

MEETING OF THE
BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the
PUBLIC AFFAIRS AND LEGISLATION COMMITTEE
April 21, 2014, 8:30 a.m.
Conference Room 101

Committee:

Director Barbre, Chairman
Director Clark
Director Hinman

Staff: R. Hunter, K. Seckel, J. Ouwerkerk,
K. Davanaugh, D. Burke

Ex Officio Member: L. Dick

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

PUBLIC PARTICIPATION

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

ITEMS 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. INTERVIEW WITH RANDY RECORD RE CHAIRMAN OF THE BOARD OF DIRECTORS OF METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
2. LEGISLATIVE ACTIVITIES
 - a. Federal Legislative Report (Barker)
 - b. State Legislative Report (Townsend)
 - c. County Legislative Report (Lewis)
 - d. Legal and Regulatory Report (Ackerman)

- e. MWDOC Legislative Matrix
 - f. MET Legislative Matrix
- 3. ASSEMBLY BILL 1728
 - 4. WORKING WITH AQMD ON FLEXIBILITY OF OPERATIONS
 - 5. VALUE OF WATER COMMUNICATIONS PLAN OVERVIEW
 - 6. ANNUAL REVIEW OF LEGISLATIVE POLICY PRINCIPLES

FULL BOARD TO CONVENE FOR ACTION ON THE FOLLOWING ITEM:

- 7. MWDOC BOARD POSITION OF SUPPORT FOR THE BAY DELTA CONSERVATION PROGRAM (BDGP)

ACTION ITEMS (Reconvene as Committee)

- 8. NOMINATIONS FOR CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) BOARD OF DIRECTORS REPRESENTING REGION 6 "SEAT C"
- 9. LEGISLATIVE POSITIONS

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.)

- 10. 7TH ANNUAL ORANGE COUNTY WATER SUMMIT
- 11. PUBLIC AFFAIRS ACTIVITIES REPORT
- 12. WATER EDUCATION SCHOOL PROGRAM- MONTHLY PARTICIPATION DATA
- 13. UPDATE ON 2014 POSTER & SLOGAN CONTEST AND PHOTOGRAPHY & DIGITAL ARTS CONTEST

OTHER ITEMS

- 14. 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
Kate Blair

Municipal Water District of Orange County, California
Washington Update
April 15, 2014

As Congress starts a two week “Spring Recess”, April 14-28th, there are a number of issues in play on the national and international stage.

On the Federal Spending Front: The House narrowly approved Rep. Paul Ryan’s spending blueprint for the Federal Government on Thursday, April 10th, by a vote of 219-205. It’s an important symbolic victory for the Wisconsin Republican and potential GOP presidential contender.

No Democrats voted for the 10-year-spending plan and the bill won’t go anywhere in the Senate, but the document has come to represent a marker for where the Republican Party, its leaders and rank-and-file House members stand on fiscal policy.

The Ryan Budget plan essentially calls for level to slow growth funding for the discretionary portions of the budget. Paying down the Federal Debt and correcting deficit spending patterns have been a corner stone of the House Republican fiscal strategy.

Every year the Congress is supposed to approve a “budget” which provides the Appropriators with the top line spending numbers that they in turn can spend for their individual subcommittees. In recent years, with our Congressional Gridlock, Congress has not been able to have House and Senate Agreement on “out year” spending plans, with the exception of the Budget Deal that was reached last fall when the Federal Government was closed down over a spending dispute.

Now on the defensive about their prospects for the midterm elections, Congressional Democrats are savaging the Republican budget proposal and trying to appeal to middle class voters. Trying to prevent further damage by being associated with the Obama Health Care Law, Democrats are trying to extend unemployment benefits, increase the minimum wage and promote equal pay for women.

On the political front, there is a widespread belief here that it will be very difficult for the Democrats to retake the House until after the next 2020 census and the Senate (currently at 55D-45R) could flip to the Republicans in November.

Republicans are widely believed to be able to pick up seats both in the House and in the Senate

this coming fall.

The Ukraine: The conflict between pro-Russian forces and the government of Ukraine continues to mount. Moscow appears to be behind a coordinated campaign of aggression against the people of Ukraine. A negotiated settlement of the issues is not on the horizon and tensions continue to flare between the two countries. Various Congressional Leaders have questioned what our foreign policy is regarding this issue.

Health Care: It's official. 7.5 million Americans signed up for Obama Care. HHS Secretary Kathleen Sebelius is resigning and being replaced by the current Director of the Office of Management and Budget (OMB). Americans will now begin to evaluate how well the plan is working in the coming months.

Water Update:

Drought: There is real fear about the short and long term effects of a drought to not only California—but to the nation as well. There is still no consensus on how best the Federal Government can act with this issue. There is a growing recognition that new water storage facilities are a key to the long term viability of the economy of the Central Valley and Northern California. The Congressman Valadao Bill, HR 3964, the Sacramento-San Joaquin Valley Emergency Water Delivery Act passed the House Floor by a vote of 229-191.

Senator Feinstein introduced her own bill and there is an effort underway to try and find some immediate “fixes” that could possibly be implemented perhaps by the Obama Administration, given the fact that it may be impossible to reach a consensus on any legislation this year.

WRRDA Conference: Lawmakers are expecting to finish consideration of the Water Resources Reform Development Act (WRRDA) in either late April or early May. The House/Senate Conference slowed down the path of the bill to allow a Nevada flood control project to be approved by the Corps. Details of the Conference Report have not been released to the public. MWDOC has actively sought a “workable” WIFIA financing mechanism in the legislation. Such a financing program could save MWDOC rate payers millions of dollars in future years. MWDOC has also worked hard to insure that the 2007 California Environmental Infrastructure Authorization for \$40,000,000 would not be terminated or extinguished.

Appropriations: Congress approved \$44,000,000 for Army Corps Environmental Infrastructure Projects in the fiscal year which ends on September 30, 2014. The Congress did place a restriction in the law that no new projects or states could receive funding if they haven't previously received funding out of this larger account. California found itself in this particular circumstance.

This year MWDOC has sought Report Language which would allow California, as well as other states, to be able to use these funds without such restrictions.

FEDERAL FUNDING REQUESTS			
<i>Potential Source of Funding</i>	<i>Description</i>	<i>Amount Requested</i>	<i>Status: Repeating is a listing below from last month—</i>
Natural Resources Conservation Service (NRCS) U.S. Dept of Agriculture	SmarTimer Irrigation Controller Installations		The NRCS Program may provide funding opportunities in future grant programs.
South Orange Coastal Ocean Water Desalination Project	Federal Appropriations and an Authorization for Federal Funds for the Desalination Project	Competitive Grant Programs	<p>Appropriations: MWDOC has submitted requests to have broader Report Language accompany Energy and Water Appropriations Bill—thereby providing an opportunity for MWDOC an opportunity to receive funding from the Army Corps of Engineers.</p> <p>Authorizations: The WRDA Bill is now in a House / Senate Conference.</p>
			<p>Earmarks: There is no new news here. But again, there continues to be a gradual recognition that more and more Congressional Offices question of the judgment of surrendering their power to allocate federal funds to the Executive Branch of Government.</p>

GENERAL CONGRESSIONAL, NEWS, AND POLITICAL UPDATES

This month I have included an article that appeared in the Washington Post on April 13th that discusses the California Drought and well drilling. It provides an interesting perspective for people here in Washington.

California drought spawns well drilling boom

(Scott Smith/ Associated Press) – April 13, 2014

CHOWCHILLA, Calif. — The scarcity of irrigation water in drought-stricken California has created such a demand for well drilling services that Central Valley farmer Bob Smittcamp is taking matters into his own hands.

He's buying a drilling rig for \$1 million to make certain he has enough water this summer for thousands of acres of fruit and vegetable crops.

"It's like an insurance policy," said Smittcamp, who knows two other farmers doing the same thing. "You have to do something to protect your investment."

With California in a third dry year, well drilling is booming across the nation's most productive agricultural region, and some drilling companies are booked for months or a year. In some counties, requests for permits to dig new wells have soared, more than doubling over this time last year.

Farmers expect to get only a fraction — if any — of the water they need from vast government-controlled systems of canals and reservoirs interlacing the state. In an effort to make up the difference, they are drilling hundreds of feet deep to tap underground water supplies.

Smittcamp said a licensed driller he often hires approached him, saying the demand for drillers is so high that Smittcamp needs his own full-scale drilling rig.

Smittcamp, whose Wawona Packing Co. farms thousands of acres, said he has written a \$150,000 check as a deposit and the rest is due upon delivery of the \$1 million rig, which he expects to happen soon.

He estimates that he spends \$4,000 an acre tending his peach and grape crops before the harvest. If a well were to run dry mid-season with nobody to call, Smittcamp said he could lose that investment — and perhaps entire

	<p>orchards or vineyards.</p> <p>When the rig isn't being used on Smittcamp's land, he said the driller will put it to work on neighboring farms to recoup the investment.</p> <p>The boom driving farmers to such lengths is a result of drought and a steadily improving economy, said John Hofer, an underground water consultant and executive director of the California Groundwater Association. Hofer said his consulting firm started receiving more calls last year, and that's when he predicted the rising demand for drillers would follow.</p> <p>"I kept telling my friends and associates to look out, that it was going to get crazy, and it has," he said. "Drilling is up big-time."</p> <p>The figures prove it. In Fresno County, which leads the nation in agricultural production, officials issued 256 permits to dig new wells in the first three months of 2014, more than twice the number compared to the same time last year. That includes all types of water wells used for agriculture and homes.</p> <p>In Tulare County, the number of permits issued to dig farm wells alone has tripled to 245. In Kern County, farmers took out 63 new well permits in the first quarter of the year, more than quadrupling last year's number.</p> <p>The price to dig a well depends on the depth and ground composition, drillers say, costing a farmer anywhere from \$50,000 to \$500,000 before installing the pumps.</p> <p>Tapping groundwater has other costs. The water that was deposited underground naturally over thousands of years isn't being replaced as rapidly as it's being drawn, causing the ground in the Central Valley to sink in a process called subsidence. In California, there is little if any regulation of groundwater pumping by the state.</p> <p>In most years, Central Valley farmers draw one-third of their water from wells, while the remaining two-thirds comes from California's State Water Project and the federal Central Valley Project. Most farmers expect to receive no water from either this summer, and that ratio is dramatically shifting to underground water supplies, which could eventually run dry.</p> <p>Matt Rottman, president of Rottman Drilling Co. based in Lancaster, said his mid-sized firm of three rigs is backlogged 15 months. For a recent job near Bakersfield, his crew dug a 1,840-foot well. Three wells coming up later this year in the Central Valley will hit depths of 2,000 feet.</p>
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	<p>Farmers calling Rottman tell him they're in a pinch. They don't expect any water from the state and federal water projects this summer, and Rottman said the market price of buying irrigation water elsewhere has shot up three or four times.</p> <p>"They're shut off," he said. "They'll be looking at crop damage if they don't get wells in."</p> <p>Mike Maggiora, owner of Gillroy-based Maggiora Bros. Drilling Inc. and president of the California Groundwater Association, said he suspects that some drillers are backlogged because farmers are calling several firms to see who responds first. He's booked for the next three months.</p> <p>His eight crews work 24 hours a day for weeks drilling each well, which Maggiora said is a nice change from two years ago when the economy was bad and work was hard to find.</p> <p>Now, Maggiora said he has trouble finding workers willing to put in the grueling hours. He also fears today's boom will cause a run on supplies, such as the steel casings used to keep the walls from caving in. So he's ordering them by the truckload.</p> <p>Smittcamp said he worries that so much drilling could cause underground water supplies to run dry in little more than a decade. He blames politicians for failing to give farmers any other options, leaving them to fend for themselves.</p> <p>This summer, Smittcamp said he has to come up with two-thirds of his water that would normally come from the state and federal water deliveries.</p> <p>"This year, we get none out of the projects," he said. "So we've got to pump the whole enchilada."</p>

JCB 4-14-14

MEMO

To: Municipal Water District of Orange County

From: Townsend Public Affairs, Inc.

Date: April 8, 2014

Subject: Monthly Political and Activity Report

STATE POLITICAL UPDATE

The legislature has been focused on holding policy committee hearings throughout the month of March and into April. The Legislature will adjourn for Spring recess April 11th and reconvene April 21st. Additionally, the Governor's will issue his May Budget revise on or around May 14th, which will provide a better assessment of the state's fiscal outlook for FY 2014-2015.

Several pieces of water related legislation have been moving through policy committees. AB 1331 (Rendon) which is one piece of legislation attempting to craft a water bond for the 2014 ballot was heard in Senate Natural Resources on March 24th. The hearing lasted nearly 3 hours, and several amendments to the bill were taken including moving South Orange County out of the Santa Ana Integrated Regional Water Management (IRWM) Region and into the San Diego IRWM region for funding purposes. Additionally, funding for statewide storage was increased from \$1 billion to \$1.5 billion – with no continuous appropriation of funding.

Additionally, ACWA, the California Municipal Utility Association and WaterReuse are sponsoring AB 2417 (Nazarian). The bill would expedite the process for local communities to install, maintain and operate recycled pipelines that are restricted to 8 miles or less, in order to more effectively address the water needs of California's. The bill would allow a very narrow exemption of CEQA, with the rational that recycled water pipelines are already required to meet strict standards under the Department of Public Health. AB 2417 will likely be heard the week of April 29th.

The Department of Water Resources has issued draft guidelines and proposal solicitation package (PSP) for the 2014 expedited round of the Intergrated Regional Water Management program. Funding for this program was included in the emergency drought measure passed by the legislature and signed by Governor Brown in late February. The Governor and Legislature have directed DWR to expedite the solicitation and award of \$200 million (of the \$472.5 million) in IRWM funding to support projects and programs that:

- Provide immediate regional drought preparedness

- Increase local water supply reliability and the delivery of safe drinking water
- Assist water suppliers and regions to implement conservation programs and measures that are not locally cost-effective
- Reduce water quality conflicts or ecosystem conflicts created by the drought

To expedite the funding, DWR will be using a streamlined grant application process. This release of the draft Guidelines and the PSP opens the public comment period. The public comment period will close on May 15, 2013 at 5:00 PM. DWR will also host three public meetings to provide an overview of the expedited grant applications process and to solicit public comments on the draft Guidelines and PSP.

SPECIFIC ACTIVITIES FOR THE MONTH

- TPA monitors and updates the MWDOC Legislative Matrix.
- TPA sends regular updates on the ACWA Lobbyist Coordinator meetings each Monday to MWDOC staff.
- TPA provided notes from the MET Legislative Coordinator meeting to MWDOC staff.
- TPA continues to hold conference calls with Darcy Burke every other week to coordinate on activities.
- TPA drafted IRWM Region Amendment letters and will hand deliver the letters once they are signed by MWDOC staff.
- TPA provided testimony on behalf of AB 1331 (Rendon) at the Senate Natural Resources Committee on March 24, 2014.
- TPA participated and led a significant portion of the Legislative Coordinators meeting on March 18, 2014. TPA worked with MWDOC staff to coordinate and agenda and talking points.
- TPA provided lunch for the Legislative Coordinators meeting.

The County of Orange Report

Presented April 21, 2014
By Lewis Consulting Group

Lawsuit Against Public Union Intimidation Proceeds

An effort to delay or defeat a lawsuit filed against the Costa Mesa Police Association, their former attorneys – Dammeier, McGill & Ethir and private investigator Chris Lanzillo was rebuffed by Orange County Superior Court Judge Gail Andler.

The lawsuit defendants have been accused of various degrees of culpability in the matter of filing a false DUI complaint against City Councilman Jim Righeimer just prior to the 2012 November elections. Councilman Steve Mensinger a co-plaintiff in the lawsuit claims a tracking device was attached to his car as well.

The defendants filed an anti-Slapp motion claiming that any conduct that they may have engaged in should be protected by Constitutional first Amendment protected free speech.

However, Judge Andler ruled, “The principle thrust of the complaint is not protected 1st Amendment activity...”

The judge's ruling will hasten the plaintiff's ability to gather additional evidence. However, private investigator Chris Lanzillo was previously deposed and invoked his Fifth Amendment privilege more than 200 times.

Orange County 911 Ambulance Contracts Confusion

When the State EMS effectively fired the Orange County Fire Authority as the overseer of 911 ambulance contracts in Orange County, they ordered the County of Orange to take on this new responsibility. Also, the state was frustrated with how contracts were awarded 10 years ago, with numerous incumbent providers being re-upped even if their RFP proposal scoring was deficient. This year the state ordered first place finishers to be awarded the contract or the RFP process would have to be started anew.

Local cities already smarting from the state's intervention fall upon a new strategy...delay. City Councilmembers, city managers and incumbent ambulance providers showered the Board of Supervisors with complaints and demands that the RFP process scheduled for later this year be delayed. The Board, sensitive to political pressure, joined in and has now officially requested a one year delay from the state. Incumbent providers are ecstatic at the prospect of having an additional year of ambulance contracts free of the burden of going through a competitive process.

However, the state could still reject the please and order the 911 awards to take place this September.

State Taking More Orange County Funds

With the State's recent success in recapturing the County's Vehicle License Fee funds, they are on the move again in Orange County to recapture funds from the City of Irvine and their former Redevelopment Agency. State Controller John Chiang is demanding the City of Irvine pay the state \$71.3 million in assets – including 35 acres of land at the Great Park.

In 2007, the City of Irvine and their RDA entered into a complicated financial scheme that had the City loaning the RDA \$134 million at a 9% interest rate. This arrangement was criticized by the Orange County Grand Jury and the state Department of Finance.

Before the legislature passed legislation in 2011 that would eventually lead to the dissolution of RDAs in California, Irvine's RDA transferred 35 acres of Great Park property to the City as part of their interest payment on the loan. Controller John Chiang is crying foul claiming this was just a shell game to avoid making distributions of former RDA assets.

The City is challenging the state's opinion and there will no doubt be a contested legal battle over the \$71.3 million demanded by the state.

Campaigns Are Heating Up!

As we approach the June primary elections it is becoming clear which campaigns are both competitive and significant to the political landscape of Orange County.

Orange County may be home to both the most important State Assembly and State Senate races in Californian. Both of these races could have profound consequences on whether or not Democrats reclaim super-majority status for the 2015 legislative session.

In the 65th Assembly District freshman Democrat Sharon Quirk-Silva will square off against challenge Young Kim. This district was in Republican hands two years ago and is a definite battle ground

In the 34th Senate District, Supervisor Janet Nguyen and former Assemblyman Jose Solorio are squaring off in probably the most important legislative race in the state. Each are fighting to succeed termed out Senator Lou Correa. With recent Democrat losses in the upper house due to legal scandals, this race could help propell the GOP's influence in the Senate.

Even though the 73rd Assembly District has no such statewide implications, the GOP front runner will represent Orange County for many years to come. The four GOP candidates are in all likelihood battling for one run-off position for the right to run against Democrat Wendy Gabriella in November. Any Republican will be overwhelmingly

avored in this very Republican District. So far there has not been a break away GOP candidate as candidates Jess Petrilla, Anna Bryson and Paul Glaab have all raised approximately the same amount of campaign cash with Councilman Bill Brough trailing slightly.

There are two Orange County Supervisor races which we continue to monitor closely.

In the 2nd District, Board of Equalization Member Michelle Steel appears to have the upper hand against Assemblyman Alan Mansoor in their battle to succeed Supervisor John Moorlach. Steel has amassed a political war chest of over \$500,000. Mansoor will try to remain competitive with less than \$100,000 in the bank.

In the contest to succeed Pat Bates in the 5th Supervisor District, four candidates are each hoping to reach the two person November run-off. As of the March 17th financial reports, Councilwoman Lisa Bartlett and Councilman Robert Ming have a slight financial edge. Mission Viejo Councilman Frank Ury has the advantage of representing the greatest number of voters and unknown Deputy DA Joe Williams hopes to shock everyone with a superior ballot title.

ACKERMAN CONSULTING

Legal and Regulatory

April 21, 2014

1. **Doctrine of Reasonable Use:** Last month's report cited a position from the Legislative Analysis Office water report that suggested that California should review and reconsider its application of the doctrine of reasonable use. Director Hinman had inquired as to its origin which I will attempt to explain.

The doctrine of reasonable use also known as the doctrine of riparian rights came to California and the United States from the British common law. It gave rights in water based on land ownership that touched a river, stream, lake or other natural body of water. That right was restricted to the amount of water that could be reasonably and beneficially used on the riparian parcel. The riparian parcel was only that portion of the land that was within the natural watershed of the river or lake. The right belongs to all landowners along a river which I will use by way of an example. Thus upstream owners had to share the river water with downstream owners as each riparian owner had an equitable right to the water. This right was not transferable and was not lost by non use.

The doctrine of prior appropriation came into existence in the western United States and California in the mid 1800s. This doctrine, also known as "first in time-first in right", developed as a result of diversions of water away from the source (lake, river or other) to non contiguous parcels. In California it developed as a result of the gold rush where water was diverted from rivers for use in mining camps. This right was based on physical control and beneficial use of the water. This right was transferrable, gave priority to first users and was dependent on continued use.

In 1850, California became a state and initially adopted the doctrine of reasonable use. The following year the Legislature recognized the doctrine of prior appropriation. Since these two doctrines had numerous conflicting principles the State Constitution was amended adding Article X, Section 2 that requires all water to be used in a reasonable and beneficial manner. The original allowable uses included municipal, industrial, agricultural, hydroelectric and livestock. Over time those uses have expanded to include protection of fish and wildlife, recreational and aesthetic purposes. In 1914, the Water Commission Act established the existing water permit process which is now governed by the State Water Resources Control Board.

Page 2 Ackerman Consulting April 21, 2014 Legal and Regulatory

Ground water rights were initially treated differently and do not require permits. They were dealt with by the hybrid of riparian and appropriative rights which later evolved into court decrees and adjudication of rights within various basins impacting parties in interest. In 1903 the California Supreme Court stated the reasonable use doctrine set forth in the California Constitution applied to ground water.

The latest development as a result of legislation and court decisions is the public trust doctrine. Water is declared to belong to the people of the State of California and subject to reasonable and beneficial use. Those uses now have a much broader interpretation than they did historically. The public trust doctrine requires the State to balance all the prior doctrines in light of changing circumstances. The State Board has become the arbitrator, subject to judicial review, of many issues impacting water rights and use. Many experts have serious concerns about this process since what was reasonable at one time may not be considered so at a later time. This concept has been discussed at length in an Attorney General letter dated July 9, 2008, which can be found at <https://app.box.com/s/r2mtbjkqh7xkoyb83cy>. This gives wide discretion to the State Water Board for future action. It should be noted that the AG was Jerry Brown.

2. **Groundwater Management Reform:** As a result of the LAO report and comments from Governor Brown, Senator Fran Pavley and others broached the subject of expanded regulation of the groundwater system in California. Senator Pavley attempted unsuccessfully to include such regulation in the 2009 water bond and is now taking another run. About one third of the states water supply comes from groundwater but that percentage can increase to over one half in periods of drought. The proposed regulation would include a permit process and a pumping tax/fee. Farmers are in strong opposition. Santa Clara County has a pumping tax that has been around since 1964. Their groundwater table dropped 175 feet from 1915 to 1965 as a result of farming and population growth. Statewide, we are pumping out about 2 millions more acre-feet per year than in being recharged.
3. **Imperial Valley Farmers Fine:** While central valley farmers are being seriously hurt by the drought, farmers in the Imperial Valley are getting all the water they need and are doing just fine. Since Imperial Valley gets all its water from the Colorado River and it has established strong appropriative rights, it is in good shape. Under existing law and various Colorado River Compacts, it receives 3.1 million acre-feet per year. Contrast this to MWD, which serves 20 million people and it's allotment of 550, 000AF. Under pressure from the federal government ten years ago, the Imperial Irrigation District (IID) sold some of it water to San Diego to save that area from disaster. The farmers in IID are still upset about this arrangement and vow to never let it happen again. However, pressure for the state and federal government will continue and historical rights, which have thus far largely survived, may change in the future.

4. **A Site for Sites:** Serious times can sometimes bring opposites together. Two of the most ideologically distant congressman, Rep Doug LaMalfa and Rep John Garamendi, have joined forces to propose legislation to build a large storage facility in Northern California, Sites Reservoir. Their proposal has strong support including Senator Feinstein. The Sites Reservoir has been studied and discussed as a key storage location for over a decade but, until now, nothing has ever been put forth.
5. **Drought Impact on Economy:** The UCLA Anderson Forecast indicates that our current drought condition could significantly hinder job growth for many years and have a negative ripple effect on the states economy. Heaviest hit would be the manufacturing and fishing sectors. Even without the drought, the Los Angeles area economy is depressed for many reasons. The lack of water makes all the other factors worse as there is no substitute for water. The city of LA is currently last of the 32 large metro areas in the US in non-farm job growth.



Municipal Water District of Orange County Priority Legislation

BILL	AUTHOR	HIGH PRIORITY	SUMMARY	LATEST ACTION	MWDOC POSITION	OTHER POSITIONS
NEWLY INTRODUCED/AMENDED IN 2014						
AB 69	Perea [D]	No	Groundwater: Drinking Water: Nitrate at Risk Fund Establishes the Nitrate at Risk Fund to be administered by the State Department of Public Health for loans, principal forgiveness loans, or grants to certain water systems operating in a high-nitrate at-risk area for specified purposes. Requires fertilizer sellers to pay a materials charge for deposit in the Fund.	<u>(08/12/2013)</u> From SENATE Committee on AGRICULTURE with author's amendments. <u>(08/12/2013)</u> In SENATE. Read second time and amended. Re-referred to Committee on AGRICULTURE.		
AB 194	Campos [D]	No	Open Meetings: Actions For Violations Amends the Ralph M. Brown Act. Requires every agenda for a regular meeting or notice for a special meeting to provide an opportunity for members of the public to address the legislative body on items being considered by the legislative body. Expands the authorization for a district attorney or interested party to seek a judicial determination that an action taken by a legislative body is null and void if the legislative body violates this requirement.	<u>(02/06/2014)</u> To SENATE Committee on GOVERNANCE AND FINANCE.		
AB 515	Dickinson [D]	No	State Environmental Quality Act: Writ of Mandate Amends the State Environmental Quality Act that requires a court, if the court finds that a public agency has violated the requirements of the Act, to issue an order, in the form of a peremptory writ of mandate, specifying what actions by the public agency are necessary to comply with the requirements of the Act. Requires the writ to specify the time by which the public agency is to make an initial return of the writ containing specified information.	<u>(03/17/2014)</u> From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments. <u>(03/17/2014)</u> In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.		ACWA: Watch CSDA: Watch
AB 1249	Salas [D]	No	Senate Environmental Quality Committee Requires an integrated regional water management plan to include an explanation of how the plan addressed nitrate contamination, or an explanation of why the plan does not address such concentration, if an area within the boundaries of the plan has been identified as a nitrate high-risk area by the State Water Resources Control Board; requires the Board when selecting projects for funding to establish a preference for project that implement plans that address nitrate impacts.	<u>(02/06/2014)</u> To SENATE Committee on ENVIRONMENTAL QUALITY.		
AB 1527	Perea [D]	No	Public Water Systems: Drinking Water Requires the State Department of Public Health in administering programs to fund improvements and expansions of small community water systems, and other water systems, to promote service delivery alternatives that improve efficiency and affordability of infrastructure and service delivery.	<u>(04/07/2014)</u> Re-referred to ASSEMBLY Committees on LOCAL GOVERNMENT and ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.		



Municipal Water District of Orange County Priority Legislation

AB 1636	Brown [D]	No	Water Conservation Prohibits a city or county, during a drought emergency declared by the Governor, from enforcing a law or ordinance requiring a resident to water his or her lawn.	(03/28/2014) From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT with author's amendments. (03/28/2014) In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.		
AB 1671	Frazier [D]	No	Sacramento-San Joaquin Delta: Water Conveyance System Prohibits the Department of Water Resources from constructing water facilities as part of a specified water conveyance system unless specifically authorized by the Legislature.	(02/20/2014) To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.	Opposed	
AB 1728	Garcia [D]	No	Political Reform Act of 1974 Relates to the Political Reform Act of 1974. Revises the definition of agency to include a local government agency formed pursuant to provision of the Water Code. Revises the definition of license, permit, or other entitlement for use with respect to proceedings before a local government agency formed pursuant to the Water Code to apply to all contracts that are not competitively bid. Relates to the financial interests of a person who compensates a person to support or oppose a particular decision.	(04/01/2014) From ASSEMBLY Committee on ELECTIONS AND REDISTRICTING: Do pass as amended to Committee on LOCAL GOVERNMENT. (5-0)		
AB 1731	Perea [D]	No	Integrated Regional Water Management Plans: Funding Requires, in each integrated regional water management region, that not less than a specified percentage of any funding for integrated regional water management planning purposes be used to facilitate and support the participation of disadvantaged communities in integrated regional water management planning and for projects that address critical water supply or water quality needs for disadvantaged communities.	(03/28/2014) In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE. (52-12)		
AB 1739	Dickinson [D]	No	Groundwater Basin Management: Sustainability Requires the State Water Resources Control Board, in consultation with the Department of Water Resources, to develop thresholds for the sustainable management of the priority groundwater basins.	(02/27/2014) To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.		
AB 1807	Dahle [R]	No	Water Quality: Organization of Regional Boards Makes nonsubstantive changes to existing law regarding regional water quality control board membership	(02/18/2014) INTRODUCED		
AB 1808	Dahle [R]	No	Drinking Water Makes a technical, nonsubstantive change to the California Safe Drinking Water Act	(02/18/2014) INTRODUCED		

Municipal Water District of Orange County Priority Legislation



AB 1874	Gonzales [D]	No	<p>Integrated Regional Water Management Plans: Funding Requires the Department of Water Resources to develop a streamlined application process for the funding of regional projects and programs. Requires the Department to promptly review and pay invoices associated with grants for regional projects and programs.</p>	<p><u>(03/26/2014)</u> From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments. <u>(03/26/2014)</u> In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.</p>		
AB 1970	Gordon [D]	No	<p>Global Warming Solutions Act: Community Investment Creates the Community Investment and Innovation Program and requires moneys to be available from the Greenhouse Gas Reduction Fund for purposes of awarding local assistance grants and other financial assistance to eligible grant applicants who submit plans to develop and implement integrated community-level greenhouse gas emissions reductions in their region.</p>	<p><u>(04/07/2014)</u> From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on LOCAL GOVERNMENT.</p>		
AB 1983	Gray [D]	No	<p>Water Meters: Multiunit Structures Authorizes the owner or operator of a building containing residential units to install equipment to determine or use an economic allocation methodology to approximate the quantity of water that is provided to the tenants and used in the common areas of that building and to charge tenants separately for water and wastewater service based on usage as determined through the use of that equipment or allocation methodology if certain requirements are met.</p>	<p><u>(03/03/2014)</u> To ASSEMBLY Committees on HOUSING AND COMMUNITY DEVELOPMENT and WATER, PARKS AND WILDLIFE.</p>		
AB 2040	Garcia [D]	No	<p>Public Official Compensation Requires a local agency to report to the controller the annual compensation of its public officials, including, but not limited to, separately listing the name of each public official and his or her monthly salary.</p>	<p><u>(04/02/2014)</u> From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS. (7-0)</p>		
AB 2046	Gomez [D]	No	<p>Joint Exercise of Powers for Financing Authorizes a joint powers authority to execute and deliver, or cause to be executed and delivered, certificates of participation in a lease or installment sale agreement for the financing or refinancing of a project that is situated in another state, including working capital related to that project, if the project and its financing meets certain conditions.</p>	<p><u>(03/24/2014)</u> From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments. <u>(03/24/2014)</u> In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.</p>		

Municipal Water District of Orange County Priority Legislation



AB 2049	Dahle [R]	No	Drinking Water: Point-of-Entry: Point-of-Use Treatment Limits the use of point-of-entry and point-of-use treatment to water systems with less than 500 service connections.	<u>(03/25/2014)</u> From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS. (6-0)		
AB 2067	Weber [D]	No	Urban Water Management Plans Requires an urban retail water supplier and an urban wholesale water supplier to provide narratives describing the supplier's water demand management measures. Requires the narrative to address the nature and extent of each water demand management measure implemented to describe the water demand management measures that the supplier plans to implement.	<u>(03/25/2014)</u> From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS. (13-0))		
AB 2189	Garcia [D]	No	Water Replenishment Assessment Requires the board of each water replenishment district to make the specified findings and determinations before holding the public hearing, and to give written notice by mail to operators of water-producing facilities within the district that would be subject to the proposed replenishment assessment. Provides the basis for the assessment. Authorizes a water-producing facility operator to submit a protest opposing the assessment. Provides the condition under which an assessment is prohibited.	<u>(03/06/2014)</u> To ASSEMBLY Committee on LOCAL GOVERNMENT.		
AB 2194	Mullin [D]	No	Mello-Roos Community Facilities Act of 1982 Amends the Mello-Roos Community Facilities Act of 1982 that authorizes a community facilities district to finance various services, including, but not limited to, flood and storm protection services. Authorizes the financing of storm water management.	<u>(03/06/2014)</u> To ASSEMBLY Committee on LOCAL GOVERNMENT.		
AB 2403	Rendon [D]	No	Local Government: Assessments, fees, and charges Provides that provisions of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provisions of written notice and the holding of a public hearing. Modifies the definition of water to specifically include recycled water and stormwater intended for water service.	<u>(03/10/2014)</u> To ASSEMBLY Committee on LOCAL GOVERNMENT.		
AB 2417	Nazarian [D]	No	Environmental Quality Makes technical, nonsubstantive changes to the California Environmental Quality Act that makes various legislative findings regarding environmental quality.	<u>(02/21/2014)</u> To ASSEMBLY Committee on NATURAL RESOURCES. <u>(02/21/2014)</u> From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments. <u>(02/21/2014)</u> In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.		Updated: April 8, 2014



Municipal Water District of Orange County Priority Legislation

AB 2420	Nazarian [D]	No	Well Stimulation Treatments: Local Prohibition Authorizes a city or county to adopt and enforce a local ordinance prohibiting well stimulation treatments	(03/10/2014) To ASSEMBLY Committees on LOCAL GOVERNMENT and NATURAL RESOURCES.		
AB 2442	Gordon [D]	No	Porter Cologne Water Quality Control Act Prohibits the State Water Resources Control Board, a regional board, and any authorized person, from being civilly or criminally liable for any act or omission of the state board, regional board, or any authorized person in connection with any investigation, cleanup, abatement, or other remedial work, unless the act or omission was performed in a grossly negligent manner.	(04/07/2014) Re-referred to ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.		
AB 2443	Rendon [D]	No	Duplication of Service: Mutual Water Companies Makes inapplicable the provision that a mutual water company is a private utility entitled to just compensation for a taking in a territory it services at the time of the taking when a political subdivision constructs facilities to provide or extend recycled water service to the territory of the mutual water company.	(03/13/2014) To ASSEMBLY Committee on LOCAL GOVERNMENT.		
AB 2463	Dickinson [D]	No	Delta Plan: Bay Delta Conservation Plan: Hearings Amends existing law, the Sacramento San Joaquin Delta Reform Act of 2009 that establishes the Delta Stewardship Council. Requires the council to have at least 5 public hearings concerning the incorporation of the Bay Delta Conservation Plan into the Delta Plan if the Department of Fish and Wildlife approves the Bay Delta Conservation Plan as a natural community conservation plan.	(03/13/2014) To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.		

Municipal Water District of Orange County Priority Legislation



AB 2619	Gaines B [R]	No	Groundwater Monitoring Makes a technical, nonsubstantive change to existing law that establishes a groundwater monitoring program, in accordance with prescribed procedures, and requires the Department of Water Resources to work cooperatively with each monitoring entity to determine the manner in which groundwater elevation information should be reported to the department.	(03/28/2014) To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE. (03/28/2014) From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments. (03/28/2014) In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.		
AB 2636	Gatto [D]	No	CalConserve Water Use Efficiency Revolving Fund Establishes the CalConserve Water Use Efficiency Revolving Fund administered by the Department of Water Resources for the purpose of water use efficiency projects	(03/25/2014) From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS. (13-0)		
AB 2712	Daly [D]	No	Hazardous Materials: Orange County Water District Imposes requirements on the Orange County Water District when conducting a remediation project at a hazardous waste release site. Prohibits the district from implementing a remediation project unless the plan for the proposed remediation project is approved pursuant to the specified procedures.	(03/17/2014) To ASSEMBLY Committees on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS and LOCAL GOVERNMENT.		
SB 764	Yee [D]	No	Fish: Accounting Records: Violation Makes a nonsubstantive change to existing law declaring that the protection and conservation of the fish and wildlife resources of this state are of utmost public interest.	(01/23/2014) In SENATE. Read third time. Passed SENATE ***** To ASSEMBLY (33-0)		
SB 985	Pavley [D]	No	Stormwater Resource Planning Amends the Stormwater Resource Planning Act that authorizes a city, county, or special district, to develop a stormwater resource plan that meets certain standards. Requires a stormwater resource plan to identify opportunities to use existing publicly owned lands to capture and reuse stormwater	(04/03/2014) Withdrawn from SENATE Committees on ENVIRONMENTAL QUALITY and NATURAL RESOURCES AND WATER. (04/03/2014) Re-referred to SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.		



Municipal Water District of Orange County Priority Legislation

Item 2e

SB 1036	Pavley [D]	No	<p>Urban Water Management Plans Authorizes an urban water supplier to include within an urban water management plan certain energy-related information, including, but not limited to, estimates of the amount of energy used to extract or divert water supplies.</p>	<p><u>(04/07/2014)</u> From SENATE Committee on NATURAL RESOURCES AND WATER with author's amendments. <u>(04/07/2014)</u> In SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.</p>		
SB 1049	Pavley [D]	No	<p>Integrated Regional Water Management Plans Amends the Integrated Regional Water Management Planning Act. Includes projects or programs that reduce energy used to acquire, transport, treat, or distribute water, as a regional project or program. Requires a regional water management group to include all water suppliers that are within a watershed area, the area over a groundwater basin or subbasin, or the area within a county's boundaries.</p>	<p><u>(02/27/2014)</u> To SENATE Committee on NATURAL RESOURCES AND WATER.</p>		
SB 1120	Galgiani [D]	No	<p>Local Water Supply Programs or Projects: Funding Requires the Department of Water Resources to conduct a statewide inventory of local regional water supply projects and post specified results of the inventory on the department's Internet Web site</p>	<p><u>(02/27/2014)</u> To SENATE Committee on NATURAL RESOURCES AND WATER.</p>		
SB 1132	Mitchell [D]	No	<p>Oil and Gas Well Stimulation Treatments Requires a specified scientific study to consider additional elements and evaluate various potential direct, indirect and cumulative health and environmental effects of onshore and offshore well stimulation and well stimulation treatment-related activities. Prohibits all well stimulation treatments until the Secretary of the Natural Resources Agency convenes a committee to review the scientific study.</p>	<p><u>(03/27/2014)</u> From SENATE Committee on NATURAL RESOURCES AND WATER with author's amendments. <u>(03/27/2014)</u> In SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.</p>		
SB 1168	Pavley [D]	No	<p>Groundwater Management Plans Requires a local agency to determine sustainable yield for a groundwater basin in coordination with other applicable local agencies whose service areas overlie the groundwater basin</p>	<p><u>(03/06/2014)</u> 03/06/2014 To SENATE Committee on NATURAL RESOURCES AND WATER.</p>		
SB 1362	Correa [D]	No	<p>Public Contracts: Orange County Water District Makes technical, nonsubstantive changes to existing law that governs the contracts of Orange County Water District as provided in a specified statute and further provides that the district is not bound by any contract unless the same is made in writing approved by a resolution of the board.</p>	<p><u>(03/13/2014)</u> To SENATE Committee on RULES.</p>		



Municipal Water District of Orange County Priority Legislation

SB 1390	Correa [D]	No	<p>General Subject: Santa Ana River Conservancy Establishes the Santa Ana River Conservancy to acquire specified lands on either side of the riverbed of the Santa Ana River and would prescribe the management, powers, and duties of conservancy.</p>	(03/13/2014) To SENATE Committee on NATURAL RESOURCES AND WATER.		
SB 1281	Pavley [D]	No	<p>Oil and Gas Production: Water Use Reporting Declares that the use of freshwater in all elements of the development and production of oil and gas shall be reduced to an unspecified percentage of baseline freshwater use. Requires well and facility owners or operators to report to the division the volume, source, and use of all freshwater, recycled water, and treated water.</p>	(03/06/2014) To SENATE Committee on NATURAL RESOURCES AND WATER.		
SB 1451	Hill [D]	No	<p>Environmental Quality: Mitigation Measures Relates to the California Environmental Quality Act. Requires the Secretary of the Natural Resources Agency to submit to the Legislature a report on the types and effectiveness of a representative sample of mitigation measures adopted by state and local agencies.</p>	(03/13/2014) To SENATE Committee on RULES.		



Municipal Water District of Orange County **Priority Legislation**

Item 2e

PROPOSED WATER BOND LEGISLATION				
AB 1331	Rendon [D]	Yes	Climate Change Response for Clean and Safe Drinking Water Repeals the Safe, Clean, and Reliable Drinking Water Supply Act of 2012; Enacts the Clean and Safe Drinking Water Act of 2014, which, if adopted by the voters, would authorize the issuance of bonds in a specified amount pursuant to the State General Obligation Bond Law to finance a clean and safe drinking water program.	(03/25/2014) From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass as amended to Committee on ENVIRONMENTAL QUALITY. (7-2)
AB 1445	Logue [R]	Yes	Water Infrastructure Act of 2014 Enacts the California Water Infrastructure Act of 2014. Authorizes the issuance of bonds in a specified amount to finance a public benefit associated with water storage projects programs.	(02/14/2014) To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE. (02/14/2014) From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments. (02/14/2014) In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.
AB 1674	Bigelow [R]	Yes	Safe, Clean, Reliable Drinking Water Supply Act of 2012 States the intent of the Legislature to enact legislation that would amend the Safe, Clean, and Reliable Drinking Water Supply Act of 2012.	(03/28/2014) To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS. (03/28/2014) From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS with author's amendments. (03/28/2014) In ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
AB 2043	Bigelow [R]	Yes	Safe Clean and Reliable Drinking Water Supply Act Enacts the Safe, Clean, and Reliable Water Supply Act of 2014, which, if adopted by votes, would authorize the issuance of bonds to finance a safe drinking water and water supply reliability program.	(03/06/2014) To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.

Municipal Water District of Orange County Priority Legislation



AB 2686	Perea [D]	Yes	Clean, Safe, and Reliable Water Supply Act of 2014 Repeals the Safe, Clean, and Reliable Drinking Water Supply Act of 2012. Enacts the Clean, Safe, and Reliable Water Supply Act of 2014, which, if adopted by the voters, would authorize the issuance of bonds to finance a clean, safe, and reliable water supply program. Provides for the submission of the bond act to the voters at a statewide general election.	<u>(03/25/2014)</u> From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments. <u>(03/25/2014)</u> In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.		
SB 40	Pavley [D]	Yes	Safe, Clean, and Reliable Drinking Water Supply Act Changes the name of the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 to the Safe, Clean, and Reliable Drinking Water Supply Act of 2014. Declares the intent of the Legislature to amend the act for the purpose of reducing and potentially refocusing the bond.	<u>(02/03/2014)</u> In SENATE. Returned to Secretary of Senate pursuant to Joint Rule 56.		
SB 848	Wolk [D]	Yes	Safe Drinking Water:Water Quality:Flood Protection Act Enacts the Safe Drinking Water, Water quality, and Flood protection Act of 2014 which would authorize the issuance of bonds pursuant to the State General Obligation Bond Law to finance a safe drinking water, water quality, and flood protection program.	<u>(02/26/2014)</u> From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on APPROPRIATIONS. (5-2)		
SB 927	Cannella [R]	Yes	Senate Natural Resources and Water Committee Renames the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 as the Safe, Clean, and Reliable Drinking Water Supply Act of 2014 and makes conforming changes. Authorizes the issuance of bonds in a specified amount by reducing the amount available for projects related to drought relief and water supply reliability.	<u>(04/08/2014)</u> In SENATE Committee on NATURAL RESOURCES AND WATER: Not heard.		
SB 1080	Fuller [R]	Yes	Safe, Clean, and Reliable Drinking Water Supply Act Relates to the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, which, if approved by the voters, would authorize the issuance of bonds in a specified amount. Declares the intent of the Legislature to enact legislation to reduce the bond amount.	<u>(02/27/2014)</u> To SENATE Committee on RULES.		
SB 1250	Hueso [D]	Yes	Safe, Clean and Reliable Drinking Water Supply Act Amends the Safe, Clean and Reliable Drinking Water Supply Act of 2012 that would authorize the issuance of bonds to finance a safe drinking water and water supply reliability program. States the intent of the Legislature to enact legislation that would amend the act for the purpose of reducing the bond.	<u>(03/06/2014)</u> To SENATE Committee on RULES.		



Municipal Water District of Orange County Priority Legislation

HIGH PRIORITY						
AB 145	Perea [D]	Yes	State Water Resources Control Board Drinking Water Transfers to the State Water Resources Control Board the various duties and responsibilities imposed on the State Department of Public Health by the State Safe Drinking Water Act and the Safe Drinking Water State Revolving Fund Law of 1997.	(08/30/2013) In SENATE Committee on APPROPRIATIONS: Held in committee.	Oppose unless Amended	MWD: Oppose unless Amended ACWA: Oppose unless Amended CSDA: Watch
AB 543	Campos [D]	Yes	California Environmental Quality Act Requires a lead agency to translate any notice, document, or executive summary required by the California Environmental Quality Act (CEQA) when the impacted community has a substantial number of non English speaking people.	(06/13/2013) Re-referred to SENATE Committee on ENVIRONMENT QUALITY		ACWA: Oppose CSDA: Oppose
AB 1073	Torres [D]	Yes	Emergency Services: Utility Access Requires the Office of Emergency Services to develop, in collaboration with the Public Utilities Commission, a universal insignia that may be displayed on badges worn by a properly qualified and certified utility worker or technician that would enable the person to gain access to a location subject to a disaster or other emergency to provide vital utility services.	(09/12/2013) Withdrawn from SENATE Committee on GOVERNMENTAL ORGANIZATION		CSDA: Watch
AB 1393	Perea [D]	Yes	Safe Drinking Water State Revolving Fund Transfers the administration of the Safe Drinking Water State Revolving Fund and the related grant and loan program for construction of public water systems to the State Water Resources Council.	(04/07/2014) From SENATE Committee on RULES with author's amendments. (04/07/2014) In SENATE. Read second time and amended. Re-referred to Committee on RULES.		ACWA: Support
ACA 8	Blumenfield [D]	Yes	Local Government Financing: Voter Approval Proposes an amendment to the Constitution to create an additional exception to the 1% limit for an ad valorem tax rate imposed by a city, county, city and county, or special district, to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district.	(06/27/2013) To SENATE Committees on GOVERNANCE AND FINANCE AND ELECTIONS AND CONSTITUTIONAL AMENDMENTS.	Oppose (4/17/2013)	CSDA: Support
SB 633	Pavley [D]	Yes	CEQA Amends the California Environmental Quality Act that requires the submission of a subsequent or supplemental environmental impact report when new information which was not known and could not have been known at the time of the original report was certified as complete, becomes available. Requires the new information that becomes available was not known and could not have been known by the lead agency or any responsible agency at the time the report was certified as complete. Relates to exemptions.	(08/06/2013) In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.		ACWA: Watch CSDA: Watch

Municipal Water District of Orange County Priority Legislation



SB 731	Steinberg [D]	Yes	Environment: California Environmental Quality Act State the intent of the Legislature to enact legislation revising the California Environmental Quality Act to, among other things, provide greater certainty for smart infill development. States the intent of the Legislature to provide funds annually to the Strategic Growth Council for the purposes of providing planning incentive grants to local and regional agencies to update and implement general plans.	(09/11/2013) From ASSEMBLY COMMITTEE on LOCAL GOVERNMENT: Do pass as amended.	Oppose	ACWA: Watch CSDA: Support in Concept
SB 735	Wolk [D]	Yes	Sacramento San Joaquin Delta Reform Act Amends the Sacramento San Joaquin Delta Reform Act of 2009 to exclude from the definition of covered action the approval or implementation of a project as part of a larger conservation plan submitted pursuant to the Federal Endangered Species Act, a natural community conservation plan submitted pursuant to the Natural Community Conservation Planning Act, or certain permits related to the taking, importation, exportation, or sale of endangered species.	(08/13/2013) In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.		MWD: Oppose ACWA: Not Favor CSDA: Watch
SCA 9	Corbett [D]	Yes	Local Government: Economic Development: Special Taxes Proposes an amendment to the Constitution to provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for community and economic development projects requires the approval of a specified percentage of its voters voting on the proposition.	(06/27/2013) Re-referred to SENATE Committee on APPROPRIATIONS		CSDA: Support
SCA 11	Hancock [D]	Yes	Local Government: Special Taxes: Voter Approval Makes conforming and technical, nonsubstantive changes to provisions relative to special taxation. Proposes an amendment to the Constitution to condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition.	(06/27/2013) Re-referred to SENATE Committee on APPROPRIATIONS	Oppose (4/17/2013)	CSDA: Support

Municipal Water District of Orange County Priority Legislation



INFORMATION ONLY

AB 436	Jones-Sawyer [D]	No	<p>Inverse Condemnation: Comparative Fault Applies the doctrine of comparative fault to inverse condemnation actions. Requires a court or arbitrator to reduce the compensation paid to a plaintiff in an inverse condemnation proceeding in direct proportion to his or her percentage of fault, if any, in the damaging of property that constitutes a taking.</p>	(07/02/2013) In SENATE Committee on JUDICIARY: Not heard.		
AB 1043	Chau [D]	No	<p>Drinking Water, Quality, Flood, River Protection Amends the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. Eliminates the requirement to develop and adopt regulations and requires a grantee of certain initiative bond act funds to take specific actions to recover the costs of cleanup and to utilize those funds for certain groundwater contamination cleanup projects.</p>	(06/25/2013) In SENATE Committee on NATURAL RESOURCES AND WATER: Not heard.		

Metropolitan Water District of Southern California

Federal Legislation Matrix 4/7/2014

113th Congress

Bill Author	Amended Date; Location	Title - Summary	MWD Position	Effects on Metropolitan
H.R. 123 Holt (D-NJ)	1/31/2013; Introduced and referred to the House Committee on Armed Services, Subcommittee on Readiness	Water Advanced Technologies for Efficient Resource Use Act of 2013 – This bill encourages water efficiency.	SUPPORT based on board-adopted 2013 Legislative Strategy (Dec. 2012)	WaterSense is the complement of EPA's ENERGYSTAR program. The bill would increase the effectiveness of the WaterSense program, which certifies water-efficient products and services and provides consumer outreach and education. The grant funding would allow Metropolitan and its member agencies to expand incentive programs to encourage early adoption of water efficient devices. This would help reduce per capita water use to achieve 20x2020 and the water efficiency targets in the IRP.
H.R. 745 Napolitano (D-CA)	5/23/2013; Hearing held by the House Natural Resources Subcommittee on Water and Power.	To reauthorize the Water Desalination Act of 1996 - The bill would reauthorize funding provisions in the 1996 Water Desalination Act for desalination research.	SUPPORT based on board-adopted 2013 Legislative Strategy (Dec. 2012)	The legislation would provide much needed funding for desalination research, including both brackish and seawater desalination.

Metropolitan Water District of Southern California

State Legislation Matrix 4/7/14

Bill Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 52 Gatto (D) Sponsor: California Tribal Business Alliance and various tribes	09/05/13; Senate Environmental Quality Committee	Native Americans: CEQA. Expands CEQA protections for tribal cultural resources to ensure participation by tribes during all phases of project planning, clearance and implementation.	WATCH pursuant to board action in August 2013	Prior version of bill would have resulted in increased project costs and delays, duplicative environmental review and litigation exposure. Metropolitan removed its opposition in light of most recent amendment.
AB 145 Perea (D) Sponsor: California Rural Legal Assistance Foundation, Clean Water Action and Community Water Center	Amended 06/18/2013; Senate Appropriations Committee – held on suspense file	State Water Resources Control Board: Office of Drinking Water. Transfers entire state drinking water program from Department of Public Health to State Water Resources Control Board.	OPPOSE UNLESS AMENDED pursuant to board action in May 2013	Moving Drinking Water Program to SWRCB, without further study, could place program efficiency at risk and diffuse emphasis on public health.
AB 1331 Rendon (D) Sponsor: Author	Amended 03/18/2014; Senate Environmental Quality	Water Bond. Repeals existing 2014 bond in its entirety. Authorizes \$8 billion general obligation bond for November 2014 ballot to fund \$1 billion for local resources development; \$250 million for water use efficiency; \$500 million for water recycling and advanced treatment projects; \$250 for stormwater; \$1 billion for clean and safe drinking water; \$1.5 billion for watersheds; \$1 billion for Delta ecosystem restoration; and \$2.5 billion for surface and groundwater storage.	SUPPORT IN CONCEPT pursuant to water bond priorities adopted in March 2013	March 18 amendment incorporates Metropolitan's requested amendments and aligns with Metropolitan's 2014 water bond priorities. Significant amendments were made to bill during hearing in Senate Natural Resources and Water Committee. New amendments not yet available for review.

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AB 1393 Perea (D) Sponsor: Author	Amended 09/06/2013; Senate Rules Committee	Safe Drinking Water State Revolving Fund. Authorizes only transfer of Safe Drinking Water State Revolving Fund from Dept. of Public Health (DPH) to State Water Resources Control Board. Retains balance of state's drinking water program at DPH.	WATCH pursuant to board action in May 2013	Amendments limited scope of program reorganization found in AB 145. Limited focus of AB 1393 was one of two amendments recommended by Metropolitan's board for AB 145.
AB 1445 Logue (R) Sponsor: Author	Amended 02/14/2014; Assembly Water, Parks and Wildlife Committee – April 29 hearing date	California Water Infrastructure Act of 2014. Repeals existing 2014 bond in its entirety. Proposes \$5.8 billion general obligation bond for November 2014 ballot, in which \$4.8 billion is authorized for water storage and \$1 billion is authorized to improve water quality.	OPPOSE UNLESS AMENDED pursuant to water bond priorities adopted in March 2013	Funding priorities in AB 1445 are inconsistent with Metropolitan's 2014 water bond priorities.
AB 1671 Frazier (D) Sponsor: Author	Introduced 02/12/2014; Assembly Water, Parks and Wildlife Committee – April 8 hearing date	Sacramento-San Joaquin Delta: Water Conveyance System. Requires legislative authorization for construction of new Delta conveyance that utilizes tunnel system.	OPPOSE pursuant to board-adopted Delta Action Plan	Delta Reform Act of 2009 wisely chose to set achievable and balanced set of state policies to restore Delta ecosystem and improve water supply reliability. AB 1671 seeks to undermine science-based planning with politically-driven process.
AB 1674 Bigelow (R) Sponsor: Author	Amended 03/28/2014; Assembly Environmental Safety and Toxic Materials Committee – April 29 hearing date	Vended Water. Exempts water-vending machines from specified requirements if the source of the water is derived from a groundwater basin that does not exceed maximum contaminant levels.	REVIEW PENDING	Previously a water bond "spot" bill, this measure was substantially amended to address oversight issues associated with water-vending machines.

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AB 1799 Gordon (D) Sponsor: Santa Clara Valley Water District	Introduced 02/18/2014; Assembly Water, Parks and Wildlife Committee – April 29 hearing date	Mitigation Lands. Provides an alternative option to an endowment for long-term stewardship of mitigation lands by allowing the governmental entity or special district to demonstrate that it possesses investment-grade credit rating and meets specified criteria.	SUPPORT pursuant to board policy on permit streamlining	Measure is consistent with the objectives to improve regulatory processes contained in Metropolitan's permit streamlining policy.
AB 2043 Conway (R) And Bigelow (R) Sponsor: Authors	Introduced 02/20/2014; Assembly Water, Parks and Wildlife Committee – April 29 hearing date	Safe, Clean and Reliable Drinking Water Supply Act of 2014. Repeals existing 2014 water bond. Authorizes \$7.935 billion general obligation bond for November 2014 ballot to fund \$3 billion for water storage; \$1 billion for groundwater protection and water quality; \$1.5 billion for Delta sustainability; \$1.19 billion for regional water supply reliability; \$395 million for drought relief, wastewater treatment and safe drinking water; and \$1.05 billion for water recycling and advanced water treatment technology.	SUPPORT IF AMENDED pursuant to water bond priorities adopted in March 2013	Funding priorities in AB 2043 are generally consistent with Metropolitan's 2014 water bond priorities, although further refinements are necessary.
AB 2312 Nestande (R) and Olsen (R) Sponsor: Institute of Scrap Recycling Industries	Amended 03/28/2014; Assembly Business, Professions and Consumer Protection – April 22 hearing date	Metal Theft. Requires junk dealer or recycler to request theft alert notifications associated with theft of commodity metals.	SUPPORT pursuant to board policy adopted during 2011/12 legislative session	Would provide Metropolitan, its member agencies and other public agencies with increased level of protection against metal theft by strengthening requirements in existing law.

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AB 2313 Nestande (R) and Olsen (R) Sponsor: Author	Amended 03/28/2014; Assembly Public Safety Committee	Metal Theft. Would establish Metal Theft Task Force Program to provide grants to applicant agencies for the purpose of providing local law enforcement and district attorneys with the tools necessary to address metal theft.	SUPPORT pursuant to board policy adopted during 2011/12 legislative session	Would provide Metropolitan, its member agencies and other public agencies with increased level of protection against metal theft by strengthening requirements in existing law.
AB 2417 Nazarian (D) Sponsor: ACWA CMUA WateReuse	Amended 03/28/2014; Assembly Natural Resources Committee	Recycled Water. Provides CEQA exemption for installation of recycled water pipelines up to eight miles in length to further facilitate access to recycled water.	SUPPORT pursuant to 2014 board-adopted legislative strategy	By encouraging expansion of purple pipelines, recycled water could be used for landscape irrigation thus preserving potable water for human consumption.
AB 2463 Dickinson (D) Sponsor: Author	Introduced 02/21/2014; Assembly Water, Parks and Wildlife Committee	Bay Delta Conservation Plan (BDCP). Amends 2009 Delta Reform Act to require Delta Stewardship Council to hold at least five public hearings concerning incorporation of BDCP into Delta Plan if Department of Fish and Wildlife approves BDCP as natural community conservation plan.	WATCH pursuant to board-adopted Delta Action Plan	Potential spot bill.
AB 2554 Rendon (D) Sponsor: Author	Amended 03/24/2014; Assembly Rules Committee	Water Bond. Repeals existing 2014 bond in its entirety. Authorizes \$8.5 billion general obligation bond for November 2014 ballot to fund \$1 billion for local resources development; \$500 million for water use efficiency; \$500 million for storm water management; \$1 billion for clean and safe drinking water; \$1.5 billion for watersheds; \$1 billion for Delta ecosystem restoration; and \$3 billion for surface and groundwater storage.	SUPPORT IN CONCEPT pursuant to water bond priorities adopted in March 2013	Funding priorities in AB 2554 are consistent with Metropolitan's 2014 water bond priorities.

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AB 2636 Gatto (D) Sponsor: Author	Amended 03/18/2014; Assembly Appropriations Committee – April 9 hearing date	CalConserve. Will establish sustainable funding source through the use of a state revolving fund for financing water use efficiency projects to advance further reductions in urban per capita water use, improved agricultural water use efficiency and reduction of greenhouse gas emissions through water efficiency.	SUPPORT IN CONCEPT pursuant to 2013 board- adopted legislative strategy	Reintroduction of AB 1349 from 2013, sponsored by Metropolitan and the California Municipal Utilities Association. A revolving fund for water use efficiency projects would provide sustainable funding for expanding opportunities for water and recycled water providers to implement projects and programs that offer the greatest benefit to their customers.
AB 2686 Perea (D) Sponsor: Author	Amended 03/25/2014; Assembly Water, Parks and Wildlife Committee – April 29 hearing date	Clean, Safe, and Reliable Water Supply Act of 2014. Repeals existing 2014 water bond. Authorizes an unspecified amount of a general obligation bond for November 2014 ballot to include \$3 billion for water storage; \$1 billion for clean and safe drinking water; \$2.25 billion for Delta sustainability; \$1.5 billion for watersheds; \$1.5 billion for regional water security; and, an unspecified amounts for water recycling and groundwater management.	SUPPORT IF AMENDED pursuant to water bond priorities adopted in March 2013	Funding priorities in AB 2686 are generally consistent with Metropolitan's 2014 water bond priorities, although further refinements are necessary.

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SB 103 Senate Budget and Fiscal Review Committee	Amended 2/25/14; signed by Governor on March 1, 2014; Chapter 2, Statutes of 2014	Drought Relief. Appropriates \$214.9 million from voter-approved bonds (Propositions 84 and 1E), the Greenhouse Gas Reduction Fund, General Fund and Special Funds to provide financial assistance to drought-stricken communities for unemployment, housing, clean water, water efficiency projects, flood control projects, groundwater monitoring and urgent fish and stream conservation.	SUPPORT IN CONCEPT (signed into law prior to board action)	Would provide funds to: 1) improve energy efficiency of State Water Project (SWP); 2) assist with funding emergency pathway through Delta to prepare for potential levee failures; 3) protect SWP supplies through SWRCB enforcement of water rights; 4) address extreme drought impacts on sensitive fish species thus reducing regulatory restrictions on SWP operations; and 5) improve water use efficiency in urban and agricultural sectors in response to drought.
SB 104 Senate Budget and Fiscal Review Committee	Amended 2/26/14; signed by the Governor on March 1, 2014; Chapter 3, Statutes of 2014	Drought Relief. Appropriates \$472.5 million from Proposition 84 for integrated regional water management (IRWM). Also is intended to protect legal diversions and uses of water as well as the environment by enhancing SWRCB's ability to enforce existing proscriptions against illegal diversions and uses of water in California during times of drought. Also streamlines SWRCB's ability to adopt emergency regulations to promote conservation and prevent waste and unreasonable use of water during times of drought. Directs Department of Public Health, by June 30, 2014, to adopt revised, emergency groundwater replenishment regulations for recycled water.	SUPPORT IN CONCEPT (signed into law prior to board action)	Provides potentially short-term benefits to SWP operations during current drought enhance water efficiency in the service area and promote local projects to reduce future reliance on the Delta.

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SB 731 Steinberg (D) Sponsor: Author	Amended 09/09/2013; Assembly Local Government Committee	CEQA. Would enact California Environmental Quality Act (CEQA) Modernization Act of 2013 and proposes numerous changes to CEQA law.	OPPOSE UNLESS AMENDED pursuant to board action in August 2013	Could impose several costly new requirements on public agencies with no reciprocal benefits. Could make CEQA compliance significantly more burdensome, costly and unpredictable with new requirements and could increase costs to public agencies undertaking their own projects.
SB 735 Wolk (D) Sponsor: Delta Counties Coalition	Amended 05/24/2013; Assembly Water, Parks and Wildlife Committee	Sacramento-San Joaquin Delta Reform Act of 2009: Covered Actions. Would authorize local Delta counties to enter into MOU with Dept. of Fish and Wildlife and Delta Stewardship Council (DSC) for conservation plan consistency with Delta Plan.	OPPOSE pursuant to board- adopted Delta Action Plan	Measure is premature as no actions have been subject to DSC consistency determination process. Could also be interpreted to enable DSC to amend Delta Plan which could trigger impacts to BDCP to ensure consistency with Delta counties' local habitat plans.
SB 750 Wolk (D) Sponsor: Author	Amended 08/08/2013; Assembly Water, Parks and Wildlife Committee	Building Standards: Submeters. Directs water purveyors to require newly constructed multiunit residential structures or mixed use residential and commercial structures that apply for water connections after January 1, 2014, to have, as condition of new water service, submeters that measure water supplied to each individual dwelling unit.	SUPPORT IF AMENDED pursuant to board- adopted water conservation policy principles	Measure would promote construction of water efficient buildings and provide communities with another tool to better manage available supplies. Author committed to taking clarifying amendments on oversight and responsibility of submeters.

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SB 848 Wolk (D) Sponsor: Author	Amended 02/20/2014; Senate Appropriations Committee	Safe Drinking Water, Water Quality & Flood Protection Act of 2014. Repeals existing 2014 bond. Authorizes \$6.825 billion general obligation bond for November 2014 ballot to fund \$3.345 billion for local resources development; \$2.455 billion for Delta ecosystem restoration and watersheds; and \$1.025 billion for surface and groundwater storage.	OPPOSE UNLESS AMENDED pursuant to water bond priorities adopted in March 2013	Funding priorities in SB 848 are inconsistent with Metropolitan's 2014 water bond priorities.
SB 927 Cannella (R) and Vidak (R) Sponsor: Authors	Introduced 01/29/2014; Senate Natural Resources and Water Committee – April 8 hearing date	Safe, Clean and Reliable Drinking Water Supply Act of 2014. Renames and amends existing 2014 water bond. Proposes \$9.217 billion general obligation bond to fund \$3 billion for storage; \$2.25 billion for Delta sustainability; \$1.39 billion for regional water supply; \$1.25 billion for water recycling; \$1 billion for groundwater cleanup; and \$327 million for emergency drought relief.	SUPPORT IF AMENDED pursuant to water bond priorities adopted in March 2013	Funding priorities in SB 927 are generally consistent with Metropolitan's 2014 water bond priorities, although further refinements are necessary.
SB 1014 Jackson (D) Sponsors: Alameda County Board of Supervisors; California Product Stewardship Council; City and County of San Francisco	Amended 04/01/2014; Senate Business, Professions and Economic Development Committee – April 21 hearing date	Pharmaceutical Waste. Requires pharmaceutical producers, or a designated stewardship organization, to submit plan to the Department of Resources Recycling and Recovery that addresses the collection, transport, and disposal of home-generated pharmaceuticals.	SUPPORT pursuant to 2013 board-adopted legislative strategy	Will help prevent contamination of drinking water sources from unused pharmaceutical products passing through wastewater and treatment facilities.
SB 1080 Fuller (R) Sponsor: Author	Introduced 02/19/2014; Senate Rules Committee	Safe, Clean, and Reliable Drinking Water Supply Act of 2012. Seeks to amend November 2014 water bond.	WATCH pursuant to water bond priorities adopted in March 2013	Spot bill.

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SB 1130 Roth (D) Sponsor: Eastern MWD and Elsinore Valley MWD	Amended 03/26/2014; Senate Judiciary Committee – April 8 hearing date	County Water Company of Riverside Water System. Would exempt wholesale and retail water agencies from liability for injuries or damages arising out of the proposed delivery of water to County Water Company (CWC) of Riverside customers.	SUPPORT pursuant to board action on SB 772 (Emmerson) in 2013	Would provide immunity protections to ratepayers of Eastern MWD, Elsinore Valley MWD, Metropolitan and Western MWD while working to secure the health and safety of former CWC customers during interim operations of the system during construction and from stemming from ownership and operation by the prior owners.
SB 1250 Hueso (D) Sponsor: Author	Introduced 02/20/2014; Senate Rules Committee	Safe, Clean, and Reliable Drinking Water Supply Act of 2012. Seeks to amend November 2014 water bond.	WATCH pursuant to water bond priorities adopted in March 2013	Spot bill.
SB 1370 Galgiani (D) Sponsor: Author	Amended 03/24/2014; Senate Natural Resources and Water Committee – April 8 hearing date	Reliable Water Supply Bond Act of 2014. Repeals existing water bond. Proposes \$6.260 billion general obligation bond to fund surface water storage projects, including Sites, Temperance Flat and San Luis Reservoirs and expansion of Shasta.	OPPOSE UNLESS AMENDED pursuant to water bond priorities adopted in March 2013	Funding priorities in SB 1370 are inconsistent with Metropolitan's 2014 water bond priorities.
SB 1447 Fuller (R) Sponsor: Author	Introduced 02/21/2014	Bay Delta Conservation Plan (BDCP): Judicial Review. States legislative intent to enact legislation establishing judicial review procedures for BDCP.	WATCH pursuant to board- adopted Delta Action Plan	Spot bill.

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Bill Author	Amended Date; Location	Title - Summary	MWD Position	Effects on Metropolitan
H.R. 765 Capps (D-CA)	3/1/2013; In House Committee on Natural Resources: Referred to Subcommittee on Water and Power	Hydrologic Changes and Water Systems Grants - Authorizes the Administrator of the Environmental Protection Agency to establish a program of awarding grants to owners or operators of water systems to increase resiliency or adaptability of the systems to any ongoing or forecasted changes to the hydrologic conditions of a region of the United States	SUPPORT , based on support for HR 2738 in the previous Congress	This is a reintroduction of H.R. 2738 of the 112th Congress. This EPA-administered grant program could have significant benefit to Metropolitan and its member agencies as they face the challenges of climate change on water supply sources. Grant funding could go towards many projects and programs that Metropolitan and the member agencies are currently operating or are studying for future operations, including groundwater recharge, water banking, recycling, desalination, stormwater capture, water use efficiency, etc.

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Bill Author	Amended Date; Location	Title - Summary	MWD Position	Effects on Metropolitan
H.R. 836 Miller, Ga. (R-CA)	2/27/2013; Introduced and referred to the House Transportation and Infrastructure Subcommittee on Water Resources and the Environment	Sunshine Conflicts Act of 2013 - This legislation amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to require the Administrator of the Environmental Protection Agency (EPA) to issue a rule within 60 days to prohibit any member of a board or body that approves permit applications for the discharge of pollutants from seeking to influence the approval of any permit in which that member has a financial interest.	SUPPORT , based on support for H.R. 2765 in the previous Congress	This bill would help ensure that a wide pool of experienced and technically qualified persons could serve on water boards, such as SWRCB and the regional boards. The legislation directs EPA to revise its rules to rely on a conflict of interest test, rather than an arbitrary income standard test. In California, it has become increasingly difficult for the Governor to find qualified individuals to fill SWRCB and Regional Board vacancies, so oftentimes, vacancies remain open for lengthy periods, which could result in delays in Board actions/decisions. Metropolitan and its member agencies are covered under various general and individual NPDES permits which are issued, renewed, and acted upon by SWRCB and the regional boards in Southern California.
H.R. 1004 Garamendi (D-CA) Companion Measure: S. 228 Feinstein (D-CA)	3/11/2013; Referred to the House Natural Resources Subcommittee on Public Lands and Environmental Regulations	Sacramento-San Joaquin Delta National Heritage Area : This legislation establishes the Sacramento-San Joaquin Delta National Heritage Area.	SUPPORT , pursuant to Board action to support S. 29/H.R. 486, March 2011	This bill establishes the "Sacramento-San Joaquin Delta Heritage Area" and designates the Delta Protection Commission (DPC) as the management entity for the Heritage Area. The bill authorizes \$20 million for the DPC to develop a management plan for the Heritage Area that must be consistent with the Delta Plan adopted by the Delta Stewardship Council.

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Bill Author	Amended Date; Location	Title - Summary	MWD Position	Effects on Metropolitan
H.R.1352 Grijalva (D-AZ)	4/11/2013; Referred to the House Natural Resources Subcommittee on Public Lands and Environmental Regulation	Lower Colorado River Protection Act - Provides for the protection of the quality of water in the Lower Colorado River and the development and implementation of a comprehensive plan for the prevention and elimination of pollution in the Lower Colorado River and the maintenance of a healthy Lower Colorado River ecosystem.	SUPPORT, if amended to limit the funding to projects impacting the Colorado River, based on MWD position on HR 3481 introduced in 2010	This legislation is identical to HR 3481 and authorizes a new program within EPA to develop and implement a pollution plan for the Lower Basin of the Colorado River and provides federal funding for municipal wastewater treatment facilities along the river. The bill should be amended to limit the pollution control plan to projects related to reducing the effects of municipal wastewater or septic systems being released into the river. Projects related to this specific issue should be federally funded through the existing Reclamation Wastewater and Groundwater Study and Facilities Act referenced in section 203.

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Bill Author	Amended Date; Location	Title - Summary	MWD Position	Effects on Metropolitan
H.R. 1823 Heck (R-NV)	6/14/2013: House Committee on Judiciary: Referred to Subcommittee on Crime, Terrorism, Homeland Security and Investigations	Importation and Exportation of Mussels the Protecting Lakes Against Quaggas (PLAQ) Act- Existing federal law (16 USC 42) makes it a crime to import into the U.S. or to ship between States, certain animals, including zebra mussels. Prohibited animals (including mollusks like the zebra mussel) "shall be promptly exported or destroyed at the expense of the importer or consignee. Related federal law prohibits the transport in interstate commerce of any wildlife possessed or transported in violation of state law (16 USC 3372(a)(2)). HR 1823 would expand the zebra mussel restriction in Section 42 to include all mussels in the genus Dreissena--which includes the quagga mussels that are now in the lower Colorado River.	OPPOSE, Unless Amend based on support for State quagga liability protection legislation	Water agencies in Texas that divert water across state lines have expressed concerns that the federal government could interpret this law to authorize shutdown of diversions from an interstate boundary water body due to the presence of zebra mussels. Metropolitan is opposed to this bill unless it is amended due to the concern that this bill as drafted could potentially restrict agencies from transferring water on the Colorado River.

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H.R. 1863 Vela (D-TX)	6/7/2013; House Committee on Foreign Affairs; Referred to Subcommittee on The Western Hemisphere	Mexico Water Sharing Report - This bill directs the Secretary of State to report within 120 days after enactment and thereafter annually to Congress regarding: (1) efforts by Mexico to meet its deliveries of water to the Rio Grande in accordance with the Treaty between the United States and Mexico Respecting Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande ("Mexican Treaty"), and (2) benefits to the United States of the Interim International Cooperative Measures in the Colorado River Basin through 2017 and Extension of Minute 318 Cooperative Measures to Address the Continued Effects of the April 2010 Earthquake in the Mexicali Valley, Baja, California ("Minute 319").	WATCH	Metropolitan is affected by the agreements in the Mexican Treaty and Minute 319. Stakeholders on the Rio Grande are concerned that Congress may amend the bill to tie funding for Minute 319 implementation to Mexico's agreements on the Rio Grande. Metropolitan will watch the bill to ensure it is not amended in a manner that adversely affects Metropolitan's interests.
H.R.2280 Calvert (R-CA) Companion Measure: S.1175 Feinstein (D-CA)	6/6/2013; Referred to the House Natural Resources Committee.	Infrastructure Facilitation and Habitat Conservation Act of 2013 - creates a source of federal funding to acquire land for conservation plans adopted by local government agencies for purposes of implementing infrastructure development.	SUPPORT , pursuant to board action on H.R. 1907, October 2011	Often mitigation for project impacts requires advanced investment in habitat acquisition. This program would provide Metropolitan and its member agencies with access to federal loans to assist with those up-front costs.

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Bill Author	Amended Date; Location	Title - Summary	MWD Position	Effects on Metropolitan
H.R. 2307 Vela (D-TX) Companion Measure: S. 1125 Cornyn (R-TX)	7/9/2013; Referred to the House Committee on Foreign Affairs	Working to Address Treaty Enforcement Rapidly for Texas Act - This legislation links Texas negotiating efforts on the Rio Grande to international treaties between the United States and Mexico on the Colorado River.	OPPOSE pursuant to board action on the domestic agreements supporting Minute 319 and protecting Metropolitan's interests in the deal, November 2012	Metropolitan has spent significant resources over the past decade working with Lower Colorado River stakeholders to establish a cooperative relationship with its counterparts in Mexico resulting in the agreements of Minute 319. Metropolitan opposes conceptually tying funding for Minute 319 implementation to Mexico's agreements on the Rio Grande because that could impact the cooperative relationship Colorado River stakeholders have spent a decade cultivating with Mexico and would have an adverse impact on Metropolitan's interests.
H.R. 2508 Calvert (R-CA) Companion Measure: S. 1219 Boxer (D-CA)	7/8/2013; Referred to the House Natural Resources Subcommittee on Water and Power.	Pechanga Indians Water Rights Settlement - Authorizes the Pechanga Band of Luiseno Mission Indians Water Rights Settlement	WATCH	The Act seeks to achieve a final settlement of the Pechanga's claims to water rights in the Santa Margarita River Watershed that includes the Pechanga, Rancho California Water District, Eastern Municipal Water District (EMWD), and the United States. Metropolitan staff are currently analyzing the renewed proposal and Act, and working on terms that will be brought to this Board for consideration.

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H.R. 2705 Denham (R-CA)	7/25/2013; Referred to the House Natural Resources Subcommittee on Water and Power and the Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs.	Stanislaus River Native Anadromous Fish Improvement Act - Develops a pilot program to remove non-native predator Fishes from the Stanislaus River to protect the native anadromous fishery resources affected by the operation of the New Melones Unit of the East Side Division of the Central Valley Project.	SUPPORT based on board-adopted 2013 Legislative Strategy (Dec. 2012)	H.R. 2705 will establish a pilot program on the Stanislaus River to remove non-native predator fish that are currently imperiling the survival of the river's native salmon and steelhead. The predator removal program established by H.R. 2705 could help support restoration of native salmon and steelhead, which in turn will allow for greater reliability of the delivery of water through the Delta.
H.R.3080 Shuster (R-PA) Companion Measure: S.601 Boxer (D-CA)	11/20/2013; Conference held between the House and Senate. (S.601).	Water Resources Reform and Development Act of 2013 (WRRDA) - Creates the Water Resources Reform and Development Act of 2013.	WATCH	Metropolitan is rarely involved in the harbors, river navigation, and flood control projects run by the US Army Corps of Engineers that are the subject of this bill. For that reason, this bill would not have significant direct benefits to Metropolitan. The bill would still provide some potential indirect benefits. The bill in its current form does not contain a Water Infrastructure Finance and Innovation Act (WIFIA) provision.

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Bill Author	Amended Date; Location	Title - Summary	MWD Position	Effects on Metropolitan
H.R. 3980 McClintock (R-CA)	1/31/2014; Introduced and referred to the House Natural Resources Subcommittee on Water and Power. 02/05/2014; Hearing held before the Subcommittee on Water and Power.	Water Supply Permitting Coordination Act - authorizes the Secretary of the Interior to coordinate federal and state permitting processes related to construction of new surface water storage projects and designate the Bureau of Reclamation as the lead agency for permit processing. The bill's provisions would apply when new surface water storage projects are planned on lands under the jurisdiction of the Secretaries of the Interior or Agriculture.	Pending April board action.	H.R. 3980 would authorize the Secretary of the Interior to coordinate federal and state permitting processes related to construction of new surface water storage projects and designate the Bureau of Reclamation as the lead agency for permit processing. Staff recommends supporting this bill if it is amended to allow participation by local public agencies.
H.R. 3964 Valadao (R-CA)	2/5/2014; Passed the House, awaiting Senate Action.	Sacramento-San Joaquin Valley Emergency Water Delivery Act - seeks to address the drought conditions in California by relaxing regulatory restrictions on the operation of the Central Valley Project (CVP) and State Water Project (SWP) by doing the following: facilitating water transfers; modifying water delivery contract obligations; mandating delivery of certain quantities of water to CVP contractors; preempting certain state laws; and implementing other measures, which are intended to increase the supply of water from the water projects to water contractors.	OPPOSE; pursuant to board action, March, 2014.	H.R. 3964 pursues a strategy of remedying water supply shortages during the drought by modifying environmental protection requirements. In 2009, Metropolitan supported a comprehensive package of state legislation that established co-equal goals of water supply reliability and ecosystem restoration in statute. H.R. 3964 would undermine these goals and have the unintended effect of imposing greater risk and uncertainty on California State Water Contractors.

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H.R. 4039 Costa (D-CA) Companion Measure: S. 2016 Feinstein (D-CA)	02/11/2014; Referred to House Committees on Natural Resources, Transportation and Infrastructure, Energy and Commerce, Agriculture and Budget.	California Emergency Drought Relief Act - directs the Secretary of the Interior, the Secretary of Commerce, and the Administrator of the Environmental Protection Agency to take actions to provide additional water supplies and disaster assistance to the State of California due to drought.	SUPPORT , if Amended, Pursuant to board action, March, 2014	H.R. 4039 and S. 2016 could provide some water supply benefits to Metropolitan, assuming that federal regulatory officials will exercise their discretion under existing law to reduce water supply impacts. Metropolitan proposed amendments to broaden funding eligibility and enforce streamlining provisions.
H.R. 4125 Costa (D-CA)	2/28/2014; Introduced and referred to the House Committee on Natural Resources.	Shasta Dam Expansion Act of 2014 – amends the Calfed Bay-Delta Authorization Act to authorize construction for enlargement of Shasta Dam if the Secretary of the Interior finds that it is feasible.	Pending April board action.	H.R. 4125 would amend the Calfed Bay-Delta Authorization Act to authorize construction for enlargement of Shasta Dam if the Secretary of the Interior finds that it is feasible. Based on the Board's 2014 legislative priorities, staff recommends the Board authorize the General Manager to support H.R. 4125.

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Bill Author	Amended Date; Location	Title - Summary	MWD Position	Effects on Metropolitan
H.R. 4126 Costa (D-CA)	02/28/2014; Introduced and referred to the House Natural Resources Committee. 03/07/2014; Referred to the House Subcommittee on Water and Power.	San Luis Reservoir Expansion Act of 2014 – amends the Calfed Bay-Delta Authorization Act to authorize the construction of the expansion of San Luis Reservoir.	Pending April board action.	H.R. 4126 would authorize the construction of the expansion of San Luis Reservoir. Based on the Board's 2014 legislative priorities, staff recommends the Board authorize the General Manager to support H.R. 4126, if amended. Staff recommends that the bill be amended to also authorize San Luis Reservoir to receive seismic upgrades under the Bureau of Reclamation's Safety of Dams program.
H.R. 4127 Costa (D-CA)	2/28/2014; Introduced and referred to the House Committee on Natural Resources.	Upper San Joaquin River Storage Act - amends the Calfed Bay-Delta Authorization Act to authorize construction for Upper San Joaquin River storage in Fresno and Madera Counties if the Secretary of the Interior finds that the project is feasible.	Pending April board action.	H.R. 4127 would amend the Calfed Bay-Delta Authorization Act to authorize construction for Upper San Joaquin River storage in Fresno and Madera Counties if the Secretary of the Interior finds that the project is feasible. Based on the Board's 2014 legislative priorities, staff recommends the Board authorize the General Manager to support H.R. 4127

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Bill Author	Amended Date; Location	Title - Summary	MWD Position	Effects on Metropolitan
S. 67 Lautenberg (D-NJ)	1/23/2013; Introduced and referred to the Senate Committee on Environment and Public Works	Public Water Systems and Hazardous Chemical Releases - Amends the Safe Drinking Water Act and the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to reduce or eliminate the risk of releases of hazardous chemicals from public water systems and wastewater treatment works.	OPPOSE , pursuant to board action on S. 711, October 2011	This bill broadly expands the regulatory authority of EPA over water district facilities to require extensive counter-terrorism measures system-wide. Requires consideration and possible implementation of prescriptive chemical treatment, irrespective of Metropolitan's significant investments to secure and protect facilities.
S. 228 Feinstein (D-CA) Companion Measure: H.R. 1004 Garamendi (D-CA)	4/23/2013; Hearing held by the Senate Energy and Natural Resources Subcommittee on National Parks.	Sacramento-San Joaquin Delta National Heritage Area : This legislation establishes the Sacramento-San Joaquin Delta National Heritage Area.	SUPPORT , pursuant to board action to support S. 29/H.R. 486, March 2011	This bill establishes the "Sacramento-San Joaquin Delta Heritage Area" and designates the Delta Protection Commission (DPC) as the management entity for the Heritage Area. The bill authorizes \$20 million for the DPC to develop a management plan for the Heritage Area that must be consistent with the Delta Plan adopted by the Delta Stewardship Council.

Metropolitan Water District of Southern California

Federal Legislation Matrix 4/7/2014

113th Congress

Bill Author	Amended Date; Location	Title - Summary	MWD Position	Effects on Metropolitan
S.335 Merkley (D-OR)	2/14/2013; Introduced and referred to the Senate Committee on Environment and Public Works	Water Infrastructure Finance and Innovation Act (WIFIA) of 2013 – This legislation would authorize low interest loans and payment guarantees from EPA for water treatment and distribution, water efficiency projects, energy efficiency of water systems, storm water management, water reuse, source protection and other projects under the Federal Water Pollution Control Act and Clean Water Act.	SUPPORT , based on board-adopted 2013 Legislative Strategy, December 2012	This bill would provide funds for “regionally significant” water infrastructure projects following a competitive application process. Unlike existing State Revolving Funds which generally prioritize small, rural water systems for funding, this program focuses on large-scale projects with the minimum loan amount set at \$20 million.
S. 601 Boxer (D-CA) Companion Measure: H.R.3080 Shuster (R-PA)	11/20/13; Conference held between the Senate and House (H.R.3080).	Conservation and Development of Water Resources - Provides for the conservation and development of water and related resources and authorizes the Secretary of the Army to construct various projects for improvements to Rivers and harbors of the United States.	SUPPORT AND AMEND Title X of this bill, based on board-adopted 2013 Legislative Strategy, December 2012	Title X of this bill is the Innovative Financing Pilot Projects section, also known as Water Infrastructure Finance and Innovation Act of 2013. We support this provision but will seek to request amendments to eligibility requirements for water supply reliability and water conservation projects.

Metropolitan Water District of Southern California

Federal Legislation Matrix 4/7/2014

113th Congress

Bill Author	Amended Date; Location	Title - Summary	MWD Position	Effects on Metropolitan
S.1125 Cornyn (R-TX) Companion Measure: H.R.2307 Vela (D-TX)	6/10/2013; Referred to the Senate Committee on Foreign Relations.	Working to Address Treaty Enforcement Rapidly for Texas Act - This legislation links Texas negotiating efforts on the Rio Grande to international treaties between the United States and Mexico on the Colorado River.	OPPOSE pursuant to board action on the domestic agreements supporting Minute 319 and protecting Metropolitan's interests in the deal, November 2012	Metropolitan has spent significant resources over the past decade working with Lower Colorado River stakeholders to establish a cooperative relationship with its counterparts in Mexico resulting in the agreements of Minute 319. Metropolitan opposes conceptually tying funding for Minute 319 implementation to Mexico's agreements on the Rio Grande because that could impact the cooperative relationship Colorado River stakeholders have spent a decade cultivating with Mexico and would have an adverse impact on Metropolitan's interests.
S.1175 Feinstein (D-CA) Companion Measure: H.R.2280 Calvert (R-CA)	6/18/2013; Referred to the Senate Committee on Environment and Public Works.	Infrastructure Facilitation and Habitat Conservation Act of 2011 - creates a source of federal funding to acquire land for conservation plans adopted by local government agencies for purposes of implementing infrastructure development.	SUPPORT, pursuant to board action, October 2011	Often mitigation for project impacts requires advanced investment in habitat acquisition. This program would provide Metropolitan and its member agencies with access to federal loans to assist with those up-front costs.

Metropolitan Water District of Southern California

Federal Legislation Matrix 4/7/2014

113th Congress

Bill Author	Amended Date; Location	Title - Summary	MWD Position	Effects on Metropolitan
S. 1219 Boxer (D-CA) Companion Measure: H.R. 2508 Calvert (R-CA)	9/10/2013; Hearing held before the Select Committee on Indian Affairs.	Pechanga Indians Water Rights Settlement - Authorizes the Pechanga Band of Luiseno Mission Indians Water Rights Settlement	WATCH	The Act seeks to achieve a final settlement of the Pechanga's claims to water rights in the Santa Margarita River Watershed that includes the Pechanga, Rancho California Water District, Eastern Municipal Water District (EMWD), and the United States. Metropolitan staff are currently analyzing the renewed proposal and Act, and working on terms that will be brought to this Board for consideration.
S. 2016 Feinstein (D-CA) Companion Measure: H.R. 4039 Costa (D-CA)	2/11/2014; Referred to Senate Energy and Natural Resources Committee	California Emergency Drought Relief Act - directs the Secretary of the Interior, the Secretary of Commerce, and the Administrator of the Environmental Protection Agency to take actions to provide additional water supplies and disaster assistance to the State of California due to drought.	SUPPORT , if Amended, Pursuant to board action, March, 2014.	H.R. 4039 and S.2016 could provide some water supply benefits to Metropolitan, assuming that federal regulatory officials will exercise their discretion under existing law to reduce water supply impacts. Metropolitan proposed amendments to broaden funding eligibility and enforce streamlining provisions.

Metropolitan is actively tracking numerous other federal bills, including, but not limited to, the following: H.R. 135 (Matsui, D-CA), H.R. 399 (Matsui, D-CA), H.R. 867 (Paulson, R-MN), H.R. 935, (Gibbs, R-OH), H.R. 996 (Slaughter, D-NY), H.R. 2554 (Denham, R-CA), H.R. 3176 (DeFazio, D-CA), H.R. 3390 (Amodei, R-NV), H.R.3981 (Hastings, R-WA), H.R.3988 (Huffman, D-CA), S. 68 (Lautenberg, D-NJ), S. 306 (Barasso, R-WY), S. 1153 (Gillibrand, D-NY), S. 1451 (Feinstein, D-CA)



DISCUSSION ITEM

April 21, 2014

TO: Public Affairs & Legislation Committee
(Directors Barbre, Clark, & Hinman)

FROM: Robert Hunter
General Manager

Staff Contact: Darcy Burke

SUBJECT: Assembly Bill 1728

STAFF RECOMMENDATION

Staff recommends the Public Affairs & Legislation Committee discuss Assembly Bill 1728 and direct staff as appropriate.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

Assembly Bill 1728 was introduced by Assemblywoman Cristina Garcia, Democrat from Los Angeles. It relates to the Political Reform Act (PRA) of 1974 and revises the definition of "agency" to include a local government agency formed pursuant to provision of the Water Code. It revises the definition of license, permit, or other entitlement for use with respect to proceedings before a local government agency formed pursuant to the Water Code to apply to all contracts that are not competitively bid.

In background material provided by the author in support of the need for this bill, the Assemblywoman Garcia argues that the expansion of the Act to include proceedings before water boards that are governed by elected members is appropriate in light of the state's drought and the development of a water bond proposal that may include funding for a number of water projects throughout the state. The author argues that this bill is a "modest expansion" of the Act that is needed to prevent corruption or the appearance of corruption in decision making by elected water boards around the state. As noted above, however, the Act is unique in that it is the only area of the PRA where campaign contributions can create a conflict of interest that require an official to recuse himself or herself from participating in a

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

governmental action. That restriction was narrowly tailored to address a situation where members of a state agency actively solicited campaign contributions from lists of individuals who had applications for licenses and permits pending before the agency. In arguing for the need for the restrictions imposed by this bill, the Assemblywoman Garcia has provided a news article referencing a case in which the Central Basin Municipal Water District (District) awarded a contract to a nonprofit organization, when the President of that organization and his family members had made campaign contributions to four of the five board members. The members of the District are directly elected by voters, so it is not subject to the restrictions of the Act. If the District had been subject to the Act, however, it is unclear based on the information included in the article whether or not the provisions of the Act would have been triggered with respect to the contract that was awarded to the nonprofit organization. The committee has not been made aware of other situations where elected members of water districts have engaged in the types of behavior that led to the adoption of the Act in 1982. It is unclear whether the expansion of the Act in the manner that is proposed by this bill is appropriately tailored to address the author's concerns.

DETAILED REPORT

AB 1728 amends the Political Reform Act of 1974 by making all officials who are elected to local water boards subject to existing provisions of state law limiting contributions to officials from entities with business before the agency involving a license, permit, or other entitlement for use. This bill would make all officials who are elected to local water boards subject to existing provisions of state law limiting contributions to officials from entities with business before the agency involving a license, permit, or other entitlement for use.

Specifically, this bill:

1) Provides that local government agencies that are formed pursuant to the Water Code are subject to the following provisions of the Levine Act of 1982 (Act), even if the members of the agency are directly elected by the voters:

a) A prohibition against accepting, soliciting or directing a contribution of more than \$250 from a party or participant with a matter pending before the agency involving a license, permit, or other entitlement for use during the time the matter is pending before the agency and for three months following the date a final decision is rendered in the matter.

b) A requirement to disclose on the record of a proceeding the receipt of any contribution of more than \$250 from a party to or participant in the proceeding in the 12 previous months if the proceeding involves a license, permit, or other entitlement for use.

c) A prohibition against making, participating in making, or attempting to influence the decision in any proceeding involving a license, permit, or other entitlement for use if the officer received a contribution of more than \$250 from a party or participant in the proceeding in the 12 months before the proceeding and the officer did not return that contribution within 30 days of knowing, or the time the officer should have known, of the contribution and the proceeding.

2) Provides that for the purposes of proceedings before a local government agency formed pursuant to the Water Code, the term "license, permit, or other entitlement for use" includes all contracts except those that are competitively bid.

3) Specifies that a person, who is paid to act on another person's behalf in a proceeding that is otherwise covered by the Act, triggers the restrictions of the Act.

FISCAL EFFECT: Unknown. State-mandated local program; contains a crimes and infractions disclaimer.

BACKGROUND:

Purpose of the Bill: According to the author, "AB 1728 requires members of local water boards excuse themselves from decisions when contributors are involved. AB 1728 includes officials of local government agencies formed pursuant to the provisions of the Water Code and applies to proceedings to award licenses or permits for use."

Levine Act of 1982: The Act, named after its author Assemblyman Mel Levine, restricts campaign contributions made to officers of most state and local agencies by parties to a proceeding pending before those agencies. Enacted in 1982, the Act was a response to reports that members of a state agency sought to raise money from individuals and entities that had permit requests pending before the agency.

The Act is unique among the provisions of the PRA in that it is the only area in which a campaign contribution can be the basis for a disqualifying conflict of interest. The PRA otherwise does not treat campaign contributions as a potential basis for conflicts of interest. The Act is narrowly drafted to apply only to decisions made by agencies with membership that is not directly elected by voters, and only to proceedings involving licenses, permits, or other entitlements for use. Proceedings of a more general nature and with broader applicability are not covered by the Act. The Act generally does not apply to the judicial branch, local governmental bodies whose members are elected directly by the voters, members of the Legislature and the Board of Equalization, or constitutional officers. However, when an officer who is otherwise exempted serves as a voting member of an agency that is subject to the Act, then the contribution restrictions of the Act do apply to that officer. For example, someone elected to a county board of supervisors is not subject to the Act simply for sitting on the board of supervisors; but, if that official also sits on a regional transit agency, which is subject to the Act, then the officer would be required to comply with the contribution restrictions that apply to all other members of the regional transit agency. Because the Act does not apply to local governmental bodies whose members are elected directly by the voters, the Act applies to some special districts, but not others.

Water Districts: According to information from the 2010 report, "What's So Special About Special Districts? (Fourth Edition)," prepared by the Senate Committee on Local Government, there are more than 700 different water districts of various types in California. In most cases, the governing boards of these water districts are elected, and as a result are not subject to the provisions of the Act. There are at least some water districts, however, that are governed by appointed boards of directors, or by boards of directors that are a combination of elected and appointed members. Those districts are subject to the Act under

existing law. This bill makes all districts that are formed pursuant to the Water Code subject to the Act, regardless of whether the district is governed by an elected board or an appointed board. As a result, this bill would significantly increase the number of governmental entities that are subject to the restrictions in the Act.

Technical Issue: One provision of this bill appears to specify that a person who is paid to act on another person's behalf in a proceeding that is otherwise covered by the Act, triggers the restrictions of the Act. However, the Act and related regulations that have been adopted by the FPPC already provide that the restrictions in the Act apply when an agent of a person supports or opposes a decision on behalf of that person. As a result, the effect of the language of this bill, is unclear.

Previous Legislation: AB 1241 (Norby) of 2011 would have exempted officials who are directly elected to an agency from the Act for agencies that are governed by a board that contains both elected and appointed members. AB 1241 was approved by the Assembly on a 65-6 vote, but failed passage on the Senate Floor on a 19-20 vote. AB 2164 (Norby) of 2010 was substantially similar to AB 1241. AB 2164 was approved by the Assembly on a 60-2 vote, but was held in the Senate Committee on Elections, Reapportionment, and Constitutional Amendments.

Political Reform Act of 1974: California voters passed an initiative, Proposition 9, in 1974 that created the FPPC and codified significant restrictions and prohibitions on candidates, officeholders and lobbyists. That initiative is commonly known as the PRA. Amendments to the PRA that are not submitted to the voters, such as those contained in this bill, must further the purposes of the initiative and require a two-thirds vote of both houses of the Legislature.



DISCUSSION ITEM

April 21, 2014

TO: Public Affairs & Legislation Committee
(Directors Barbre, Clark, & Hinman)

FROM: Robert Hunter, General Manager

Staff Contact: Karl Seckel/Kelly Hubbard/Darcy Burke

SUBJECT: Working with AQMD on Flexibility of Operations

STAFF RECOMMENDATION

Staff recommends the Public Affairs & Legislation Committee discuss the concepts presented below and provide input to staff.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

Staff was requested to develop an approach for MWDOC to meet with AQMD to determine if additional flexibility can be achieved for water/wastewater entities to operate emergency generators in advance of and during power emergencies and that under these situations, the operating hours should not count against the AQMD allowed operating hours in any given year. Staff has discussed this issue with both technical and political persons to gain better insight. It has been recommended to us that we develop a “problem statement” and conceptual proposal and put together a meeting of the following individuals:

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

Suggested Meeting Attendees		
Participant	Affiliation	AQMD Appointing Authority
AQMD Invitees:		
Dr. William A. Burke	AQMD Chair	Speaker of the Assembly
Dr. Joseph K. Lyou	AQMD Board/Coalition of Clean Air	Governor of California
Shawn Nelson	AQMD Board	Orange County
Miguel Pulido	AQMD Board	Cities of Orange County
Dr. Barry R. Wallerstein	Executive Officer AQMD	
Non-AQMD Invitees:		
Ed Laird	MWDOC Tour Guest/Good contacts to AQMD	
Mark Abramowitz	Knowledgeable in AQMD Matters & former YLWD Director	
MWDOC Staff & Directors		

Attached is an initial draft of the “problem statement” and MWDOC requests. Staff will continue to seek input on the draft document and refine it for the meeting.

DRAFT

Emergency Response Improvements from a Closer Working Relationship Between AQMD and the Water/Wastewater Industry

Problem Statement – What we are trying to accomplish?

South Coast AQMD Regulations and procedures can impact electrical power grid reliability during periods of high electrical demands and can also impact the operations and recovery of critical water and wastewater infrastructure during emergency events. Building a closer working relationship and discussing flexibility considerations can improve this situation. Key areas of concern are:

- In light of reduced power grid reliability due to the shutdown of electrical power generation at SONGS, a very promising option for stabilization of the system that can be implemented almost immediately is for water and wastewater entities to utilize their **existing** emergency generators **in advance of (can help prevent a grid shutdown) and during power emergencies.** Water utilities are one of the largest users of power from the power grid. Under these situations, the operating hours should not count against the South Coast AQMD allowed operating hours in any given year.
- In addition, limitations on the number of hours a generator can be run, regardless of the purpose or situation can impact the recovery of critical infrastructure and service to the community as well as other response partners (e.g. water is needed for firefighting).
- A concern on the heavy vehicle/equipment side is the current push for non-diesel vehicles. The problem with Compressed Natural Gas and Natural Gas vehicles is the reliability of the supply of Natural Gas. The majority of natural gas filling systems are grid-power dependent and have no back-up generators for their system. This leads to critical equipment for emergency response with limited ability for fueling in the absence of grid power.

Request by Municipal Water District of Orange County (MWDOC):

MWDOC would like to engage AQMD on the following issues:

- Provide flexibility for water/wastewater entities to help by utilizing existing generator power only during specified California Independent Operator (CAISO) power grid levels of emergency as pre-identified by South Coast AQMD, both to help prevent the grid from going down by load shedding and in the event the grid does go down.
 - Provide flexibility to utilize generators during high wind, high fire threat events, in which SDGE and SCE implement their proactive Fire Response Plan.
- Provide flexibility for emergency response hours of use of generators beyond the standard annual limit of 200 hours, under prescribed situations.

- Recognize that CNG and Alternative Fuel vehicles are not yet a reliable type of vehicle for vehicles that will be used in emergency response.

How could this be accomplished?

- The South Coast AQMD Executive Director appears to have the authority under South Coast AQMD Rule 118 to allow the use of the generators during Power Emergencies. Developing a guideline of when critical infrastructure can utilize this exemption to ensure continuity of life/health safety through water/wastewater operations. The guideline could:
 - Allow for the definition of Emergency to be expanded to include locally Declared Emergencies by a local government agency, including a City, Special District or County, to allow AQMD Rule 118 to be utilized.
 - Consider a Power Grid Emergency as an Emergency within South Coast AQMD Rule 118, as it describes the concept of “mitigate the loss of... essential public services”. South Coast AQMD can pre-designate the levels of CAISO levels of Alerts, Warnings and Emergencies in which water/wastewater entities can utilize emergency power generation to mitigate impacts on the power grid when it is unstable.
 - Allow flexibility under rule 1110.2 – 2A that limits generator “power production into the electric grid, except to maintain grid stability during an emergency event or other unforeseen event that affects grid stability.”
 - Be expanded to allow diesel powered equipment when it will primarily be used during emergency response and recovery efforts.
- In addition, it should be noted that an Executive Order and accompanying allowance by South Coast AQMD was used in 2001 during the energy crisis in California. In 2001, the operating hours were increased from 200 to 500 hours per year. A significant power grid energy demand reduction could be accomplished very quickly, only during the days or weeks of the year when it is beneficial to prevent the grid from being overloaded.
- It is our understanding that this type of flexibility already exists for police and fire; it is recommended that water/wastewater entities be considered similarly.



DISCUSSION ITEM

April 21, 2014

TO: Public Affairs & Legislation Committee
(Directors Barbre, Clark, & Hinman)

FROM: Robert Hunter
General Manager

Staff Contact: Darcy M. Burke

SUBJECT: Value of Water Communications Plan Overview

STAFF RECOMMENDATION

Staff recommends the Public Affairs & Legislation Committee discuss the information and direct staff as appropriate.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

The Municipal Water District of Orange County's Board of Directors (MWDOC) recognized the need to engage in a dialogue with the Orange County public in their 2010 Strategic Plan goal: *"MWDOC will engage and understand its member agencies and the communities it serves in order to meet their water needs and ensure that these communities understand the water challenges faced by the region."* The MWDOC member agency managers amplified this sentiment in their 2011 priority-setting workshop, where improving "credibility with customers" as a work priority received the highest level of support.

The Value of Water Communications Plan began development in late 2012 in collaboration with MWDOC's member agencies, the three cities and other stakeholders. The first phase of development including identifying the long term objectives, conducting benchmark research and identifying a viable method to monitor and measure the public's perception of value.

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

DETAILED REPORT

What are we trying to accomplish?

Since that time, staff has worked in collaboration with the member agencies to conduct research on which to base a comprehensive, long term communications plan. The plan has been drafted to meet the following objectives:

Objective: Build a public majority consensus for

- **Water reliability planning and investments**
- **Local water project investments**
- **For water rate increases**
- **The value of water and water service at the local level**
- **Restoring the Bay Delta and alternate conveyance**
- **Continued and increased water use efficiency**
- **Supporting the outcomes in Metropolitan's Market Transformation Plan,**

The Value of Water Communications Plan is a long-term effort designed to engage, educate and inform Orange County residents and businesses of the value water service provides. **In addition, one of the additional benefits of this plan will be to improve public trust and credibility.** Changing public perception and sentiment as well as instilling public trust is a long-term effort. It is not a switch that you turn on and off overnight; rather it is a commitment that the family of Orange County Water Agencies make every day, with each customer and stakeholder interaction. The Value of Water effort will be determined successful if we meet the goal of instilling a meaningful value and understanding for water reliability, ongoing water investments and water use efficiency at the Orange County consumer level. This will be demonstrated on public support of water projects, water rates, water programs, increased water use efficiency and overall public awareness.

What have we learned from the polling research?

A number of key findings were identified and are being considered in both message development and overall communication strategies:

- A majority of MWDOC customers believe water represents a good value when compared to the value delivered from the costs of other utilities.
- A slight majority believes that the current price of water is about right or inexpensive; however, a clear majority rejects future price increases.
- An overwhelming majority, 61%, believe their water provider effectively shares information regarding water related issues. 37% of those surveyed attain water information principally from water bill inserts. Two other popular forms of acquiring water news are from TV news and newspapers.
- A key finding of this survey is how preferences on how to receive information dramatically vary by age. Younger people are disproportionately and increasingly relying on the internet, email and social media. Reliance on newspapers sharply drops off among those under the age of 55.

- There is still a big need for water education. Only 27% of those surveyed are aware of any major issue associated with the Sacramento Bay Delta and State Water Project. However, there are a host of challenges for water that are identified as either very serious or somewhat serious threats.
- Many Orange County residents have taken steps to conserve water and others plan additional steps in the next year.
- A large majority of respondents, 70%, continue to believe that desalination is a highly or somewhat preferred option to maintain or increase Orange County's water supply. (Note: The survey did not include questions regarding the cost of desalination)
- Biospheric messaging, which emphasizes the interest of all living things (plants, animals, and people), is most persuasive in encouraging Orange County residents to be more efficient.
- Orange County residents and the Orange County water industry share many of the same values. These shared values will be use to identify areas where we can build trust and credibility.

The external environmental analysis that was completed (SWOTT, STEEPLE, and Public Opinion Survey) provides insights that are also being considered in message development and overall communications strategy:

- Keep the messaging in everyday language; no water jargon or technical terms
- Maximize and continue to develop public- private partnerships, i.e. Hurley, LEAF, etc.
- Link the importance of water reliability to environmental sustainability as well as economic viability
- Although water infrastructure is hidden, develop a sense of necessity in investing in repair and replacement efforts similar to those in place for transportation and energy

In addition the following are also being considered in message development and delivery:

- Public trust of government is at record lows
- The economy is still struggling but indicators lead to moving to economic recovery
- Electronic media channels are becoming more popular and important in the overall media mix.
- Regulatory, legal and political requirements are continuing to increase and can impact water rates
- Improving the transparency (even within messaging) is important to the public and to rebuilding trust
- Messages to the public must be clear and honest
- The public has minimal understanding of water sources and issues in the Bay Delta

In analyzing both the external environment and the internal environment, MWDOC , our Member Agencies and the Three Cities are in a unique position to improve public engagement, renew public support, and improve dialogue with the public. Past investments in public-private partnerships, social media engagement, Guerilla marketing efforts and increased transparency have placed the water community in a position where the message of the value of water can be relevant and will resonate with consumers. These elements combined when applied consistently at the regional and local levels can improved the public's perception of water service, water reliability and improve public trust. Although the funding for these efforts is limited, it is through regional collaboration and public-private partnerships that the message will be most effective.

WHAT IS OUR MESSAGE?

Messages must incorporate the following elements as identified by the Member Agency managers, Orange County Grand Jury, MWDOC Board and other stakeholders:

- Positive tone and messaging
- Conveys importance of investment in infrastructure
- Helps with rate cases, need for increases and public perception
- Restores trust and credibility

In addition, the Public Affairs Workgroup identified the messages to also incorporate

- Develops local project support
- Develops a case for the Bay Delta Conservation Plan and alternative conveyance
- Adaptable at the retail level (similar to Water: Do More with Less)
- Easy to integrate into current messaging
- Continues to support water-use efficiency investments
- Short messages; easier to use
- No “water speak” or engineering jargon

The polling results indicate that the messages need to focus on long term benefits; those that have benefits for the greater environment and future generations. These types of messages were identified as motivating the majority of respondents to engage.

Key Messages Elements

Messages for this campaign should reflect elements the Public Affairs Workgroup have adopted for past message developments. These elements are important for long term viability as well as to meet the needs of flexibility at the retail agency level.

- Positive
- Adaptable at retail level
- Action oriented
- Conveys relative value
- Non-water speak
- Sustainable for the long term
- Does not detract from WUE

- Engaging
- Visually interesting
- Builds trust & credibility
- Foundation for ongoing infrastructure and R& R projects

Options

In looking at messages that convey relative value and share concerns the public has expressed, the following messages have been developed. Some of these piggy-back onto other industry efforts such as the American Water Works Association. Others were developed specifically for this effort. All of them meet the key message requirements.

- Only Tap Water Delivers
- Value of Water
- Straight from the Tap
- Tap water is a bargain
- Water works
- Water works for you
- When water works, it works for you
- Water works 24/7
- Tap water is a great deal
- Water works for a better future
- Water delivers

An example of how these would be adapted to the value statements is as follows:

- Education is a top value for Orange County residents
- MWDOC's education program has been investing in school- age education for over 30 years.
- Local agencies have the opportunity to participate in this program through the Choice budgeting process:

“For the last 30 years, Water Works for You educating over 3,000,000 Orange County students”

Draft messages will be crafted in collaboration with the Member Agencies utilizing the information from our survey, focus groups and the expertise of our staff and consultant.

WHO IS OUR TARGET AUDIENCE?

Market Segments and Target Audiences

Water is a commodity as it is used by virtually everyone; no one is exempt from the market. It is critical to reach all facets of the market but is critical to engage others to help increase reach, frequency and ultimately effectiveness.

Current MWDOC efforts focus on school-age children, educators, legislators, regulators, elected officials and business leaders. MWDOC could improve its effectiveness with

current target audiences by adopting an Influencer Marketing approach. Influencer Market Segment is defined as follows:

- Activists: influencers that get involved, with their communities, political movements, charities, etc...
- Connected: influencers that have large social networks
- Impact: influencers that are looked up to and are trusted by others
- Active minds: influencers that have multiple and diverse interests
- Trendsetters: influencers that tend to be early adopters (or leavers) in markets

MWDOC has a vast database that contains a number of Influence Market segments.

WHAT IS OUR APPROACH?

In order to change the perception of water service and value, efforts are going to have to go beyond the general public and Guerilla marketing efforts. Significant resources need engage in Influencer Marketing efforts, focusing on specific key individuals (or types of individuals) rather than the target market as a whole. By utilizing MWDOC's database as well as retail agencies identifying key customers, which have influence over consumers, communities and trends. Influencers for this effort have been identified as consumer who have "value-added" reach and include journalists, elected officials, corporate brand managers, academics, industry analysts, professional advisers, community leaders and so on. These "influencers" typically are well-connected, have impact, have active minds, and are trendsetters.

Four main activities have been identified for this effort:

- Identify the key influencers within Orange County
- Rank them in order of importance by type and geography
- Increase awareness of water and water related value directly to the influencer and to his/her community; face to face meetings
- Engage the influencers to increase awareness of the value of water amongst their community of influence; provide messaging and resources to help with reach and frequency

By engaging key influencers and moving them into advocacy role, the intent of this strategy will be achieved. These influencers will be brand advocates for the value of water reliability and service.

This approach depends not only on the message, but its context or relative value. This is a means of amplifying the value of water message, in order to counteract negativity within the influencer's community. It is a way of establishing the brand of drinking water and its value.

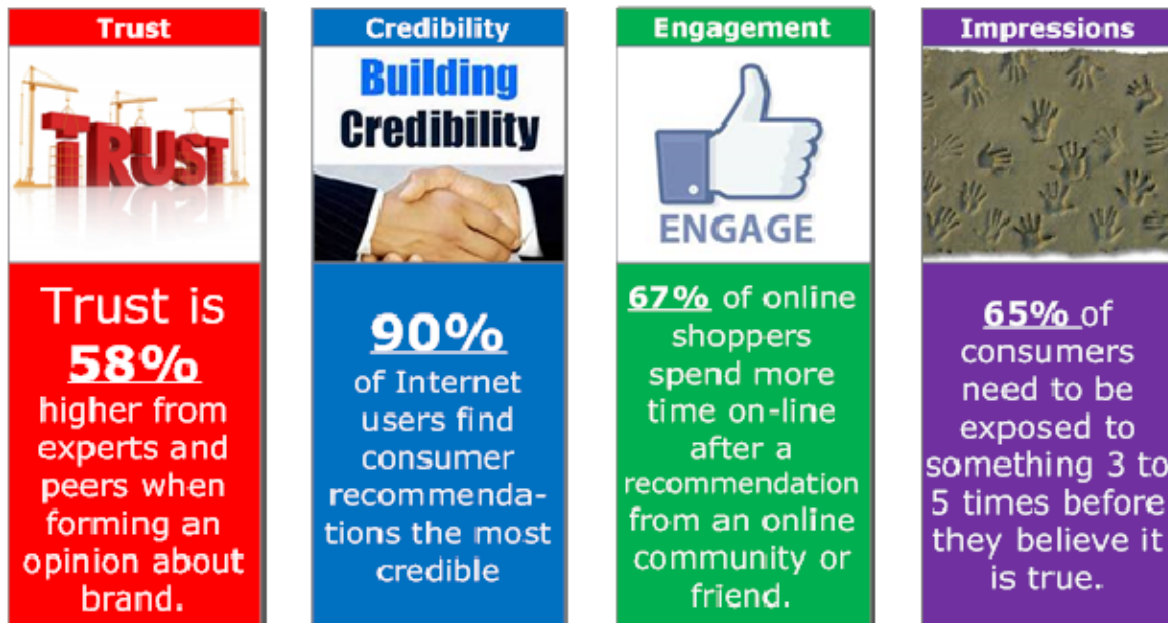
This type of marketing has also been coined as "Brand Advocacy." Brand advocacy is not new but has become much more important as the number and frequency of messaging is aimed at consumers. It is estimated that the average American is exposed

to 3,000 messages a day. That is more than the average citizen saw in their lifetime fifty years ago.

It is not feasible to think the water agencies have the financial resources to compete head-on in today's mass media markets. This approach is different. It is human talent intensive; developing relationships and engaging in mutually beneficial dialogue.

The benefits of this strategy include:

- Increase public awareness and perception of water service
- Establish shared values with the public to rebuild and grow trust
- Establish coalitions for support of water projects and water use efficiency
- Third party advocacy is perceived to be more credible
- Coalitions provide the multiplier effect increase reach and frequency while building credibility
- Brand advocacy enables one to stay relevant in a cluttered media environment



HOW ARE WE GOING TO MEASURE OUR SUCCESS?

Metrics

MWDOC currently employs a number of metrics for outreach efforts that include:

- Touchpoints
- Social media metrics
- Public perception; polling
- Public-Private partnerships
- Media hits
- Database size
- Database content

- Legislator engagement
- Event participation
- Satisfaction surveys; eCurrents, events, inspection trips, etc.
- Community Events

With the focus on Influencers, it is not just a numbers game; rather it is measuring the targets we have identified and engaging with them over the long term. The MWDOC Board receives an annual update on many of these metrics. For this plan, the frequency of reporting will be increased, based upon the metric.

To measure long term success, public polling and surveying, water consumption data and additional analysis will need to be on-going in order to determine when the following public sentiment or behaviors have moved to:

- Support of water rate increases
- Support of local water reliability projects including maintenance, repair and replacement investments
- Support of water bond propositions
- Improved understanding of water quality and the need to invest in water treatment technology
- Improved understanding and knowledge about where Orange County gets its water
- Improved understanding and knowledge of the importance of the Bay Delta
- Support of the Bay Delta Conservation Plan and Alternative Conveyance
- Increase participation in water use efficiency rebates both at the residential as well as commercial and industrial markets
- Improved water use efficiency per capita usage throughout the County

Evaluation

The Value of Water Communications Plan is a long term, multi year effort designed to engage, educate and inform Orange County residents and businesses of the value water service provides. Changing public perception and sentiment as well as instilling public trust is a long-term effort. It is not a switch that you turn on and off overnight; rather it is a commitment that the family of Orange County Water Agencies make every day, with each customer and stakeholder interaction. The Value of Water Effort will be determined successful if we meet the goal of instilling a meaningful value and understanding for water reliability, ongoing water investments and water use efficiency at the Orange County Consumer Level. This will be demonstrated on public support of water projects, water rates, water programs, increased water use efficiency and overall public awareness.

WHAT ARE THE NEXT STEPS?

The project is currently in Phase 2 which consists of the following activities:

- Professional consultants
- Develop messages (PAW)
- Conduct focus groups (6 to 8 focus groups, analysis and report)
- Conduct PAW/GM Workshop to share focus group output
- Reformulate messages where required

- Develop appropriate regional campaign branding, visual elements and other creative templates for use by the member agencies

The Board has authorized the General Manager to enter into an agreement for professional communications services with Fraser Communications. From there, staff, the Public Affairs Workgroup and Fraser will develop the question guide, refine the draft messages, conduct the focus groups, finalize the communications plan and develop creative materials. This phase should be complete by September 30, 2014. Implementation moves this program to Choice for the 2014-2015 Budget.



DISCUSSION ITEM

April 21, 2014

TO: Public Affairs & Legislation Committee
(Directors Barbre, Clark, & Hinman)

FROM: Robert Hunter, General Manager

Staff Contact: Darcy M. Burke

SUBJECT: ANNUAL REVIEW OF LEGISLATIVE POLICY PRINCIPLES

STAFF RECOMMENDATION

Staff recommends the Public Affairs & Legislation Committee review and discuss the adopted legislative policy principles and direct staff as appropriate.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

DETAILED REPORT

In September of 2012, the Municipal Water District of Orange County Board of Directors adopted legislative policies principles. The purpose of these principles is to assist District staff and its legislative advocates in the evaluation of legislation that may impact the District, its member agencies, the interests of Orange County, the Metropolitan Water District of Southern California and/ or its member agencies, or others. The principles establish guidelines to allow the District to respond to certain types of legislation in a timely manner while issues that are not clear or have complicated implications will be presented to the Board for further guidance. Since adoption in 2012, the policy principles have not been changed or modified.

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

2012 POLICY PRINCIPLES

IMPORTED WATER SUPPLY

It is MWDOC's policy to support legislation that:

- 1) Ensures the development of a long- term state water plan that balances California' s competing water needs and results in a reliable supply of high- quality water for Orange County.
- 2) Facilitates the implementation of the Bay Delta Conservation Plan, the co- equal goals of reliable water supply and ecosystem restoration, and related policies that provide long term, comprehensive solutions for the San Francisco Bay/Sacramento-San Joaquin River Delta that:
 - a) Provides reliable water supplies to meet California's short- and long- term needs;
 - b) Improves the ability to transport water across the Delta either for, or in supplement to, State Water Project deliveries;
 - c) Improves the quality of water delivered from the Delta;
 - d) Enhances the Bay-Delta's ecological health in a balanced manner that takes into account all factors that have contributed to its degradation;
 - e) Encourages cost-effective water-use- efficiency measures;
 - f) Employs sound scientific research and evaluation to advance the co-equal goals of improved water supply and ecosystem sustainability.
- 3) Funds a long-term Bay-Delta solution in a manner that equitably apportions costs to all beneficiaries.
- 4) Seeks to keep BDCP on schedule and prudently expedites the approval process for projects that will improve water reliability and security.
- 5) Provides funding for Colorado River water quality and supply management efforts.

It is MWDOC's policy to oppose legislation that:

- 1) Would make urban water supplies less reliable, or would substantially increase the cost of imported water without also improving the reliability and/ or quality of such water.

LOCAL WATER RESOURCES

It is MWDOC's policy to support legislation that:

- 1) Provides funding for water recycling, groundwater recovery and recharge, storage, brackish and ocean water desalination and surface water development projects.

- 2) Recognizes that recycled water is a resource and should be permitted and managed as such.
- 3) Authorizes and/ or facilitates expanded use of local water resources including water recycling and brackish groundwater.
- 4) Authorizes local governmental agencies to regulate the discharge of contaminants to the sewer collection system that may adversely affect water recycling and reuse.
- 5) Reduces regulatory burdens on water recycling and brackish and ocean water desalination projects.
- 6) Supports ecosystem restoration, increased stormwater capture and sediment management activities at Prado Dam.

It is MWDOC's policy to oppose legislation that:

- 1) Restricts a local governmental agency's ability to develop their local resources in a manner that is cost-effective, environmentally sensitive, and protective of public health.
- 2) Imposes barriers to the safe application of recycled water and continues to define recycled water as a waste.
- 3) Would make urban water supplies less reliable, or would substantially increase the cost of imported water without also improving the reliability and/ or quality of such water.

WATER USE EFFICIENCY

It is MWDOC's policy to support legislation that:

- 1) Requires the installation and use of retail water meters and billing based on a volumetric use.
- 2) Sets cost-effective efficiency standards for water-using devices.
- 3) Provides loans and grants to fund incentives for water conserving devices or practices.
- 4) Advances and ensures accurate reporting of the implementation of water efficiency measures of the Best Management Practices (BMPs) for the California Urban Water Conservation Council's Memorandum of Understanding.
- 5) Increases landscape water use efficiency and promotes Commercial, Institutional and Industrial (CII) water use efficiency programs.

It is MWDOC's policy to oppose legislation that:

- 1) Fails to ensure balance in the implementation of water efficiency practices and requirements for both urban and agricultural use.

WATER QUALITY

It is MWDOC's policy to support:

- 1) Legislation that protects the quality of surface water and groundwater.
- 2) Funding that helps agencies meet state and federal water quality standards.
- 3) The establishment and/ or implementation of standards for water-borne contaminants based on sound science and with consideration for cost-effectiveness.

It is MWDOC's policy to oppose:

- 1) Legislation that could compromise the quality of surface water and groundwater supplies.
- 2) Legislation that establishes and/ or implements standards for water-borne contaminants without regard for sound science or consideration for cost effectiveness.

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

It is MWDOC's policy to support legislation that:

- 1) Implements a rate structure that is consistent with MWDOC board-adopted policy.

It is MWDOC's policy to oppose legislation that:

- 1) Compromises the existing governance structure and the representation of member agencies on the Metropolitan Water District Board of Directors.

WATER TRANSFERS

It is MWDOC's policy to support legislation that:

- 1) Encourages and facilitates voluntary water transfers.
- 2) Provides appropriate protection or mitigation for impacts on the environment, aquifers, water-rights holders and third- parties to the transfer including those with interests in the facilities being used.
- 3) Legislation that encourages transfers which augment existing water supplies, especially in dry years.

It is MWDOC's policy to oppose legislation that:

- 1) Undermines the operations and maintenance of the conveyance system.
- 2) Interferes with the financial integrity of a water utility and compromises water quality.

WATER INFRASTRUCTURE FINANCING

It is MWDOC's policy to support legislation that:

- 1) Employs a "beneficiary pays" principle that establishes a clear nexus between the cost paid to the direct benefit received. Likewise, those who do not benefit from a particular project or program should not be required to pay for them.
- 2) Establishes grants or other funding opportunities for local and regional water infrastructure projects.
- 3) Considers local investments made in infrastructure, programs, mitigation and restoration in determining appropriate cost shares for water infrastructure investments.

It is MWDOC's policy to oppose legislation that:

- 1) Establishes a fee or tax that does not result in a clear benefit to the District, its member agencies, and their customers.

ENERGY

It is MWDOC's policy to support legislation that:

- 1) Facilitates the development and expansion of clean, renewable energy in California, including hydropower.
- 2) Recognizes hydroelectric power as a clean, renewable energy source and that its generation and use meets the greenhouse gas emission reduction compliance requirements called for in the Global Warming Solutions Act of 2006 (AB 32).

It is MWDOC's policy to oppose legislation that:

- 1) Grants preferential consideration to certain types of clean, renewable energy projects over others, resulting in those preferred projects receiving advantages for state funding, project permitting, and regulatory compliance.

FISCAL POLICY

It is MWDOC's policy to support legislation that:

1) Requires the federal and state governments to provide a subvention to reimburse local governments for all mandated costs or regulatory actions.

It is MWDOC's policy to oppose legislation that:

- 1) Is inconsistent with the District's current investment policies and practices.
- 2) Pre-empts the District's ability to impose or change water rates, fees, or assessments.
- 3) Impairs the District's ability to maintain levels of reserve funds that it deems necessary and appropriate.
- 4) Impairs the District's ability to provide services to its member agencies and ensure full cost recovery.
- 5) Makes any unilateral reallocation of District revenues, or those of its member agencies, by the state unless the state takes compensatory measures to restore those funds.

GOVERNANCE

It is MWDOC's policy to support legislation that:

1) Advances good government practices and public transparency measures in a manner that do not take a "one-size fits all" approach, respects local government control, and facilitates technological efficiencies to meet state reporting and disclosure requirements.

It is MWDOC's policy to oppose legislation that:

- 1) Advances local government reform measures by imposing unnecessarily broad burdens upon all local governments, particularly when there is no demonstration of rampant and wide-spread violations of the public trust.
- 2) Shifts state programs, responsibilities and costs to local governments without funding to support the shift.
- 3) Seeks to limit or rescind local control.
- 4) Imposes new costs on the District and the ratepayers absent a clear and necessary benefit.
- 5) Resolves state budget shortfalls through shifts in the allocation of property tax revenue or through fees for which there is no direct nexus to benefits received.

PUBLIC EMPLOYEE PENSION REFORM

It is MWDOC's policy to support legislation that:

- 1) Seeks to contain or reform public employee pension and other post-employment benefit (OPEB) cost obligations that are borne by public agencies via taxpayers and ratepayers.



BOARD ACTION ITEM

April 21, 2014

TO: Public Affairs & Legislation Committee
(Directors Barbre, Clark, Hinman)

FROM: Staff Contact: Karl Seckel/Richard Bell

SUBJECT: MWDOC BOARD POSITION OF SUPPORT FOR THE BAY DELTA
CONSERVATION PROGRAM (BDCP)

STAFF RECOMMENDATION

Staff recommends the Board take an official position of Support for the Bay-Delta Conservation Plan.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

Staff is in the process of developing a "Comment Letter" on the Draft Public Review Bay-Delta Conservation Plan (BDCP) and Draft Environmental Impact Report/Environmental Impact Statement. In discussions with the Planning & Operations Committee on April 14, it was noted that the Board has not officially taken a position on the BDCP. The P&O Committee felt that prior to timely submitting comments on the EIR/EIS that the Board should formally take a "Support" position on the BDCP to strengthen its comment letter. The Committee also suggested that MWDOC's position be consistent with that of Metropolitan Water District. It was also noted that the detailed "Comment Letter" would come back to the Board at a future meeting.

MET has not yet taken a position on the BDCP although staff is supportive of the Preferred Alternative No. 4, 9,000 cfs alternative and is preparing a comment letter on the BDCP to submit. MET staff anticipates securing a support position at such time as funding needs to be approved for the BDCP.

MWDOC staff has drafted the attached Resolution for the Board Consideration.

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

RESOLUTION No. _____
Municipal Water District of Orange County
Support for the Bay Delta Conservation Program (BDCP)

WHEREAS, it has been about 75 years since voter approval of the State Water Project (SWP), it should be noted that the SWP has never been completed as originally envisioned which has resulted in the operation of the Bay-Delta system of reservoirs, rivers, streams, canals, levees and pump stations to convey water in a manner that was never intended; and,

WHEREAS, it has been seven years since state and federal officials first started this most current effort towards completion of the State Water Project in bringing together public water agencies, farmers, environmental organizations, regulatory entities and stakeholders from throughout the state to develop a **NEW** plan for the Sacramento-San Joaquin River Delta (Bay-Delta) and California's water supply; and,

WHEREAS, the goal of the Bay Delta Conservation Plan (BDCP) has always been twofold: rehabilitate the Delta environment and ensure that people, businesses and farms have a reliable water supply; and,

WHEREAS, under the framework of the Endangered Species Act and state environmental laws, two California Administrations have studied a variety of strategies for re-plumbing the heart of California's water delivery system and did so through hundreds of public meetings. After decades exploring all viable alternatives at a cost of over \$200 million in planning, with broad public involvement, and substantially reconfiguring the proposed BDCP process into a Habitat Conservation Program (HCP) and Natural Community and Conservation Planning Program (NCCP) coupled with implementation of a "Preferred Project Alternative"; and,

WHEREAS, the Municipal Water District of Orange County strongly supports increased efforts by all cities and water districts in water use efficiency, conservation, water recycling, stormwater capture, groundwater storage, plus other local water supply expansion projects like brackish and ocean desalination, but realizes that development of these new supplies will not supplant the water supply from the SWP nor will it eliminate the critical need to fix the Delta problems; and,

WHEREAS, this effort in 2014 may be the best opportunity for securing a comprehensive Statewide approach and solution to the variety of issues facing the Bay-Delta region; and,

WHEREAS, the coequal goals of rehabilitating the Delta ecosystem and achieving water supply reliability must be achieved on independent paths, meaning that one cannot be sacrificed for the other and the goals and policies cannot keep changing. It is also recognized that a comprehensive set of rules must be established to operate the Delta for the benefit of the environment and water resources development; and,

WHEREAS, assurances regarding supply reliability, changed conditions & decision-making are central to success of the BDCP process with many of the details of the future BDCP operations being speculative at this time, which necessitates a decision-making process that must balance investments and tradeoffs consistent with the following provisions:

1. It is virtually impossible to predict the outcome of the BDCP habitat restoration efforts and endangered species population dynamics, and such a standard should not be required in the DEIR/DEIS.
2. Furthermore, this means that changed circumstances under the operation of the BDCP, including the potential for new species listing, be incorporated in such a manner to result in a minimum impact on future water supply exports; and,

WHEREAS, the modernization of the Delta conveyance system, including intake of water from north of the Delta, flexibility of pumping operations in a dynamic fishery environment, reduced seismic risks from levee failure, and reduced impacts from climate variability are essential for habitat restoration, conservation and improvements in water reliability and water quality that will accrue in such a way to reduce impacts on fisheries and the ecosystem. These implementing provisions must recognize these benefits in such a way to allow export diversions to be restored; and,

WHEREAS, Orange County has invested heavily to diversify our water portfolio but the Municipal Water District of Orange County realizes that the SWP is a critical source of low salinity water supply that is needed to support groundwater conjunctive use and water recycling and thus is an essential part of our water reliability strategy that sustains our citizens and businesses, economy, environment and water management – implementation of the BDCP is critical to Orange County's future.

NOW THEREFORE BE IT RESOLVED THAT Municipal Water District of Orange County does hereby support the 9,000 cfs twin tunnel Preferred Alternative (No. 4) provided reasonable assurances are included regarding governance and future decision-making in the process. The investment and decision-making must be structured to achieve a positive outcome for the SWP, the Permittees and the ecosystem restoration in a collaborative, partnership manner.

Said Resolution was adopted this ____ day of April 2014 by the following roll call vote.

AYES:
NOES:
ABSENT:
ABSTAIN:

I HEREBY CERTIFY the foregoing is a full, true and correct copy of Resolution No. _____ adopted by the Board of Directors of Municipal Water District of Orange County at its meeting held on April 16, 2014.

Maribeth Goldsby, Secretary
Municipal Water District of Orange County



ACTION ITEM

May 21, 2014

TO: Board of Directors

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

Rob Hunter, General Manager

SUBJECT: NOMINATIONS FOR CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) BOARD OF DIRECTORS REPRESENTING REGION 6 “SEAT C”

STAFF RECOMMENDATION

Staff recommends the directors determine whether any of them wishes to be nominated for the California Special Districts Association (CSDA) Board of Directors representing Region 6 “Seat C.”

COMMITTEE RECOMMENDATION

The Committee discussed this item in March, and deferred further discussion until April. It is noted that the District has not received a request for support from the incumbent. If a MWDOC Director would like to run, documentation needs to be submitted by May 23rd.

SUMMARY

The California Special Districts Association (CSDA) is soliciting Independent Special District Board Members or their General Managers who are interested in serving on the CSDA Board of Directors for the 2015-2017 term. The leadership of CSDA is elected from its six geographic regions. Each of the six regions has three seats on the Board with staggered three-year terms.

Any regular member Independent Special District is eligible to nominate one person, a board member or managerial employee (as defined by that district’s Board of Directors), for election to the CSDA Board of Directors. A copy of the member district’s resolution or minute action must accompany the nomination. CSDA must receive nominations and supporting documentation by May 23, 2014.

Elaine Sullivan of Leucadia Wastewater District is the incumbent, and she will seek re-election.

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

Staff recommends that the directors determine whether any of them wishes to be nominated for the California Special Districts Association (CSDA) Board of Directors representing Region 6 "Seat C." Staff will then complete the necessary documentation and submit it to CSDA.

RECEIVED

FEB 25 2014

MWD OF OC



**California Special
Districts Association**
Districts Stronger Together

DATE: February 21, 2014

TO: CSDA Voting Member Presidents and General Managers

FROM: CSDA Elections and Bylaws Committee

**SUBJECT: CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS
SEAT C**

The Elections and Bylaws Committee is looking for Independent Special District Board Members or their General Managers who are interested in leading the direction of the California Special Districts Association for the 2015 - 2017 term.

The leadership of CSDA is elected from its six geographical regions. Each of the six regions has three seats on the Board with staggered 3-year terms. Candidates must be affiliated with an independent special district that is a CSDA regular member located within the geographic region that they seek to represent. (See attached Region Map)

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, education and resources. The Board of Directors is crucial to the operation of the Association and to the representation of the common interests of all California's special districts before the Legislature and the State Administration. Serving on the Board requires one's interest in the issues confronting special districts statewide.

Commitment and Expectations:

- Attend all Board meetings, held every other month at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento.
CSDA reimburses Directors for their related expenses for Board and committee meetings as outlined in Board policy.
- Attend CSDA's two annual events: Special District Legislative Days (held in the spring) and the CSDA Annual Conference (held in the fall).
- **Complete all four modules of CSDA's Special District Leadership Academy within 2 years.**
(CSDA does not reimburse for expenses for the two conferences or the Academy classes even if a Board or committee meeting is held in conjunction with the events).

Nomination Procedures: Any Regular Member is eligible to nominate one person, a board member or managerial employee (as defined by that district's Board of Directors), for election to the CSDA Board of Directors. **A copy of the member district's resolution or minute action and Candidate Information Sheet must accompany the nomination. The deadline for receiving nominations is May 23, 2014.** Nominations and supporting documentation may be mailed or faxed.

Nominees will receive a Candidate's Packet in the mail. The packet will include campaign guidelines.

CSDA will mail ballots on June 6th. The ballots must be received by CSDA no later than 5:00 p.m. August 1, 2014 and must be the original ballot (no faxes or e-mails). The successful candidates will be notified no later than August 5th. All selected Board Members will be introduced at the Annual Conference in Palm Springs, CA in September.

Expiring Terms

(See enclosed map for regional breakdown)

Region 1	Seat C	Phil Schoefer, Western Shasta Resource Conservation District
Region 2	Seat C	David Pierson, Sacramento Metropolitan Fire District*
Region 3	Seat C	Stanley Caldwell, Mt. View Sanitary District*
Region 4	Seat C	Steve Perez, Rosamond Community Services District*
Region 5	Seat C	Jim Acosta, Saticoy Sanitary District
Region 6	Seat C	Elaine Sullivan, Leucadia Wastewater District*

(* = Incumbent is running for re-election)

If you have any questions, please contact Charlotte Lowe at 877-924-CSDA or charlottel@csda.net.



**California Special
Districts Association**
Districts Stronger Together

BOARD OF DIRECTORS NOMINATION FORM

Name of Candidate: _____

District: _____

Mailing Address: _____

Region: _____ (see map on back)

Telephone: _____

(PLEASE BE SURE THE PHONE NUMBER IS ONE WHERE WE CAN REACH THE CANDIDATE)

Fax: _____

E-mail: _____

Nominated by (optional): _____

Return this **form and a Board resolution/minute action supporting the candidate
and Candidate Information Sheet** by fax or mail to:

CSDA
Attn: Charlotte Lowe
1112 I Street, Suite 200
Sacramento, CA 95814
(877) 924-2732 (916) 442-7889 fax

DEADLINE FOR RECEIVING NOMINATIONS – May 23, 2014



2015 Regions/Networks





California Special
Districts Association
Districts Stronger Together

2015 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: _____

District/Company: _____

Title: _____

Elected/Appointed/Staff: _____

Length of Service with District: _____

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

4. List civic organization involvement:

****Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after June 5, 2014 will not be included with the ballot mailing.**

403

**ACTION ITEM**

May 21, 2014

TO: Board of Directors**FROM:** **Public Affairs & Legislation Committee**
(Directors Barbre, Hinman, Clark)Robert Hunter
General Manager

Staff Contact: Darcy M. Burke

SUBJECT: Legislative Positions**STAFF RECOMMENDATION**

Staff recommends the Board of Directors review the following Congressional Bills and consider taking the recommended positions.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

Based on MWDOC's adopted policy principles related to water storage and reliable water supply, staff recommends the board adopt the following positions on four federal legislative measures as follows:

1. H.R. 4125 (Costa, D-CA), Shasta Dam Expansion Act of 2014, support
2. H.R. 4126 (Costa, D-CA), San Luis Reservoir Expansion Act of 2014, support if amended
3. H.R. 4127 (Costa, D-CA), Upper San Joaquin River Storage Act of 2014, support
4. H.R. 3980 (McClintock, R-CA), Water Supply Permitting Coordination Act, support if amended

DETAILED REPORT

MWDOC has consistently supported sound, regional water management and local water reliability projects. A critical part of sound water management as well as drought mitigation

Budgeted (Y/N):	Budgeted amount:	Core <u> X </u>	Choice <u> </u>
Action item amount: N/A		Line item:	
Fiscal Impact (explain if unbudgeted):			

management is storage. Southern California has invested billions over the last twenty years in water reliability projects including regional storage projects like Diamond Valley Lake or local storage efforts such as groundwater banking or Upper Chiquita Reservoir. Based on the understanding and need for additional storage facilities throughout California, staff is recommending the following positions on the proposed federal storage-related legislation:

1. **H.R. 4125 (Costa, D-CA) - Shasta Dam Expansion Act of 2014, support.** This bill would amend the CALFED Bay-Delta Authorization Act to authorize construction for enlargement of Shasta Dam if the Secretary of the Interior finds that it is feasible. Staff recommends the Board take a support position on H.R. 4125.
2. **H.R. 4126 (Costa D-CA) - San Luis Reservoir Expansion Act of 2014, support, if amended.** This bill would amend the CALFED Bay-Delta Authorization Act to authorize the construction of the expansion of San Luis Reservoir. Staff recommends the Board support if amended H.R. 4126, to also authorize San Luis Reservoir to receive seismic upgrades under the Bureau of Reclamation's Safety of Dams program.
3. **H.R. 4127 (Costa, D-CA) - Upper San Joaquin River Storage Act of 2014, support.** This bill would amend the CALFED Bay-Delta Authorization Act to authorize construction for Upper San Joaquin River storage in Fresno and Madera Counties if the Secretary of the Interior finds that the project is feasible. Staff recommends the Board take a support position on H.R. 4127.
4. **H.R. 3980 (McClintock R-CA) - Water Supply Permitting Coordination Act, support, if amended.**

This bill would authorize the Secretary of the Interior to coordinate federal and state permitting processes related to construction of new surface water storage projects and designate the Bureau of Reclamation as the lead agency for permit processing. The bill's provisions would apply when new surface water storage projects are planned on lands under the jurisdiction of the Secretaries of the Interior or Agriculture. By coordinating the preparation of unified environmental documents by the agencies, this bill could lead to a more reliable and efficient permit and approval process. The bill would be improved if in addition to allowing state agencies to participate, it allowed local agencies such as Metropolitan to choose to participate. The bill also allows a non-federal public entity to contribute funds to the Department of the Interior to expedite the evaluation of a permit for a "qualifying project or activity for a public purpose under the jurisdiction" of the Department. Staff recommends the Board take a support if amended position, specifically amending the legislation to allow participation by local public agencies.

Metropolitan Water District recently adopted the recommended positions on the proposed legislation at their April Board meeting.



INFORMATION ITEM

April 21, 2014

TO: **Public Affairs & Legislation Committee**
(Directors Barbre, Clark, Hinman)

FROM: **Robert Hunter, General Manager**

Staff Contact: Darcy M. Burke

SUBJECT: **7th Annual Orange County Water Summit**

STAFF RECOMMENDATION

Staff recommends the Public Affairs & Legislation Committee receive the report on the Orange County Water Summit.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

Planning for the 7th Annual Orange County Water Summit began in August with the initial meeting between the Co-Chairmen, Directors Jeff Thomas and Steve Sheldon, and key staff members. Staff worked with Disney and the theme is “Bond... Water Bond.” Disney completed the Save The Date and the Invitation. It is currently being distributed to our database, Orange County Water District’s database, Chambers of Commerce and our partners.

Staff has been focusing on sponsorship and speaker confirmations. The sponsorship was distributed to past sponsors as well as prospective sponsors, MWDOC Member Agencies, the three cities and Metropolitan Member Agencies. As of April 14, 2014, staff has secured \$30,700. Our sponsorship goal is \$53,800. There are a number of sponsorships pending and staff is diligently following up.

Staff worked with Co-Chairmen Jeff Thomas (MWDOC) and Steve Sheldon (OCWD) to schedule a full planning committee in January. Due to the Directors schedules, the next meeting will be held before the end of April.

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

The Save the Date was distributed to past attendees, MWDOC's database, OCWD's website and Metropolitan's Business Outreach database. The Invitation is being distributed to the same group plus the Chambers of Commerce and Metropolitan's Business Outreach group. The Summit website is updated and the registration link has been activated. Currently, we have received 167 registrations. The majority of the registrations have historically occurred just before the price increases which this year is on May 6th, 2014.

The working draft of the program follows:



The 2014 OC WATER SUMMIT

Bond.... Water Bond

Friday, May 16, 2014

7:30 a.m. – 1:30 p.m.

**Grand Californian Hotel, Disneyland Resort
Anaheim, California**

DRAFT PROGRAM*

7:30 a.m. – 8:00 a.m.	Registration & Continental Breakfast
8:00 a.m. – 8:05 a.m.	Welcome & Pledge of Allegiance <u>Emcee: TBD</u>
8:05 a.m. – 8:40 a.m.	Session 1: Live and Let Die Congressman Garamendi - CONFIRMED Congressman Calvert - Invited
8:45 a.m. – 9:35 a.m.	Session 2: You Only Live Twice THE DELTA The Historical Delta Dr. Robin Grossinger, San Francisco Estuary Institute - CONFIRMED

The Future Delta
Curt Schmutte - **CONFIRMED** –

VIDEO CLIP –

Fight for Water Struggle

9:45 a.m. – 11:00 a.m.

Session 3: From California with Love – Agriculture

Moderator:

Sandra Schubert, California State Under-Secretary of Food and Agriculture - **CONFIRMED**

Speakers:

Delta Farmer – Tim Neuharth, **Confirmed**

CV Farmer, Shawn Coburn, **Confirmed**

So Cal Farmer; Charles Wolk, **Confirmed**

11:00 a.m. – 11:15 a.m.

BREAK

11:15 a.m. – 12:05 p.m.

Session 3: Moneyraker – Business

Moderator – Bob Simonds - CONFIRMED

Coca Cola Corporate – **CONFIRMED** – finalizing name with corporate

Wells Fargo, **CONFIRMED** – finalizing name with corporate

Daniel W. Boyd. Vice President, DR Horton Homes - **CONFIRMED**

12:05 p.m. 12:20 p.m.

BREAK

Video

THIRST

12:20 p.m. – 1:25 p.m.

Lunch and Session 4

Session 4 Thunderball; The politics of the water bond

Assemblyman Rendon – Invited

Assemblywoman Wolk – Invited

Assemblyman Canella - Invited

Closing Remarks

1:25 p.m.

**(Subject to Change)*

Public Affairs Activities Report
March 16, 2014 – April 20, 2014

Member Agency Relations	<p>Jessica and Darcy hosted the Public Affairs Workgroup meeting and Legislative Coordinators Meeting on March 18. Heather Stratman of Townsend Public Affairs assisted with the legislative portion of the meeting. Representatives of approximately 15 member agencies participated in the meetings.</p> <p>Jessica and Darcy also hosted a Public Affairs Workgroup meeting April 15. Topics of discussion included drought outreach and an update on the Value of Water Communications Plan.</p> <p>Jessica developed and distributed a participant satisfaction survey for the April 3 Semi Annual Elected Officials Forum. The survey is intended to measure satisfaction with these meetings and identify areas for improvement. To date just five individuals have participated in the survey.</p> <p>Jessica provided water use efficiency materials to the City of Huntington Beach and a Fountain Valley resident planning a landscape workshop.</p> <p>MWDOC sponsored and staffed a booth at the 2014 Children's Water Education Festival, which was held on March 26-27. Sarah Franks did a wonderful job coordinating MWDOC's booth activity and staffing. Over the course of the two-day event, Jessica, Tiffany, and the MWDOC interns taught nearly 500 students about ways they can protect our water resources.</p> <p>Darcy and Jessica participated in Metropolitan's PIO meeting on April 10. Darcy gave a short presentation on MWDOC's Value of Water Communications effort. Darcy participated at the PIO meeting Metropolitan hosted on March 21st as well. These meetings are now scheduled regularly.</p> <p>Tiffany coordinated itinerary, registration, Director and guest needs for Director Ackerman's April 11-12 State Water Project. Darcy and Rob accompanied Director Ackerman. Staff will begin working with Rob and the Metropolitan Directors to submit next year's schedule.</p> <p>Darcy met with Betty Burnett from South Coast Water District to provide information and presentation materials for her presentation at Orange Coast Community College.</p> <p>Darcy worked with Rob, Karl and Harvey to put the presentation together for the Semi Annual Elected Officials meeting, which was held on April 3rd.</p>
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	<p>Darcy and Jessica are scheduled to observe Metropolitan's Focus Groups that are being held in Irvine on April 16th. Two are scheduled that evening: one for the Asian market and one for the general market segment.</p> <p>Darcy and Jessica presented on the Value of Water Survey to Metropolitan's Water Use Efficiency Coordinators group on April 17.</p>
Community Relations	<p>Darcy, Jessica and Tiffany have completed the draft 2013 Annual Report. Once approved, it will be available in electronic and print formats.</p> <p>Jessica participated in the WACO Planning meeting on March 18.</p> <p>Jessica developed and distributed the March issue of eCurrents newsletter.</p> <p>Tiffany, Jessica, Vivian, and Sarah implemented MWDOC's social media activities through Facebook, Twitter, and Pinterest during this period.</p> <p>Jessica participated in the ISDOC Executive Committee meeting on April 1. On behalf of ISDOC, Jessica is currently coordinating the May 30 ISDOC Quarterly Luncheon, printing and mailing hard copies of the 2014 ISDOC Membership Directory to members, invoicing new Associate Members, and coordinate upcoming Executive Committee meeting agendas and minutes.</p> <p>Darcy staffed the April 4 WACO meeting featuring guest speakers Mike Giancola with the County of Orange and Ellen Hanak with the Public Policy Institute of California.</p> <p>Jessica staff the April 15 WACO Planning meeting.</p> <p>The deadline for the 2014 Poster & Slogan Contest and Photography & Digital Arts Contest was April 4. MWDOC received more than 600 entries for the Poster & Slogan Contest and more than 100 entries for the Photography & Digital Arts Contest. Public Affairs interns Sarah Franks and Vivian Lam are currently sorting the entries by Director Division to prepare for the judging. An electronic judging ballot (in the form of a survey) will be emailed out to MWDOC Directors, staff, and member agencies mid-April. The Awards Ceremony is scheduled for June 3.</p> <p>Jessica updated the 2014 drought talking points to reflect current water supplies and regional messages. The talking points cover the current drought situation, the BDCP, water use efficiency, and water supply reliability. These talking points have been used by MWDOC staff to develop press releases, briefing papers, eCurrents articles, and other communication materials. Member agency staff have also used them in their local outreach efforts.</p>

	<p>The drought infographic has been finalized and posted to the Drought Response page on MWDOC's website.</p> <p>The infographic on what a 20% reduction in water use looks like was finalized and posted to MWDOC's website.</p> <p>The food and water in an emergency infographic was finalized and posted to the WEROC water use during disasters page on MWDOC's website. Kelly was provided a pdf to distribute to WEROC funding agencies.</p> <p>Tiffany created the monthly collage/image used for the cover of eCurrents, Facebook, and the website homepage.</p> <p>Tiffany updated several MWDOC website pages with current information.</p> <p>Karl, Jessica, and Tiffany staffed a small Doheny Desal Open House event on April 11. Director Hinman was also in attendance. The Parks Department requested MWDOC's participation as part of their Visitor Center Reopening event.</p> <p>Tiffany has updated both the Doheny Desal briefing paper, and the Doheny status report briefing paper with current project information and new schematics. These papers have been posted to MWDOC's website.</p> <p>Darcy participated in the response to the earthquake on March 28 by using the AlertOC system and sending a text, voice message and email to MWDOC staff and WEROC EOC staff. The message indicated that the Emergency Operations Center was open but staff was not needed to respond.</p>
Education	<p>The participation target for the 2013-14 Water Education Assembly Program has increased to 81,217 students. Recently, the City of Anaheim approved funding for several hundred additional students to bring the participation total up to its current level. To date, 71,766 students have been booked in the program and 51,607 students have been served. DSC staff remains confident they will be able to book the remaining students in the coming months.</p> <p>During the month of March, 12,700 students participated in the Traditional Assembly Program; 608 students participated in the Keypad Program; 130 students participated in the Water Quality Program.</p> <p>Jessica worked with Discovery Science Center staff to finalize the 2014-15 School Program and pricing. DSC's charges for the Traditional Assembly Program will increase by 3%; the charges for</p>

	the Water Quality and Keypad programs will remain unchanged.
Media Relations	<p>Darcy and Jessica developed and distributed a press release regarding Colonel Foley's passing. Several news outlets, including the OC Register, heraldonline.com, desalination.com covered the story.</p> <p>March 19, <u>Orange County Register</u>, staff writer Jamiee Lynn Fletcher wrote an article about drought and landscape water use efficiency opportunities in the cities of Huntington Beach and Fountain Valley. Both Darcy and Joe were quoted. Following the article's release, Jessica contacted the writer to correct the references to the "Metropolitan Water District of Orange County." The article was subsequently corrected.</p> <p>March 18, <u>Orange County Register</u>, Teri Sforza wrote an article about SDCWA's preliminary legal victory against Metropolitan. Director Barbre and Jessica were quoted.</p> <p>On April 9th, Pat Brennan from the <u>Orange County Register</u> contacted Darcy and Jessica in regards to the adoption of Metropolitan's rates and the potential impact to Orange County.</p>
Special Projects	<p>Planning for the OC Water Summit continues. Information on the program, speakers and sponsorships will be provided to the Public Affairs and Legislation Committee.</p> <p>Tiffany prepared and distributed an invitation email for the 7th annual OC Water Summit. To date, 50 guests are registered for the event.</p> <p>Darcy and Jessica worked with Karl to develop a preliminary 2014-2015 budget for the Value of Water Communications Plan Choice Program.</p> <p>Darcy and Jessica delivered presentations at the AWWA Spring Conference in Anaheim on March 26. Darcy presented on social media use; Jessica presented on transparency in government websites.</p> <p>Tiffany is in the final stages of finalizing the order for permanent name badges for employees and Directors.</p> <p>Jessica is in the process of developing a Communications Plan that outlines all MWDOC's communication efforts outside of the Value of Water Communication Plan for FY2014-15.</p> <p>Darcy, Jessica, Tiffany, and Stacy Taylor of Mesa Water District reviewed responses to MWDOC's request for qualifications seeking a communications consultant to provide professional expertise on the Value of Water Communications Plan. Through the RFQ review</p>

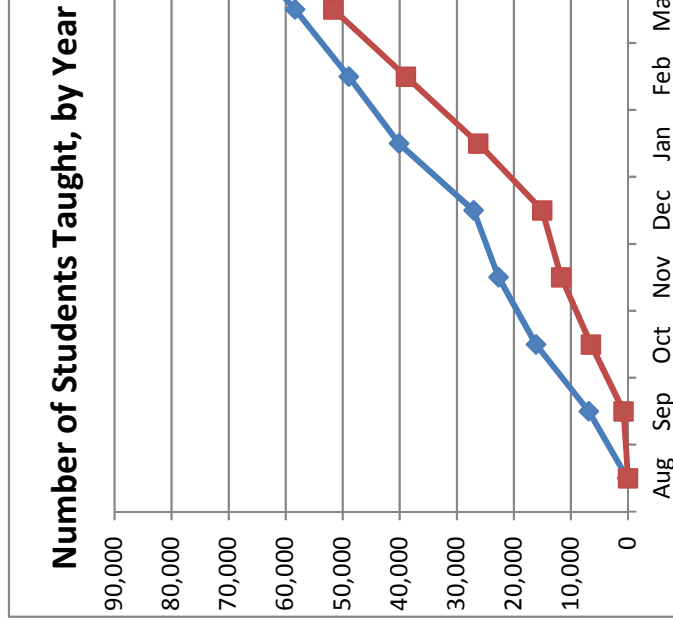
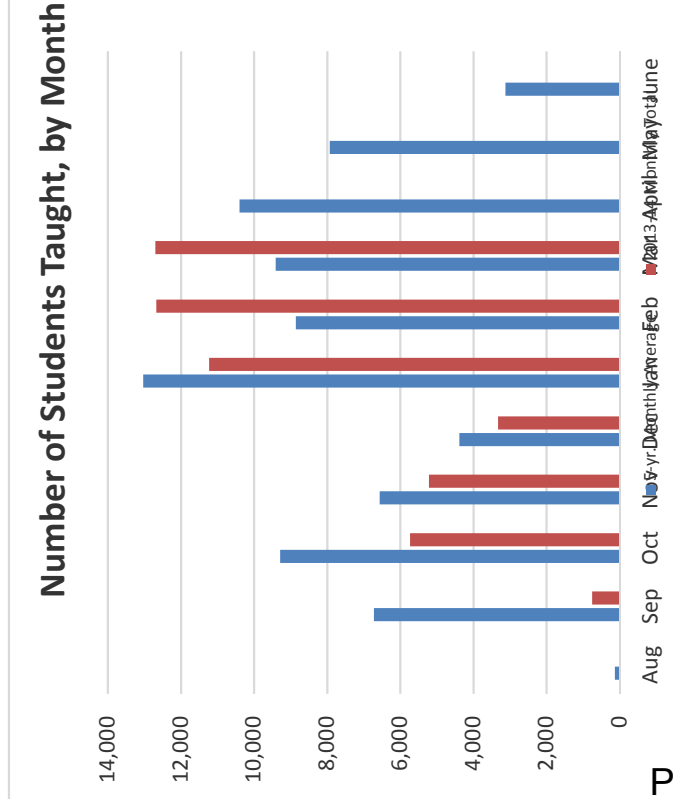
	process, Fraser Communications was selected.
Water-Use Efficiency Marketing	<p>The first of three events for the pilot OC Garden Friendly program was held in Huntington Beach on March 29. MWDOC staffed a booth to promote California Friendly plants and water efficient irrigation systems. Approximately 350 members of the public participated in this event. MWDOC staff engaged in conversation about water use efficiency with approximately 130 individuals who were interested in removing turf, installing smart timers and/or rotating nozzles, and becoming more water efficient. The two remaining pilot program events will be held May 3 in Laguna Niguel and May 17 in Brea.</p> <p>Jessica participated in the April 3 OC Water Use Efficiency Coordinators meeting, which was hosted by Huntington Beach. Jessica updated the group on the pilot OC Garden Friendly meeting, 2014-15 Public Affairs budget, current WUE marketing activities, the upcoming OC Water Summit, and other public affairs activities.</p> <p>Jessica was asked to review and provide input on the California Urban Water Conservation Council's new website. She provided feedback and suggestions on the website design and content.</p> <p>Jessica and Tiffany are working with the Water Use Efficiency department to develop a draft concept for a microsite that would serve as a user-friendly portal for all water use efficiency rebate programs and resources. The microsite would be funded through MWDOC's existing budget for marketing of water use efficiency programs.</p> <p>Jessica and Joe participated in a meeting with El Toro, Santa Margarita, Trabuco Canyon, and Moulton Niguel Water Districts regarding water use efficiency messaging for the City of Mission Viejo, which is served by all four water districts. A follow-up meeting with the four water retailers, MWDOC, and the City of Mission Viejo is scheduled for April 28.</p> <p>Darcy attended and participated at the California Nevada Section, American Water Works Association's (CA-NV-AWWA) Certification committee meetings and Governing Board meeting in conjunction with the Annual Spring Conference which was held in Anaheim. CA-NV-AWWA has been identified as one of the organizations playing a key role in the transition of the Drinking Water Program from California Department of Public Health Services to the State Board.</p> <p>Jessica and Melissa are developing a custom flyer for Home Depot stores throughout Orange County to use at store events on April 26. The flyers will promote the rebate-eligible devices that Home Depots sell.</p>

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	<p>Jessica is working with the water use efficiency department to explore new strategies and tactics to market the rebate programs to customers. Strategies currently being explored include search engine marketing, OC Register front page stickers, social media marketing, and a water use efficiency microsite. Funding for these activities would come from the pre-approved water use efficiency marketing budget.</p>
Legislative Affairs	<p>Darcy and Townsend Public Affairs continue to have their bi-weekly meetings. In addition to the efforts surrounding the numerous proposed Water Bonds, TPA is also assisting with the OC Water Summit and potential luncheon speakers.</p> <p>Darcy is working with TPA to host a Legislative Staffers luncheon on May 6th at MWDOC. The agenda will consist of a BDCP update, MWDOC's Bond Principles, Water Supply Update and the Drought and the Orange County Water Summit.</p> <p>MWDOC coordinated the member agency meetings with Stetson Engineering to review the data tables and other water quality information for their Consumer Confidence Reports.</p>

Number of Students Reached in the Water Education School Program- Assembly Program

Year	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	Total
5-yr. Monthly Average	127	6,723	9,283	6,565	4,384	13,033	8,851	9,408	10,398	7,928	3,125	79,717
5-yr. Annual Average	127	6,850	16,133	22,698	27,082	40,114	48,965	58,373	68,771	76,699	79,824	79,824
2013-14 Monthly Total	0	750	5,727	5,210	3,322	11,229	12,669	12,700				51,607
2013-14 Annual Total	0	750	6,477	11,687	15,009	26,238	38,907	51,607				51,607





INFORMATION ITEM

April 21, 2014

TO: **Public Affairs & Legislation Committee**
(Directors Barbre, Clark & Hinman)

FROM: **Robert Hunter, General Manager**

Staff Contact: Jessica Ouwerkerk

SUBJECT: **Update on 2014 Poster & Slogan Contest and Photography & Digital Arts Contest**

STAFF RECOMMENDATION

Staff recommends the Public Affairs & Legislation Committee:

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

The deadline for the 2014 Poster & Slogan Contest and Photography & Digital Arts Contest passed on April 4, 2014. A total of 613 Poster & Slogan Contest entries were received; 124 Photography & Digital Arts Contest entries were received. The entries have been sorted by director division, and the best entries from each division will be included in an online judging form. The Board of Directors and staff of MWDOC and its member agencies will be invited to participate in mid- to late-April.

Through the online judging process, a total of 30 winning students will be selected: 15 Poster Contest winners, 5 Slogan Contest winners, and 10 Photography/Digital Arts Contest winners. Four grand prize winners (one each in grades K-2, 3-5, 6-8, and 9-12) will receive either a Nintendo DS or iPad Mini. All 30 winners – and their parents and teachers – will be invited to attend an Awards Ceremony on June 3 at Discovery Science Center. At the Awards Ceremony, all winning students will be presented with their framed artwork, a trophy, certificate, and a custom t-shirt or tote bag imprinted with their poster/slogan/digital artwork. MWDOC and member agency Directors and staff will be invited to attend the Awards Ceremony in support of the winning students.

Budgeted (Y/N): Y	Budgeted amount: \$7,500	Core _X_	Choice __
Action item amount: \$7,500	Line item: 32-7360		
Fiscal Impact (explain if unbudgeted):			