definition of the term “sewer” for these purposes.

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

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

- 1 SECTION 1. Section 53750 of the Government Code is
- 2 amended to read:
- 3 53750. For purposes of Article XIII C and Article XIII D of
- 4 the California Constitution and this article, the following words

1 have the following meanings, and shall be read and interpreted in
2 light of the findings and declarations contained in Section 53751:

3 (a) "Agency" means any local government as defined in
4 subdivision (b) of Section 1 of Article XIII C of the California
5 Constitution.

6 (b) "Assessment" means any levy or charge by an agency upon
7 real property that is based upon the special benefit conferred upon
8 the real property by a public improvement or service, that is
9 imposed to pay the capital cost of the public improvement, the
10 maintenance and operation expenses of the public improvement,
11 or the cost of the service being provided. "Assessment" includes,
12 but is not limited to, "special assessment," "benefit assessment,"
13 "maintenance assessment," and "special assessment tax."

14 (c) "District" means an area that is determined by an agency to
15 contain all of the parcels that will receive a special benefit from a
16 proposed public improvement or service.

17 (d) "Drainage system" means any system of public
18 improvements that is intended to provide for erosion control, for
19 landslide abatement, or for other types of water drainage.

20 (e) "Extended," when applied to an existing tax or fee or charge,
21 means a decision by an agency to extend the stated effective period
22 for the tax or fee or charge, including, but not limited to,
23 amendment or removal of a sunset provision or expiration date.

24 (f) "Flood control" means any system of public improvements
25 that is intended to protect property from overflow by water.

26 (g) "Identified parcel" means a parcel of real property that an
27 agency has identified as having a special benefit conferred upon
28 it and upon which a proposed assessment is to be imposed, or a
29 parcel of real property upon which a proposed property-related
30 fee or charge is proposed to be imposed.

31 (h) (1) "Increased," when applied to a tax, assessment, or
32 property-related fee or charge, means a decision by an agency that
33 does either of the following:

34 (A) Increases any applicable rate used to calculate the tax,
35 assessment, fee, or charge.

36 (B) Revises the methodology by which the tax, assessment, fee,
37 or charge is calculated, if that revision results in an increased
38 amount being levied on any person or parcel.

39 (2) A tax, fee, or charge is not deemed to be "increased" by an
40 agency action that does either or both of the following:

1 (A) Adjusts the amount of a tax, fee, or charge in accordance
2 with a schedule of adjustments, including a clearly defined formula
3 for inflation adjustment that was adopted by the agency prior to
4 November 6, 1996.

5 (B) Implements or collects a previously approved tax, fee, or
6 charge, so long as the rate is not increased beyond the level
7 previously approved by the agency, and the methodology
8 previously approved by the agency is not revised so as to result in
9 an increase in the amount being levied on any person or parcel.

10 (3) A tax, assessment, fee, or charge is not deemed to be
11 “increased” in the case in which the actual payments from a person
12 or property are higher than would have resulted when the agency
13 approved the tax, assessment, fee, or charge, if those higher
14 payments are attributable to events other than an increased rate or
15 revised methodology, such as a change in the density, intensity,
16 or nature of the use of land.

17 (i) “Notice by mail” means any notice required by Article XIII C
18 or XIII D of the California Constitution that is accomplished
19 through a mailing, postage prepaid, deposited in the United States
20 Postal Service and is deemed given when so deposited. Notice by
21 mail may be included in any other mailing to the record owner
22 that otherwise complies with Article XIII C or XIII D of the
23 California Constitution and this article, including, but not limited
24 to, the mailing of a bill for the collection of an assessment or a
25 property-related fee or charge.

26 (j) “Record owner” means the owner of a parcel whose name
27 and address appears on the last equalized secured property tax
28 assessment roll, or in the case of any public entity, the State of
29 California, or the United States, means the representative of that
30 public entity at the address of that entity known to the agency.

31 (k) “Sewer” ~~means services and systems provided by~~ *includes*
32 *systems*, all real estate, fixtures, and personal property owned,
33 controlled, operated, or managed in connection with or to facilitate
34 sewage collection, treatment, or disposition for sanitary or drainage
35 purposes, including lateral and connecting sewers, interceptors,
36 trunk and outfall lines, sanitary sewage treatment or disposal plants
37 or works, drains, conduits, outlets for surface or storm waters, and
38 any and all other works, property, or structures necessary or
39 convenient for the collection or disposal of sewage, industrial
40 waste, or surface or storm waters. “Sewer system” shall not include

1 a sewer system that merely collects sewage on the property of a
2 single owner.

3 (l) “Registered professional engineer” means an engineer
4 registered pursuant to the Professional Engineers Act (Chapter 7
5 (commencing with Section 6700) of Division 3 of the Business
6 and Professions Code).

7 (m) “Vector control” means any system of public improvements
8 or services that is intended to provide for the surveillance,
9 prevention, abatement, and control of vectors as defined in
10 subdivision (k) of Section 2002 of the Health and Safety Code and
11 a pest as defined in Section 5006 of the Food and Agricultural
12 Code.

13 (n) “Water” means any system of public improvements intended
14 to provide for the production, storage, supply, treatment, or
15 distribution of water from any source.

16 SEC. 2. Section 53751 is added to the Government Code, to
17 read:

18 53751. The Legislature finds and declares all of the following:

19 (a) The ongoing, historic drought has made clear that California
20 must invest in a 21st century water management system capable
21 of effectively meeting the economic, social, and environmental
22 needs of the state.

23 (b) Sufficient and reliable funding to pay for local water projects
24 is necessary to improve the state’s water infrastructure.

25 (c) Proposition 218 was approved by the voters at the November
26 5, 1996, statewide ~~General Election~~; *general election*. Some court
27 interpretations of the law have constrained important tools that
28 local governments need to manage storm water and drainage runoff.

29 (d) Storm waters are carried off in storm sewers, and careful
30 management is necessary to *ensure adequate state water supplies,*
31 *especially during drought, and to reduce pollution.* But a court
32 decision has ~~excluded~~ *found* storm water ~~from those~~ *subject to the*
33 *voter-approval* provisions of Proposition 218 that apply to
34 property-related ~~fees for sewer and water, fees,~~ preventing many
35 important projects from being built.

36 (e) The court of appeal in *Howard Jarvis Taxpayers Ass’n v.*
37 *City of Salinas* (2002) 98 Cal.App.4th 1351 concluded that the
38 term “sewer,” as used in Proposition 218, is “ambiguous” and
39 declined to use the statutory definition of the term “sewer system”

1 *system,*” which was part of the then-existing law as Section 230.5
 2 of the Public Utilities Code.

3 (f) The court in *Howard Jarvis Taxpayers Ass’n v. City of*
 4 *Salinas* (2002) 98 Cal.App.4th 1351 failed to follow long-standing
 5 principles of statutory construction by disregarding the plain
 6 meaning of the term “sewer.” Courts have long held that statutory
 7 construction rules apply to initiative measures, including in cases
 8 that apply specifically to Proposition 218 (see *People v. Bustamante*
 9 ~~(1996)~~ (1997) 57 Cal.App.4th 693, 693; *Keller v. Chowchilla*
 10 *Water Dist.* (2000) 80 Cal.App.4th 1006). When construing
 11 statutes, courts look first to the words of the statute, which should
 12 be given their usual, ordinary, and commonsense meaning (*People*
 13 *v. Mejia* (2012) 211 Cal.App.4th 586, 611). The purpose of
 14 utilizing the plain meaning of statutory language is to spare the
 15 courts the necessity of trying to divine the voters’ intent by
 16 resorting to secondary or subjective indicators. The court in
 17 *Howard Jarvis Taxpayers Ass’n v. City of Salinas* (2002) 98
 18 Cal.App.4th 1351 asserted its belief as to what most voters thought
 19 when voting for Proposition 218, but did not cite the voter pamphlet
 20 or other accepted sources for determining legislative intent. Instead,
 21 the court substituted its own judgment for the judgment of voters.

22 (g) *Neither the words “sanitary” nor “sewerage” are used in*
 23 *Proposition 218, and the common meaning of the term “sewer*
 24 *services” is not “sanitary sewerage.” In fact, the phrase “sanitary*
 25 *sewerage” is uncommon.*

26 (h) *Proposition 218 exempts sewer and water services from the*
 27 *voter-approval requirement. Sewer and water services are*
 28 *commonly considered to have a broad reach, encompassing the*
 29 *provision of clean water and then addressing the conveyance and*
 30 *treatment of dirty water, whether that water is rendered unclean*
 31 *by coming into contact with sewage or by flowing over the built-out*
 32 *human environment and becoming urban runoff.*

33 ~~(g)~~

34 (i) Numerous sources predating Proposition 218 reject the notion
 35 that the term “sewer” applies only to sanitary sewers, sewers and
 36 sanitary sewerage, including, but not limited to:

37 (1) Section 230.5 of the Public Utilities Code. *Code, added by*
 38 *Chapter 1109 of the Statutes of 1970.*

39 (2) Section 23010.3, ~~which was first~~ added by Chapter 1193 of
 40 the Statutes of 1963.

(3) ~~The Street Improvement Act of 1913 (repealed by Chapter 346 of the Statutes of 1963): 1913.~~

(4) ~~The California Supreme Court stated in Los Angeles L.A. County Flood Control District Dist. v. Southern California Cal. Edison Co. (1958) 51 Cal.2d 331, where the California Supreme Court stated that “no distinction has been made between sanitary sewers and storm drains or sewers.”~~

(5) ~~The term, Many other cases where the term “sewer” has been used interchangeably to refer to both sanitary and storm sewers in many other cases, including, include, but are not limited to, County of Riverside v. Whitlock (1972) 22 Cal.App.3d 863, Ramseier v. Oakley Sanitary Dist. (1961) 197 Cal.App.2d 722, and Torson v. Fleming (1928) 91 Cal.App. 168.~~

(6) Dictionary definitions of sewer, which courts have found to be an objective source for determining common or ordinary meaning, including ~~Websters~~ *Webster’s* (1976), *American Heritage* (1969), and *Oxford English Dictionary* (1971).

(h)

(j) Prior legislation has affirmed particular interpretations of words in Proposition 218, specifically Assembly Bill 2403 of the 2013–14 Regular Session (Chapter 78 of the Statutes of 2014).

(k) *In Crawley v. Alameda Waste Management Authority (2015) 243 Cal.App.4th 396, the Court of Appeal relied on the statutory definition of “refuse collection services” to interpret the meaning of that phrase in Proposition 218, and found that this interpretation was further supported by the plain meaning of refuse. Consistent with this decision, in determining the definition of “sewer,” the plain meaning rule shall apply in conjunction with the definitions of terms as provided in Section 53750.*

(i)

(l) The Legislature reaffirms and reiterates that the definition found in Section 230.5 of the Public Utilities Code is the definition of “sewer” or “sewer service” that should be used in the Proposition 218 Omnibus Implementation Act.

(m) *Courts have read the Legislature’s definition of “water” in the Proposition 218 Omnibus Implementation Act to include related services. In Griffith v. Pajaro Valley Water Management Agency (2013) 220 Cal.App.4th 586, the Court of Appeal concurred with the Legislature’s view that “water service means more than just supplying water,” based upon the definition of water provided*

1 *by the Proposition 218 Omnibus Implementation Act, and found*
2 *that actions necessary to provide water can be funded through*
3 *fees for water service. Consistent with this decision, “sewer”*
4 *should be interpreted to include services necessary to collect, treat,*
5 *or dispose of sewage, industrial waste, or surface or storm waters,*
6 *and any entity that collects, treats, or disposes of any of these*
7 *necessarily provides sewer service.*

O

**ACTION ITEM**

May 17, 2017

TO: Board of Directors**FROM:** **Public Affairs & Legislation Committee**
(Directors Dick, Tamaribuchi and Yoo Schneider)

Robert Hunter, General Manager

Staff Contact: Heather Baez

SUBJECT: TRAVEL TO WASHINGTON D.C. TO COVER FEDERAL INITIATIVES**STAFF RECOMMENDATION**

Staff recommends the Board of Directors receive and file the report.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

REPORT**DIRECTORS**

For the third quarter (Jan.-Mar. 2017) of fiscal year 2016-2017, three trips were taken.

The following is budgeted for fiscal year 2016/2017 for directors:

Washington D.C. Legislative Travel Budget - \$11,000, 6 trips

- Total cost for this quarter: \$3,149.68, 3 trips
- Year-to-date spent: \$5,001.27, 4 trips
- Budget remaining: \$5,998.73

For the third quarter (Jan.-Mar. 2017) of fiscal year 2016-2017, three trips were taken

- January 11-14 – Director Barbre
- February 28-March 2 – Director Barbre

Budgeted (Y/N): Yes	Budgeted amount: Washington D.C. Legislative Advocacy - \$11,000/staff; \$11,000/directors.	Core <u>X</u>	Choice <u> </u>
Action item amount: n/a		Line item:	
Fiscal Impact (explain if unbudgeted): Within projected budget			

- February 28-March 2 – Director Thomas

STAFF

For the third quarter (Jan.-Mar. 2017) of fiscal year 2016-2017, one trip was taken

- January 11-14 – Heather Baez

The following is budgeted for fiscal year 2016/2017 for **staff**:

Washington D.C. Legislative Travel - \$11,000, 6 trips

- Total cost for this quarter: \$1,336.47, 1 trip
- Year-to-date spent: \$4,429.86, 2 trips
- Budget remaining: \$6,570.47

Projecting out for the 4th Quarter of fiscal year 2016/2017

- Upcoming trips:

April 19-21 – Director Barbe

The focus of these trips were on the importance of the CA WaterFix (federal permits and funding), benefits California has received due to the passage of S.612, the drought bill, and visits to representative offices to discuss long term conservation and tax parity water rebate issues (turf removal program, et al).

OTHER WASHINGTON D.C. TRIPS

Per request of the Executive Committee, outlined below are additional trips to Washington D.C. that are not classified as legislative advocacy. These fall under a separate budget item. The following trip took place during the third quarter – ACWA D.C. Conference (Feb. 28-Mar.2)

DIRECTORS

- Total travel budget for ACWA D.C.: \$5,000, 2 directors
- Actual spent: \$3,551.81
 - This includes airfare, hotel and meals for Directors Tamaribuchi & Yoo Schneider
- Remaining budget: \$1,448.19

STAFF

- Total travel budget for ACWA D.C.: \$5,000, 2 staff
- Actual spent: \$4,437.93
 - This includes airfare, registration, hotel and meals for Rob Hunter, Heather Baez and the Orange County delegation dinner
- Remaining budget: \$562.06

**ACTION ITEM**

May 17, 2017

TO: Board of Directors**FROM:** **Public Affairs & Legislation Committee**
(Directors Dick, Tamaribuchi and Yoo Schneider)Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: TRAVEL TO SACRAMENTO TO COVER STATE INITIATIVES**STAFF RECOMMENDATION**

Staff recommends the Board of Directors receive and file the report.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

REPORT**DIRECTORS**

For the third quarter (Jan.-Mar. 2017) of fiscal year 2016-2017, no trips were taken.

The following is budgeted for fiscal year 2016/2017 for directors:

Sacramento Legislative Travel Budget - \$4,000, 8 trips

- Total cost for this quarter: \$0
- Year-to-date spent: \$504.95, 1 trip
- Budget remaining: \$3,495.05

Budgeted (Y/N): Yes	Budgeted amount: Sacramento Legislative Advocacy - \$9,500/staff; \$4,000/directors.	Core <u>X</u>	Choice <u> </u>
Action item amount: n/a		Line item:	
Fiscal Impact (explain if unbudgeted): Within projected budget			

STAFF

For the third quarter (Jan.-Mar. 2017) of fiscal year 2016-2017, seven trips were taken.

- January 17-18 – Heather Baez
- January 20 – Heather Baez
- February 8 – Heather Baez & Joe Berg
- February 10 – Heather Baez
- March 3 – Heather Baez
- March 24 – Heather Baez
- March 31 – Heather Baez

The following is budgeted for fiscal year 2016-2017 for staff:

Sacramento Legislative Travel - \$9,500

- Total cost for this quarter: \$2,923.13, 7 trips
- Year-to-date spent: \$4,279.65, 10 trips
- Budget remaining: \$5,220.35

Projecting out for the 4th Quarter of fiscal year 2016/2017

- Upcoming trips:

April 21
May 19
June 9
June 30

The purpose of these trips are to meet with members of the delegation, attend the ACWA State Legislative Committee meetings and State Water Resources Control Board meetings.

**ACTION ITEM**

May 17, 2017

TO: Board of Directors**FROM:** **Public Affairs & Legislation Committee**
(Directors Dick, Tamaribuchi, Yoo Schneider)Robert Hunter
General Manager

Staff Contact: Tiffany Baca

SUBJECT: **Authorization to Contract for MWDOC Entry Hallway Display Design and Construction****STAFF RECOMMENDATION**

Staff recommends the Board of Directors authorize entering into a contract with *Bang! Creative Inc.* for the design, construction and installation of a display in the MWDOC entry hallway at a cost of \$31,937.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

In February of 2016, construction began to refresh the MWDOC entry hallway and foyer (shared with OCWD). While renovations were underway, the Administration department (Admin) collaborated with the Public Affairs (PA) department to design a dynamic display for the MWDOC side of the hallway. Staff contacted vendors for bids and the team ultimately selected *Bang! Creative Inc.* to complete the hallway project.

DETAILED REPORT

On February 12, 2016, construction began to refurbish the Municipal Water District of Orange County entryway and foyer. Admin asked the PA team to create a few design

Budgeted (Y/N): Yes	Budgeted amount: \$15,000* (an additional \$25,000 is included in the draft FY 17/18 budget)	Core _x_	Choice __
Action item amount: \$31,937		Line item:	
Fiscal Impact (explain if unbudgeted): *There is \$15,000 in the 2016/17 budget; staff included \$25,000 in the 2017/18 draft budget to cover this cost.			

choices for a fresh, dynamic display on both walls of the entryway. Tiffany Baca and Bryce Roberto visited locations with education-minded displays in search of design ideas, and to examine the work of local contractors. PA staff collaborated with the General Manager and Admin on a preliminary design. Bids were requested from eight vendors located in Southern California. Five of the eight contacted vendors submitted bids in May of 2016. Admin included funds for the design, construction and installation of the hallway displays to the 2016/2017 budget, in the amount of \$15,000. An additional \$25,000 has been included in the draft budget for the 2017-18 fiscal year.

The 2016/2017 fiscal year prompted the staff to shift priorities and the hallway display project was placed on hold. While the project was on hold, one of the initial vendors pulled their bid and the design went through several iterations – finally settling on a design in January of 2017. Staff then contacted the original vendors to request a new bid based on the changes to the initial design; however, only two of the four remaining vendors responded with an updated bid. *Bang! Creative Inc.* came in with the low bid.

Staff ultimately decided on *Bang! Creative Inc.* due to the lower bid and the firm's previous work with Metropolitan Water District of Southern California and MET member agencies.

Bang! Creative Inc.'s bid is attached.



BANG! Creative Inc
.Environments That Make Connections

ESTIMATE

DATE: 12-Apr-17

EST16014.5

CLIENT: Municipal Water District of Orange County

PO Box 20895

Fountain Valley, CA 92728

ATTN: Bryce Roberto ph. 714-593-5017

PROJECT: Lobby Displays - Upgrade

		PRICE
1.0	Launch meeting at MWDOC	\$ 590
2.0	Design Development by BANG!	\$ 4,800
	Refine existing layouts and copy	Estimate 60 hours
	Production ready print mechanicals	
3.0	Graphic production for both East and West walls	
	Budget to produce high-quality state-of-the-art materials and finishes as proposed previously	\$ 18,439
4.0	Stage & Prep to ship at BANG!	\$ 500
5.0	Deliver and install at MWDOC - Best case	\$ 2,787
	includes transport, round trip drive time, unload, stage, and install	
	Should installation run longer than one day costs will be billed accordingly	
6.0	Project Management	\$ 3,254
	Subtotal	\$ 30,369
	Estimated Calif. State Sales Tax	\$ 1,567

TOTAL \$ 31,937

Note: Design development is a budget only
Actual time could vary and will be billed at \$80/hr.

Conditions: MWDOC to provide all draft text
MWDOC to provide all hi-res photos and illustrations
Inspection at BANG!, Vista, CA before delivery
Item 5.0, Delivery & installation is an estimate.
Actual time and materials will be billed.

Terms: Deposit to be determined with P.O. to begin project
90% due before delivery
Balance due net 30 upon installation

Accepted by:

For MWDOC

Date



ACTION ITEM

May 17, 2017

TO: Board of Directors

FROM: **Public Affairs & Legislation Committee**
(Directors Dick, Tamaribuchi, and Yoo Schneider)

Robert Hunter
General Manager

Staff Contact: Heather Baez

**SUBJECT: ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA) REGION 10
CALL FOR CANDIDATES**

STAFF RECOMMENDATION

Staff recommends that the Committee discuss and determine if a member of the MWDOC Board of Directors would like to be nominated and run for the ACWA Region 10 Board of Directors.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

The Region 10 Nominating Committee is looking for ACWA members who are interested in leading the direction of ACWA Region 10 for the 2018-2019 term. The Nominating Committee is currently seeking candidates for the Region 10 Board, which is comprised of Chair, Vice Chair and up to five Board Member positions for a total of seven. These seats are split between Orange and San Diego counties. The two counties rotate between Chair and Vice Chair, with the county serving as Vice Chair having the extra seat. This term, Orange County will take over the Chair position, leaving one less seat for an Orange County director. This term, Orange County will have three seats, San Diego County will have four.

The leadership of ACWA's ten geographical regions is integral to the leadership of the Association as a whole. The Chair and Vice Chair of Region 10 serve on ACWA's Statewide

Budgeted (Y/N): N/A	Budgeted amount: n/a	Core __	Choice __
Action item amount: none		Line item:	
Fiscal Impact (explain if unbudgeted):			

Board of Directors and recommend all committee appointments for Region 10. The members of the Region 10 Board determine the direction and focus of region issues and activities. Additionally, they support the fulfillment of ACWA's goals on behalf of members and serve as a key role in ACWA's grassroots outreach efforts.

Anyone interested in serving in a leadership role within ACWA by becoming a Region 10 Board Member, please familiarize yourself with the Role of the Regions and Responsibilities; the Election Timeline; and the Region 10 Rules and Regulations and complete the following steps:

- Complete the attached Region Board Candidate Nomination Form
- Obtain a Resolution of Support from your agency's Board of Directors
- Submit the requested information to ACWA as indicated by Friday, June 30, 2017

The Region 10 Nominating Committee (listed below) will announce their recommended slate by July 31, 2017. On August 1, 2017 the election will begin with ballots sent to General Managers and Board Presidents. One ballot per agency will be counted. The election will be completed on September 29, 2017. On October 5, 2017, election results will be announced. The newly elected Region 10 Board Members will begin their two-year term of service on January 1, 2017.

The incumbents running for reelection for Region 10 include Jim Atkinson (Mesa Water District), Chuck Gibson (Santa Margarita Water District), and Cathy Green (Orange County Water District).

ADDITIONAL INFORMATION

ACWA Region 10 Nominating Committee:
Doug Wilson, Padre Dam Municipal Water District
Bob Hill, El Toro Water District
Phil Anthony, Orange County Water District
Gary Arant, Valley Center Municipal Water District

Additional information from ACWA is attached:
Region 10 Rules and Regulations
Nomination Form
Sample Resolution of Support

RESOLUTION NO. _____

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
(DISTRICT NAME)
PLACING IN NOMINATION (NOMINEE NAME)
AS A MEMBER OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES
REGION ____ (POSITION)**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF (DISTRICT NAME) AS FOLLOWS:

A. Recitals

(i) The Board of Directors (Board) of the (District Name) does encourage and support the participation of its members in the affairs of the Association of California Water Agencies (ACWA).

(ii) (Nominee Title), (Nominee Name) is currently serving as (Position) for ACWA Region ____

and/or

(iii) (Nominee Name) has indicated a desire to serve as a (Position) of ACWA Region ____.

B. Resolves

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF (DISTRICT NAME),

(i) Does place its full and unreserved support in the nomination of (Nominee Name) for the (Position) of ACWA Region ____.

(ii) Does hereby determine that the expenses attendant with the service of (Nominee Name) in ACWA Region ____ shall be borne by the (District Name).

Adopted and approved this ____ day of ____ (month) 2017.

(SEAL)

(Nominee Name), (Title)
(District Name)

ATTEST:

(Secretary Name), Secretary

I, (SECRETARY NAME), Secretary to the Board of Directors of (District Name), hereby certify that the foregoing Resolution was introduced at a regular meeting of the Board of Directors of said District, held on the ____ day of ____ (month) 2017, and was adopted at that meeting by the following roll call vote:

AYES:

NOES:

ABSENT:

ATTEST:

(Secretary Name), Secretary to the
Board of Directors of
(District Name)



Name of Candidate: _____

Agency: _____ Title: _____

Agency Phone: _____ Direct Phone: _____

E-mail: _____ ACWA Region: _____ County: _____

Address: _____

Region Board Position Preference: (If you are interested in more than one position, please indicate priority – 1st, 2nd and 3rd choice)

☐ Chair _____

☐ Vice Chair _____

☐ Board Member _____

In the event, you are not chosen for the recommended slate, would you like to be listed on the ballot's individual candidate section? (If neither is selected, your name will **NOT** appear on the ballot.)

☐ Yes

☐ No

Agency Function(s): (check all that apply)

☐ Wholesale

☐ Sewage Treatment

☐ Flood Control

☐ Urban Water Supply

☐ Retailer

☐ Groundwater Management / Replenishment

☐ Ag Water Supply

☐ Wastewater Reclamation

☐ Other: _____

Describe your ACWA-related activities that help qualify you for this office:

In the space provided, please write or attach a brief, half-page bio summarizing the experience and qualifications that make you a viable candidate for ACWA Region leadership. Please include the number of years you have served in your current agency position, the number of years you have been involved in water issues and in what capacity you have been involved in the water community.

I acknowledge that the role of a region board member is to actively participate on the Region Board during my term, including attending region board and membership meetings, participating on region conference calls, participating in ACWA's Outreach Program, as well as other ACWA functions to set an example of commitment to the region and the association.

I hereby submit my name for consideration by the Nominating Committee.

(Please attach a copy of your agency's resolution of support/sponsorship for your candidacy.)

Signature Title Date

ACWA Region 10
Rules & Regulations

Each region shall organize and adopt rules and regulations for the conduct of its meetings and affairs not inconsistent with the Articles of Incorporation or bylaws of the Association (ACWA Bylaw V, 6.).

Officers

The chair and vice chair shall be from different counties.

At least one of the chair or vice chair positions must be an elected/appointed director from a member agency.

The region board members shall alternate every two years with three from one county and two from the other. The county from which the chair comes from shall have two region board members and the county from which the vice chair comes from shall have three region board members.

The chair will provide the region secretary.

Meetings

The region will hold at least quarterly meetings, including the ACWA spring and fall conferences.

The region chair will determine when and if nonmembers are invited to regional activities or events.

Attendance

If a region chair or vice chair is no longer allowed to serve on the Board of Directors due to his / her attendance, the region board shall appoint from the existing region board a new region officer. (ACWA Policy & Guideline Q, 1.)

If a region chair or vice chair misses three consecutive region board / membership meetings, the same process shall be used to backfill the region officer position. (ACWA Policy & Guideline Q, 1.)

If a region board member has three consecutive unexcused absences from a region board meeting or general membership business meeting, the region board will convene to discuss options for removal of the inactive board member. If the vacancy causes the board to fail to meet the minimum requirement of five board members, the region must fill the vacancy according to its rules and regulations. (ACWA Policy & Guideline Q, 3.)

Elections

All nominations received for the region chair, vice chair and board positions must be accompanied by a resolution of support from each sponsoring member agency, signed by an authorized

representative of the Board of Directors. Only one individual may be nominated from a given agency to run for election to a region board. Agencies with representatives serving on the nominating committees should strive not to submit nominations for the region board from their agency. (ACWA Policy & Guideline P, 2.)

Election ballots will be e-mailed to ACWA member agency general managers and presidents.

The nominating committee shall consist of four persons, two from each county.

The nominating committee shall pursue qualified members within the region to run for the region board and consider geographic diversity, agency size and focus in selecting a slate.

A member of the nominating committee cannot be nominated by the committee for an elected position.

See current region election timeline for specific dates.

Endorsements

ACWA, as a statewide organization, may endorse potential nominees and nominees for appointment to local, regional, and statewide commissions and boards. ACWA's regions may submit a recommendation for consideration and action to the ACWA Board of Directors to endorse a potential nominee or nominee for appointment to a local, regional or statewide commission or board. (ACWA Policy & Guideline P, 3.)

Committee Recommendations & Representation

All regions are given equal opportunity to recommend representatives of the region for appointment to a standing or regular committee of the Association. If a region fails to provide full representation on all ACWA committees, those committee slots will be left open for the remainder of the term or until such time as the region designates a representative to complete the remainder of the term. (ACWA Policy & Guideline P, 4. A.)

At the first region board / membership meeting of the term, regions shall designate a representative serving on each of the standing and regular committees to serve as the official reporter to and from the committee on behalf of the region to facilitate input and communication. (ACWA Policy & Guideline P, 4. B.)

The chair and vice chair will recommend an official alternate for excused committee members.

Tours

ACWA may develop and conduct various tours for the regions. All tour attendees must sign a “release and waiver” to attend any and all region tours. Attendees agree to follow environmental guidelines and regulations in accordance with direction from ACWA staff; and will respect the rights and privacy of other attendees. (ACWA Policy & Guideline P, 6.)

Finances

See “Financial Guidelines for ACWA Region Events” document.

Amending the Region Rules & Regulations

ACWA policies and guidelines can be amended by approval of the ACWA Board of Directors. The region 10 rules and regulations can be changed at any time with advanced written notice to member agencies.

**ACTION ITEM**

May 17, 2017

TO: Board of Directors**FROM:** **Public Affairs & Legislation Committee**
(Directors Dick, Tamaribuchi, Yoo Schneider)Robert Hunter
General Manager

Staff Contact: Damon Micalizzi

SUBJECT: **Authorization to Participate in Southern California Water Committee
California WaterFix Education Campaign****STAFF RECOMMENDATION**

Staff recommends the Board of Directors consider participating in the Southern California Water Committee's (SCWC) California WaterFix Education Campaign. SCWC is requesting contributions of \$30,000 from water agencies in its portfolio of members consisting of both public and private entities.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

The Southern California Water Committee (SCWC) has retained an outside communications consultant to develop a scope and budget for a social and digital media education campaign on the California WaterFix and EcoRestore. The program is designed to broadly communicate with key leaders and decision makers in Southern California on the importance of the project and benefits to the region. Staff has received two presentations on the plan and has determined that it will complement MWDOC's WaterFix Outreach Campaign well.

MWDOC Directors have determined that informing the public about the California WaterFix and EcoRestore is a top priority for the 2017-18 fiscal year. MWDOC staff has developed a plan and is confident in its ability to achieve that goal.

Budgeted (Y/N): No	Budgeted amount:	Core __	Choice __
Action item amount: \$30,000		Line item: TBA	
Fiscal Impact (explain if unbudgeted):			

The SCWC was established in 1984 to advocate for a permanent solution for the San Joaquin-Sacramento Delta. SCWC is a nonprofit, nonpartisan public education organization dedicated to informing Southern Californians about the region's water needs and the state's water resources. The agency has membership and reach into Los Angeles, Orange, San Diego, San Bernardino, Riverside, Ventura, Kern and Imperial counties. SCWC's approximately 200 member organizations include leaders from business, regional and local government, agricultural groups, labor unions, environmental organizations, water agencies, as well as the general public.

As a non-profit, SCWC is able to undertake campaigns that could be considered more aggressive or edgy than a public agency could manage, as well as help spread the message throughout Southern California.

**INFORMATION ITEM**

May 15, 2017

TO: Board of Directors**FROM:** **Public Affairs Legislative Committee**
(Directors Tamaribuchi, Dick, and Yoo Schneider)

Robert Hunter, General Manager

Staff Contact: Tiffany Baca

SUBJECT: UPDATE ON WYLAND MAYOR'S CHALLENGE**STAFF RECOMMENDATION**

Staff recommends the Board of Directors receive and file.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

DETAILED REPORT

Every year from April 1st through April 30th, the Wyland National Mayor's Challenge competition has mayors across the nation calling on their citizens to pledge to use water more wisely. Participants throughout the United States are entered into drawings to win hundreds of prizes including smart controllers, smart irrigation kits, home improvement gift cards and more. As an added incentive to Orange County participants this year, the Wyland Foundation and MWDOC have partnered to award a professionally designed water-efficient pocket park to one city among MWDOC's 28 retail water agencies with the most participants in the contest. The winner of the Orange County break away competition will be determined by May 15th, 2017, and the grand prize winner of the pocket-park will be notified by June 1st, 2017.

At the time of this report, the City of Huntington Beach, the City of Westminster and the City of Laguna Beach have had the most participation in their respective population categories and are the top three MWDOC agencies competing for the water-wise pocket park. With almost twenty-thousand Orange County pledges counted, nearly ninety-thousand gallons of water have been potentially saved by pledging to use water more efficiently.

At the end of week number three, participation by Orange County citizens in this nationally recognized challenge has increased by 43 percent over past years, and the potential gallons of water saved has increased by 37 percent overall.

Budgeted (Y/N): Y	Budgeted amount: \$10,000	Core X	Choice
Action item amount: None		Line item:32-7040	
Fiscal Impact (explain if unbudgeted):			

**INFORMATION ITEM**

May 15, 2017

TO: Board of Directors**FROM:** **Public Affairs Legislative Committee**
(Directors Tamaribuchi, Dick and Yoo Schneider)Robert Hunter
General Manager

Staff Contact: Jonathan Volzke/Laura Loewen

SUBJECT: Education Report**STAFF RECOMMENDATION**

Staff recommends the Board of Directors receive and file report.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

DETAILED REPORT

Staff from Inside the Outdoors (ITO) has completed the "What About Water" first visit in 18 of the selected schools. In addition, staff completed the second visit program in 17 of the selected schools. Efforts to schedule the program at the remaining four schools continue.

The "What About Water" high school program consists of two in class visits with a traveling scientist and a school wide Expo. The first visit covers topics including where our water comes from and water use efficiency practices. The second visit focuses on the California WaterFix. The Expo features topics as the Water Trivia Wheel, water foot printing, and water conservation pledges. The funding Agency also participates with a booth at the Expo.

To date, staff and elected officials from the City of Anaheim, City of San Clemente, East Orange County Water District, El Toro Water District, Golden State, Mesa Water District, Moulton Niguel Water District, Santa Margarita Water District, and South Coast Water District have attended the program at their respective high school. Staff from member agencies is invited to address the students during the first visit, discussing careers in the

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

water industry or other agency-specific topics. MWDOC staff has also supported the member agencies' staff at these visits.

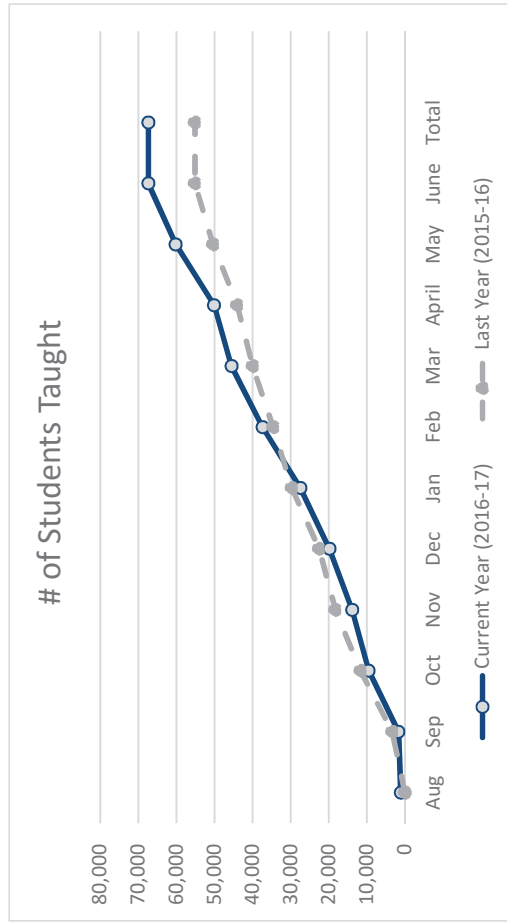
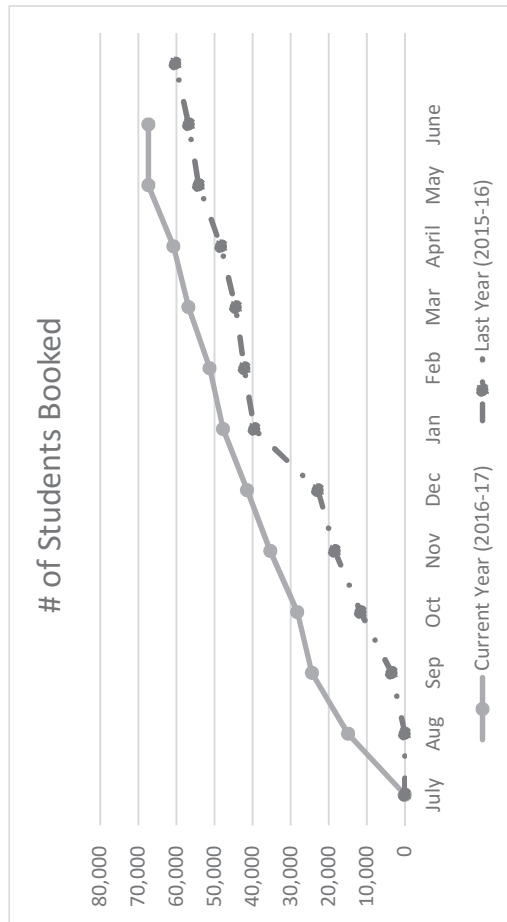
To date, 11 school-wide Expos have been taken place. Most recently, Laura Loewen attended the Expos at Costa Mesa High School and San Clemente High School. Member agency staff also attended these Expos to speak with the students and pass out Agency-branded promotional items.

Inside the Outdoors conducted three teacher training sessions this year. In addition, ITO hosted three Student Summits in April. At these workshops, Orange County teachers and students learn about local OC habitat and why native plants survive during drought conditions. They participated in hands-on activities to learn about native plants and how their personal direct and indirect water use impacts their water footprint.

On June 2, ITO will host a Girl Scouts' workshop for high school Scouts at the Inside the Outdoors facility. ITO staff will work with them to do a service learning project planting California native plants.

2016-17 Water Education School Program

# of Students Booked		July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	Target
Last Year (2015-16)		0	0	3,446	11,640	18,417	22,873	39,556	42,137	44,405	48,304	54,149	56,782	60,274
Current Year (2016-17)		0	14,904	24,401	28,237	35,348	41,436	47,748	51,291	56,836	60,749	67,361	67,361	67,361
# of Students Taught		July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	Total
Last Year (2015-16)		0	0	3,304	11,641	18,247	22,534	29,725	34,583	39,950	44,063	50,397	55,122	55,122
Current Year (2016-17)		0	1,080	1,681	9,521	13,856	19,810	27,441	37,371	45,530	50,083	60,194	67,361	67,361



Agency	School Name	Presentation Date
Mesa Water	Paularino Elementary	6/5/2017
Mesa Water	Adams Elementary	6/6/2017
Santa Ana, City of	Newhope Elementary	6/5/2017, 6/6/2017
Santa Margarita	Trabuco Mesa Elementary	6/6/2017
Santa Ana, City of	Fairhaven Elementary	6/7/2017
Santa Ana, City of	Saint Barbara Elementary	6/7/2017
Huntington Beach, City of	College View Elementary	6/8/2017
Santa Ana, City of	Jackson Elementary	6/8/2017
Santa Ana, City of	Thorpe Fundamental	6/8/2017, 6/9/2017
Garden Gove, City of	Warren Elementary	6/8/2017
Yorba Linda	Travis Ranch	6/9/2017
Santa Ana, City of	Adams Elementary	6/12/2017
Santa Ana, City of	Russell Elementary	6/12/2017
Westminster	Sequoia Elementary	6/12/2017
Santa Ana, City of	Carver Elementary School	6/13/2017, 6/14/2017
Brea, City of	Fanning Elementary	6/14/2017, 6/15/2017
Santa Ana, City of	Magnolia Science Academy	6/15/2017
Santa Ana, City of	Franklin Elementary School	6/16/2017

What About Water? - Inside the Outdoors School Visits									
Year 2 - 2016/2017									
Agency	High School	1st Visit - student	1st Visit Enrollment	2nd Visit - student	2nd Visit Enrollment	School Expo	Expo School Enrollment	Total Students	Notes
Anaheim	Anaheim High School	1/9/17	57	2/6/17	59	3/8/17	2,850	2,966	Lunchtime Expo
City of Brea	Brea Olinda High School	5/15/17		5/22/17		6/6/17		0	Confirmed
City of Buena Park	Buena Park High School	4/3/17	162	5/9/17		5/12/17		162	Lunchtime Expo
City of Fountain Valley	Harbor Learning Center	3/16/17	22	5/4/17				22	Confirmed
City of Huntington Beach	Talbert Middle School	1/11/17	241	2/24/17	242	4/7/17	717	1,200	Lunchtime Expo
City of San Clemente	San Clemente High School	4/10/17	146	4/24/17	126	5/3/17	2,957	3,229	Confirmed
City of San Juan Capistrano	San Juan Hills High School								Jonathan working with teacher
City of Tustin	Columbus Middle School	12/9/16	187	1/13/17	130	tbd		317	Confirmed
East Orange WD	Tustin High School								
East Orange WD	Foothill High School	12/12/16	50	2/9/17	44	3/17/17	2,400	2,494	Lunchtime Expo
El Toro	El Toro High School	2/24/17	157	3/17/17	153	4/6/17	1,200	1,510	School Open House Expo
El Toro	Los Alisos Junior High								New administration, Sherri is assisting
Garden Grove	Pacifica High School	? pending							Sent correspondence to Principa
Golden State	Valencia High School	2/2/17	162	2/14/17	162	2/28/17	2,732	3,056	Lunchtime Expo
Golden State	Los Alamitos High School	1/31/17	29	3/22/17	28	5/19/17		57	Confirmed
Mesa Water	Costa Mesa High School	11/9/16	53	11/18 & 1/25	72	4/24/17	1,750	1,875	Lunchtime Expo
Moulton Niguel	Aliso Niguel High School	? pending							possible Eco Club
Moulton Niguel	Laguna Hills High School	2/21/17	20	2/28/17	20	tbd		40	Confirmed
Moulton Niguel	Capistrano Valley High School	2/27/17	80	3/20/17	79	4/17/17	2,134	2,293	Lunchtime Expo
Moulton Niguel /Santa Margarita WD	Mission Viejo High School	1/18/17	69	2/1/17	70	2/23/17	102	241	AP Student Project Expo
Santa Ana	Santa Ana High School	3/22/17	56	4/13/17	51	5/11/17		107	Confirmed
Santa Margarita WD	Tesoro High School	4/18/17	31	5/2/17		5/16/17		31	Confirmed
South Coast WD	Dana Hills High School	12/1/16	66	3/27/17	59	5/18/17		125	Confirmed
Total			1,588		1295		16,842	19,725	
Teacher Workshops	MET @ OCDE	12/10/16	22						
	Teachers on Trails	3/11/2017	17					Total	
	OCDE Teacher Workshop	4/5/2017	63					102	
Student Summits	Friday Night Live HS students @ ITO	4/7/17	119						
	Foothill and local HS	4/15/17	10						
	Friday Night Live middle school students @ ITO	4/29/17						Total	
	Girl Scout - High School	6/2/17						129	
tbd = verbal confirmation, pending calendar dates									

**INFORMATION ITEM**

May 15, 2017

TO: Board of Directors**FROM:** **Public Affairs Legislative Committee**
(Directors Dick, Tamaribuchi, and Yoo Schneider)Robert Hunter
General Manager

Staff Contact: Jonathan Volzke

SUBJECT: UPDATE ON WATER SUMMIT PLANNING**STAFF RECOMMENDATION**

Staff recommends the Board of Directors receive and file.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

REPORT

Seth M. Siegel, author of the New York Times best-seller “Let There Be Water,” has agreed to be the keynote/lunch speaker for the 10th Annual OC Water Summit, which will be held June 16 at the Disneyland Grand Californian Hotel.

Other panelists include Jeffrey Kightlinger, the General Manager of the Metropolitan Water District of Southern California, Marcie Edwards, the former General Manager of the Los Angeles Department of Water and Power, Rich Nagel, the General Manager of West Basin Municipal Water District, the Honorable Helene Schneider, Mayor of Santa Barbara, David J. Stoldt, General Manager of Monterey Peninsula Water Management District and Col. Kirk E. Gibbs, the Commander of the Los Angeles District U.S. Army Corps of Engineers.

The theme of this year’s event is “Finding Water,” based on Disney’s “Finding Nemo.”

As a sponsor, Disney is handling stage and room design, as well as centerpieces – which will not be floral.

Budgeted (Y/N): n/a	Budgeted amount: n/a	Core X	Choice
Action item amount: None	Line item:		
Fiscal Impact (explain if unbudgeted):			

NBC4 weathercaster Fritz Coleman will emcee the event. Also a professional comedian, staff has asked that he prepare a multi-year water supply forecast in the tenor of his nightly weather reports.

Staff continues to reach out to sponsors to underwrite the cost of the Summit. The preliminary budget for the 2017 event is \$75,950. The 2016 actuals were \$68,193. The committee intends to underwrite the entire cost of the event through sponsorships.

President Osborne, Vice President Barbre and Director Thomas represent MWDOC at monthly Summit planning meetings with directors and staff at OCWD, which is the lead agency for the 2017 event. The next subcommittee meeting is at 8:30 a.m. on May 30.

**INFORMATION ITEM**

May 15, 2017

TO: Board of Directors

FROM: Public Affairs Legislative Committee
(Directors Dick, Tamaribuchi, and Yoo Schneider)

Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: OC LAFCO UPDATE**STAFF RECOMMENDATION**

Staff recommends the Board of Directors receive and file the report.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

REPORT

The May meeting of OC LAFCO is scheduled for Wednesday May 10. Due to timing and meeting the Brown Act requirements for this item, a written report could not be submitted. Instead, an oral report will be provided to the committee.

On the May 2017 OC LAFCO Agenda:

- * 2017/18 OC LAFCO Budget and Fee Schedule
- * Proposed Work Plan for 2017/18
- * Proposed Agreement with Management Partners to provide professional services involving the design and implementation of the MSR stakeholder input process
- * Waiver of the Provisions of the Memorandum of Understanding for the transfer of jurisdiction for Sphere of Influence changes between OC LAFCO and Riverside LAFCO to allow Riverside LAFCO, the principal county, to process the necessary actions related to water services for The Preserve at San Juan project

Budgeted (Y/N): n/a	Budgeted amount: n/a	Core X	Choice
Action item amount: None		Line item:	
Fiscal Impact (explain if unbudgeted):			

Note on the Preserve at San Juan Project: This project is along the border of Orange and Riverside counties, not adjacent to any Orange County city or special district. The project includes the development of a gated community with 72 single-family homes which will require water service. The water providers identified are Elsinore Valley Municipal Water District and Western Municipal Water District. Due to the absence of Orange County water service providers in the area, staff is recommending that the commission waive the provisions of the MOU and allow Riverside LAFCO to process the sphere of influence amendments and reorganization actions.

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Public Affairs Activities Report
April 18, 2017 – May 15, 2017

Member Agency Relations	<p>Heather prepared a presentation for the MWDOC member agency general managers on the implementation of the Governor's long-term framework, <i>Making Conservation a California Way of Life</i>.</p> <p>Heather and Melissa worked on a separate presentation on the long-term framework for the MWDOC Elected Officials meeting.</p> <p>Public Affairs staff attended the Water Use Efficiency Workgroup meeting and gave an update on the Public Affairs activities.</p> <p>Public Affairs staff sent out the AMWA Monday Morning Briefing and the Regulatory Report to the member agencies' managers.</p> <p>Public Affairs staff created lawn signs for the turf removal program.</p> <p>Public Affairs staff coordinated one-on-one meetings between member agencies and MWDOC's Consumer Confidence (water quality) Reports.</p> <p>Public Affairs staff attended the Elected Officials Forum.</p> <p>Public Affairs staff gave final approval to the whiteboard video on the California WaterFix and the script on the second video.</p>
Community Relations	<p>Staff sent out the weekly California Sprinkler Adjustment Notification System (CSNAS) emails.</p> <p>Public affairs staff attended the Orange County REALTORS Green Day event to promote the water conservation door hanger program.</p> <p>Public affairs staff worked with Pacific West Association of REALTORS staff to organize and distribute the first cycle of water conservation door hangers.</p> <p>Public affairs staff worked with Orange County REALTORS staff to create and manage the orders for the third cycle of water conservation door hangers.</p> <p>Public Affairs staff sent out the April edition of e-Currents.</p>

Item 12

Education	<p>Staff attended the Costa Mesa High School Expo. staff from Mesa Water District were also in attendance.</p> <p>Public Affairs staff meet with Shannon Widor and Noelle Collins, Mesa Water District, to plan a future Boy Scout clinic.</p> <p>Public Affairs staff met with Orange County Girl Scouts' staff to discuss future partnership opportunities with the Ambassador Water Badge.</p> <p>Public Affairs staff attended the San Clemente High School Expo, along with staff from the City of San Clemente.</p> <p>Public Affairs staff participated in a conference call with MET and MET member agencies regarding a potential education grant.</p> <p>Public Affairs staff brought Ricki Raindrop to Mesa Water District's Imaginology STEAM event at the OC Fairgrounds.</p>
Media Relations	<p>Public Affairs staff was quoted about water efficiency in a news story after a community event MWDOC staffed.</p> <p>Public Affairs staff issued a news release in wake of the Governor lifting the drought "emergency."</p> <p>Public Affairs staff drafted a potential op-ed on proposed legislation in Sacramento.</p>
Special Projects	<p>MWDOC staff finished the first draft of the "Water 101" booklet for ACC-OC.</p> <p>Heather staffed the WACO Planning meeting where the group finalized the May program and shared ideas for June & July.</p> <p>Heather staffed the WACO meeting featuring speaker Bill Hasencamp.</p> <p>The Public Affairs team attended the WEROC EOC staff monthly training meeting.</p> <p>Public Affairs staff met with HashtagPinpoint Social Media to discuss parameters for the MWDOC campaign.</p> <p>Staff attended an ISDOC ByLaws Workgroup meeting with Directors Jim Fisler, Saundra Jacobs, and Mary Aileen Matheis, as well as, Stacy Taylor, Mesa Water.</p> <p>Public Affairs staff staffed the monthly ISDOC Executive Committee Meeting.</p>

	<p>Public Affairs staff sent out the official notice and call for candidates for the ISDOC secretary vacancy.</p> <p>Public Affairs staff met with the program manager of the Girl Scouts to finish a badge-sponsorship proposal.</p> <p>Public Affairs staff are currently working on itineraries, trip logistics, guest and Director requirements for the following inspection trip: 1. June 23-24, Director Ackerman, CRA/Hoover</p> <p>Public Affairs staff accompanied Director McKenney on the May 5 tour of Diamond Valley Lake and the Santa Rosa Plateau.</p> <p>Public Affairs staff continue to work with MWDOC department representatives and LA Design Studio on developing material and providing direction and content for the new MWDOC website.</p>
Legislative Affairs	<p>Heather attended the ACWA State Legislative Committee meeting in Sacramento.</p> <p>Heather drafted and coordinated coalition letters for AB 968 and AB 1654 (Rubio) and AB 1668 and AB 1669 (Friedman).</p> <p>Heather monitored the Assembly Water, Parks and Wildlife Committee meeting where legislation to implement the Governor's conservation framework was presented.</p> <p>Heather and Melissa participated in the MWD member agencies legislative coordinators conference calls.</p> <p>Heather participated in the Southern California Water Committee legislative taskforce conference call.</p> <p>Heather, Melissa & Joe attended the ACWA webinar to discuss the competing legislation to implement the Governor's framework and next steps.</p> <p>Heather participated in CSDA's Little Hoover Commission working group webinar.</p>
Water Summit	<p>Public Affairs staff wrote sections of the script for the OC Water Summit and met with Disney staff at the Grand Californian for a walk through.</p>