

MEETING OF THE
BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the
PUBLIC AFFAIRS AND LEGISLATION COMMITTEE
August 8, 2016, 8:30 a.m.
Conference Room 101

Teleconference Site:
20989 Park Lane
Rollins, MT 59931
(406) 844-2282

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

Committee:

Director S. Tamaribuchi, Chairman
Director B. Barbre
Director Hinman

Staff: R. Hunter, K. Seckel, J. Volzke,
P. Meszaros, H. Baez

Ex Officio Member: W. Osborne

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

PUBLIC PARTICIPATION

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

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

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

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

DISCUSSION ITEMS

1. LEGISLATIVE ACTIVITIES
 - a. Federal Legislative Report (Barker)
 - b. State Legislative Report (BBK)
 - c. County Legislative Report (Lewis)

- d. Legal and Regulatory Report (Ackerman)
- e. MWDOC Legislative Matrix
- f. Metropolitan Legislative Matrix (not available this month)

ACTION ITEMS

- 2. ADOPT LEGISLATIVE POSITIONS
 - a. AB 2909 (Levine) – Water Transfer or Exchange, Expedited Review
- 3. APPROVE BOY SCOUT MERIT BADGE SPONSORSHIP

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.)

- 4. INSPECTION TRIP SCHEDULE 2016-17
- 5. UPDATE ON POTENTIAL SAN JUAN CAPISTRANO UTILITIES CONSOLIDATION
- 6. UPDATE ON WATER POLICY DINNER
- 7. PUBLIC AFFAIRS ACTIVITIES REPORT

OTHER ITEMS

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

ADJOURNMENT

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

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

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Nicholas Crockett
Alia Cardwell

*Municipal Water District of Orange County, California
Washington Update
August 2, 2016*

This month's report is an abbreviated report due to the Presidential Nominating Conventions and the Congressional Recess that is underway in Washington.

Before the Congress adjourned for their summer break, the House was able to pass the Interior, EPA and related agencies Appropriations Bill. This is the first time that the House has passed this separate Appropriations Bill in many years. This bill is noteworthy because it contains portions of the text of the Congressman Valadao Drought bill. Representative Jerry McNerney sought to strike the drought related provisions on the House Floor during the House's consideration of the bill—but that attempt failed on a party line vote.

The bill ultimately passed by a 231 to 196 margin. Congressman Ken Calvert managed this bill through the House and acting with Congressman McCarthy and Congressman McClintock, the three have been successful in placing the so-called Valadao Drought language in the following bills:

1. Key legislative language taken out of the Valadao Bill at the request of the Majority Leader Kevin McCarthy dealing with the "Operations" or movement of water through the Delta – region and placed in the Energy and Water Appropriations Bill.
2. Again, key legislative language taken out of the Valadao Bill, again by Majority Leader McCarthy dealing with the "Operations" or movement of water through the Delta region and placed in the Interior/EPA Appropriations Bill.
3. The Valadao Drought Bill was placed into the House's version of the National Energy Policy Bill, S 2012. This legislation was overwhelmingly passed in both the House and the Senate. The legislation will now be considered in a House / Senate Conference Committee.
4. Portions of the Valadao bill were also placed in the House Commerce State Justice Appropriations Bill.
5. The House passed Valadao California Drought bill, HR 5055.

The Senate has yet to take up the Interior/EPA Appropriations bill on their Floor. The Appropriations process is again in disarray this year. None of the twelve annual appropriations have passed this year. The deadline for passage is September 30th. It is very likely that we will see some form of a Continuing Funding Resolution (frequently called a "CR") to keep the federal government running until some period after the election. And then depending upon the outcome of the election,

there may be final passage of the an Omnibus Bill before the end of the year—or Congress could pass another CR until the January through March period—in essence moving the final consideration of the funding issues for the next Congress to decide.

This is all very relevant due to the fact that most observers here believe that the GOP led Senate is in play and could very well flip to the Democrats in January after the November elections. Currently Republicans hold a 54-46 majority in the Senate. The House is not considered in play to change leadership.

Perhaps the most significant development to occur this past month was the designation of the Conferees for the National Energy Policy Bill—which is now headed to an official “House-Senate Conference”. The House version of the legislation contains the Valadao drought bill, while the Senate version is silent of any drought language. The word is –the Feinstein Office and the key House offices involved in the Drought negotiations have been asked to get together and try to resolve their differences. Whether the resolution becomes a result of the National Energy Policy Bill or an appropriations bill—it appears we will see a serious attempt to try and pass some form of drought relief language this fall.

MWDOC representatives have been working closely with key personal and committee offices in both the House and the Senate to try and advance language, which will allow more water to flow south through the Delta region.

Tax and IRS Treatment of Conservation Measures:

As reported last month, while there are efforts to try and pass bi-partisan legislation at some point in the future, the latest word remains that the current remedy in play will be an “administrative fix, not a legislative one”. We anticipate some kind of Obama Administration “tax ruling” or letter or to be offered on the matter. This comes from the Senator Feinstein staff.

Funding Scorecard:

Please note the attachment of the ***Funding Scorecard*** for competitive grants, as there have been a number of grants released since the last scorecard was shared with you.

We recognize that there may be many grants that Member Agencies may not be able to use in this listing or in the previous listing of grants. We have concluded it is nevertheless helpful to understand where the federal government is offering different forms of water related grants. For example, there are grants that may deal with the Delta—which our Member Agencies may not use—but other entities in California may be using to help alleviate the drought. We have included these grants to help demonstrate where the federal government has determined some of its various policy priorities. We have continued to list some grants that have now lapsed for the year—so that Water Districts might be able to anticipate what grants may occur during next year’s grant cycle. Historically, the Water Smart Grants from the Bureau of Reclamation may provide some of the most beneficial funding for different Member Agencies.

General News Items and Political Updates of Interest			
<p>Since our last report, here are the latest polling numbers per “<i>Real Clear Politics Media</i>”*.</p> <p><u>June 2016</u> Clinton: 49% Trump: 42%</p> <p><u>July 2016</u> Clinton: 45% Trump: 41%</p> <p><u>August 2, 2016</u> Clinton 46.4 Trump 42.0</p> <p><i>*Real Clear Politics takes polling averages from different respected polling organizations over a common period of time in recent days/weeks. These are the most recent figures at press time.</i></p> <p><i>Notes—1. Due to the make up the Electoral College, a Presidential Candidate may lose the popular vote and still be elected President—as was recently seen in the year 2000 with the Bush v. Gore election. 2. The key polling numbers to watch will be from the “battleground states” which due to recent voting trends are considered the “toss up states”.</i></p>			

JCB 8-2-16 See attachment of Funding Scorecard



Memorandum

To: Municipal Water District of Orange County
From: Syrus Devers, Best Best & Krieger
Date: August 8, 2016
Re: Monthly State Political Report

LEGISLATIVE UPDATE

Legislation:

SB 1298 (Hertzberg): This bill was the legislative attempt to address Art. X issues relating to conservation pricing for water. As amended, the bill now only addresses stormwater management by defining it as part of “sewer service.” Since fees for sewer service predate Proposition 218, it may, if it survives the inevitable legal challenge, allow local governments to raise necessary funds for stormwater management without going to the ballot. The previous update from BB&K indicated that SB 1298 would likely be heard in Assembly Appropriations in the first week of August. The recent amendments, however, made SB 1298 a non-fiscal bill and it may be heard on the Assembly Floor as early as August 4th.

AB 2909 (Levine): This bill would expedite approval of reoccurring water transfers under specified conditions. Consideration by the PAL Committee was put over because the final bill had not appeared in print by the July hearing date. It was believed that it would appear in print on August 1st. An amended version did appear on the 1st, but it did not include all of the anticipated amendments, including the one previously discussed to remove environmentally beneficial water transfers from the ambit of the bill. That amendment is still forthcoming, according to the author’s staff, as well as an additional amendment to clarify that the bill is not intended to limit opportunities for public comment on water transfers. The final bill will be provided to the PAL Committee if it is available before the hearing.

Legislature.

The Legislature returned from the Summer Recess on August 1st. Session ends on Wednesday, August 31st.

California WaterFix (“the Fix”). A Special Report

While the legislature was on break, activity on the Fix heated up. The following is a brief summary of recent events and current proceedings.

Where Are We Now?

The State Water Resources Control Board (SWRCB) is entering a critical phase on the Fix. Three major processes are happening simultaneously:

First, the state is preparing to submit its responses to comments on the EIR/EIS opinions published back in 2014 and 2015 (respectively). The state hopes to complete the environmental review processes by this Fall and have a Record of Decision (ROD) on the federal EIS this year.

Second, the SWRCB opened the first of two hearings, described below, that will eventually lead to state agency approval of the Fix. The two proceedings cover (1) changing the point of diversion for the Fix, and (2) the necessary environmental approvals.

Finally, the state and federal agencies are preparing a draft Biological Opinion under the state and federal endangered species laws. This is a complex process that began earlier this year with a joint Biological Assessment (BA) of the impacts to endangered species by DWR and the Bureau of Reclamation. Ultimately, five federal and state agencies will review the BA, which will then lead a joint Biological Opinion to be released in the Fall, to be followed by approval of state and federal endangered species take permits which may not happen until 2017.

SWRCB hearings.

The first phase of the SWRCB proceeding dealing with the change to the diversion point in the Delta must show that new diversion point on the Sacramento River will not injure existing water rights. The hearings are staggered so that opponents can have time to respond to a detailed project description from the state agencies. The hearing that opened on 7/26 is the evidentiary phase where the state carries the burden of proving that no injury to other water rights will occur if the diversion point is moved. After this part of the hearing is completed, opponents will have time to prepare their responses. It is possible that this phase will not be completed in 2016.

The second phase of the SWRCB proceeding deals with the environmental impact of the Fix. This phase cannot start until the EIR/EIS and endangered species permits are complete. Since the state needs to open this final phase early in 2017, it is critical to complete the underlying environmental review processes this Fall.

Legal Rulings: The Department of Water Resources Went 1 for 2 in July.

Win!

DWR took an appeal all the way to the State Supreme Court and won. The Court ruled that the environmental and geologic investigations in the Delta to support the construction of the tunnels do not violate property owner's rights against taking property without just compensation. The lower courts found that the biological surveys and subsurface bore holes proposed by DWR were takings, which trigger procedural requirements *before* the activity can proceed. If DWR had been required to go through legal proceedings to determine just compensation for thousands of tests on hundreds of properties in the Delta prior to any activity, the Fix would have been fatally delayed for years. The Supreme Court didn't opine on the lower court's findings, rather it held



that DWR's processes complied with statute and adequately protected the property owner's rights. That allows DWR to proceed with their investigations of the Delta's geology and later determine the appropriate compensation for property owners, if any.

Loss.

DWR lost a case to commercial fishermen when a federal court ruled that State Water Project 2-year supply contracts did not give "full and meaningful consideration" to the option of further reducing water deliveries south of the Delta to protect fish. The ruling has no immediate impact to current contracts, but could be used in the future to reduce future deliveries.

Governor Brown Brings in a Hired Gun.

With critical deadlines approaching, Gov. Brown enlisted the help of former Interior Secretary Bruce Babbitt to help shepherd the Fix through the coming challenges. Babbitt brings a wealth of experience in California water wars, and a trifecta of relationships that include Rep. John Garamendi, who served under Babbitt and is an opponent of the tunnels, Sen. Diane Feinstein, from whom the Governor needs support, and environmentalists, including the Director of External Affairs for the Nature Conservancy Jay Zigler who used to work for Babbitt.

The County of Orange Report

August 2, 2016
by Lewis Consulting Group

Yorba Linda Water District Prevails in Major Lawsuit

Growing up in Yorba Linda, the city of my youth, aptly lived up to the city's motto of "Land of Gracious Living". Lately a more accurate motto might be "land of political strife". . .

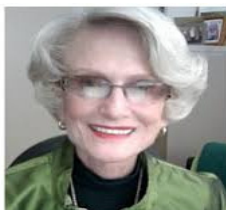
In recent years, the City of Yorba Linda has been plagued by contentious city council elections and recalls. The Yorba Linda Water District (YLWD) has also been under siege. They have been vilified, suffered through an afternoon visit by KFI's "John & Ken" radio show, sued and subjected to a recall.



In November, two of YLWD incumbents will seek re-election. A third director, Mike Beverage, has recently announced he will not be seeking re-election. The other two directors face a re-call vote in the November 8th general election.

Finally, against this backdrop, YLWD just received a huge dose of good news. As a result of water conservation measures and declining revenue from water sales, the district was forced to implement a \$25 per month charge to households. Activists in the city gathered enough signatures in their minds to qualify a referendum against the rate hike. The District's position was the rate hike was not subject to a referendum. The activists sued, but on July 25, 2016, Orange County Judge Robert Moss unequivocally sided with YLWD. Moss wrote in his order: *"the District's operating expenses were largely fixed. Without an increase in rates, the District faced an \$8 million shortfall in fiscal year 2016 and defaulting on debt obligations. If the petition is granted, Resolution 15-22 would be ineffective unless and until it is approved by a majority of the voters in the next election. The District would be compelled to refund the revenues it has enjoyed since the passage of the resolution and may be unable to meet its existing obligation to provide safe, clean, potable water to the citizens of Yorba Linda."*

Water Districts across the state which had found themselves in similar situations collectively uttered a huge sigh of relief.



Marian Bergeson Memorial Service

Date: Saturday, August 13 2016

Time: 5:00 PM

Venue: Church of Jesus Christ of Latter-Day Saints
801 Dover, Newport Beach, CA

New PPIC Statewide Survey

- *Water less of a concern*
- *Bad news for Sanchez*

A new survey conducted by the Public Policy Institute of California sampled opinions of Californians between July 10-19, 2016; but the results weren't released until July 27th.

Drought and water supply is still named as the number one environmental concern at 38%, but that is 20% less than the 58% who named them the number one concern in July 2015. Air pollution came in second at 13%, followed by water pollution 9% and global warming 7%. Among likely voters, water supply was at 43% and air pollution dropped to 10%. Residents of the Central Valley 42% were most likely to name water and drought; the Inland Empire 32%; the least likely Orange/San Diego registered 36%. Overall, 62% of adults and 71% of likely voters agree with the statement that the supply of water is a big problem in their part of the state.

In the race for U.S. Senate, according to PPIC, local Congresswoman Loretta Sanchez has lost ground in her bid for the U.S. Senate. In May 2016, she was trailing fellow Democrat Kamela Harris by 8 points. In July 2016, the lead had grown to 18 points. 28% of likely voters and a whopping 50% of Republicans claim they will not vote for either candidate. Another 14% of likely voters and 19% of Republicans are currently undecided. It is within these two groups that Sanchez must make substantial gains to become competitive.

Possible Mesa Water Consolidation Headed for November Advisory Vote



After years of local citizenry questioning the need of two separate agencies to provide water and sewer, the Mesa Water District at a July 28th special meeting, voted 4-0 (with one director absent) to place an advisory matter on the local ballot seeking public opinion on possible consolidation.

Previously, Mesa Water had hired Arcadis U.S. Inc., to measure potential cost savings and efficiencies associated with combining the two separate agencies. The study found a potential one-time savings up to \$15.6 million as well as potential annual savings up to \$2.7 million.

The Costa Mesa Chamber of Commerce was quick to endorse the advisory measure suggesting the possible combining of Mesa Water District and Costa Mesa Sanitary District (CMSD).

Representatives of CMSD were also quick to reject the findings of the study, questioning its impartiality; the data utilized and exaggerated cost savings.

It will be up to the registered voters who are served by both agencies to voice their opinion November 8th.



**** DISCLAIMER = LEWIS CONSULTING GROUP IS CURRENTLY PROVIDING SERVICES FOR MESA WATER DISTRICT**
Term Limit Change Most Likely Dead

After twice agenizing a measure to allow County Supervisors to run for a third term at the expense of initiating “life-time” limits, it appears a new term limit measure is dead.

At both the July 12th and July 26th Board of Supervisor meetings, Supervisor Shawn Nelson fell short of the three votes necessary to place the measure on the November 8th ballot.

Term limits, along with redistricting are the most personal and politically charged votes that Supervisors cast. Everybody has some level of self-interest. At the last meeting, sensing he was one vote short, Supervisor Nelson did not ever bring up the matter for a vote.

There are rumblings that the matter might not be completely dead, and all it would take is a change of heart by either Supervisors Do, Steel or Spitzer.



STAY TUNED. . .

Snow Melt and Summer Reservoir Levels

“Been down so long, it looks up to me”

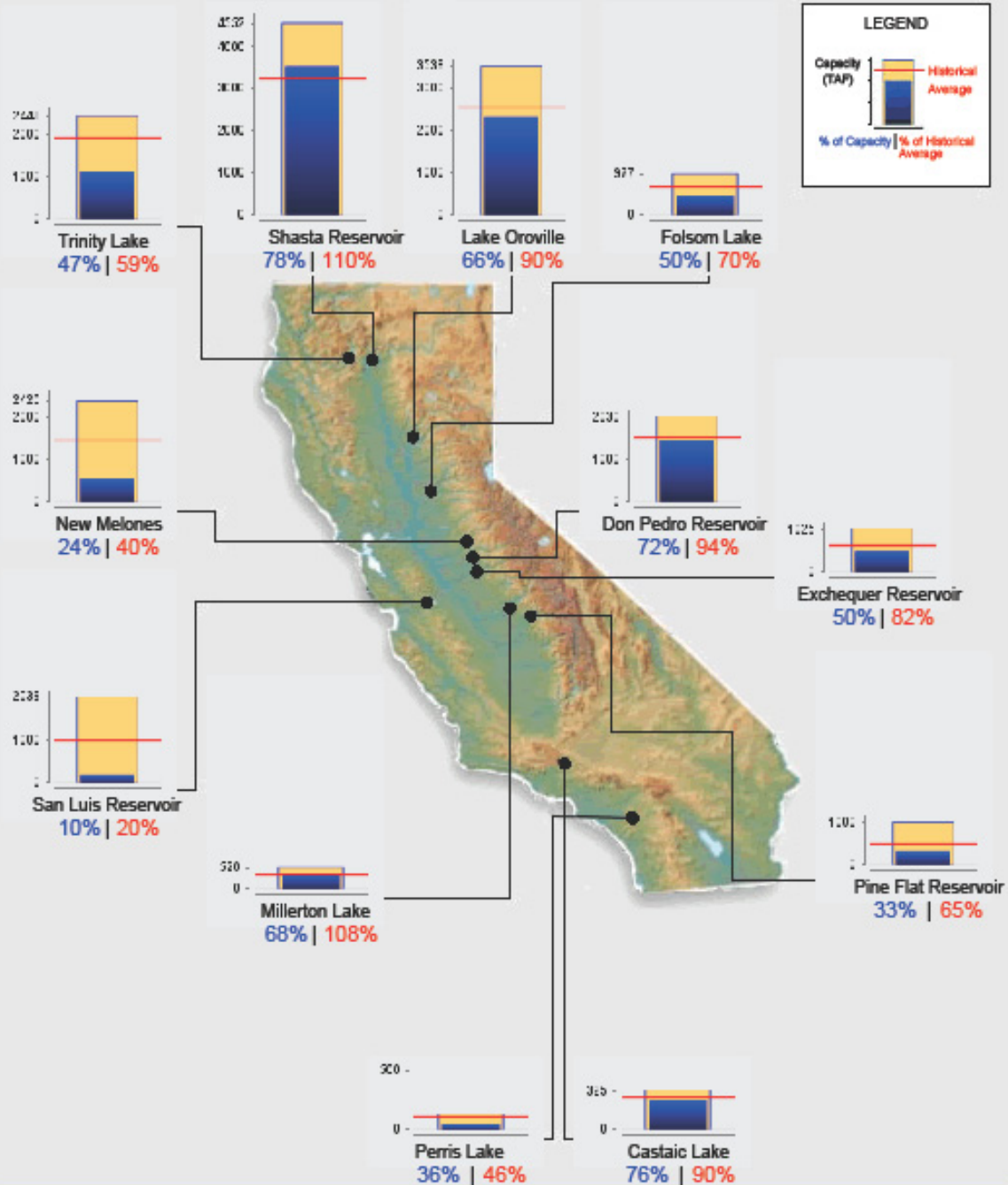
It’s neither feast nor famine for California’s reservoirs as we enter the month of August. Only two of our state’s dozen reservoirs, Lake Shasta and Millerton Lake, are above their historical capacity for this time of year. Luckily, at its current capacity of about 3.5



Reservoir Conditions

Ending At Midnight - July 31, 2016

CURRENT RESERVOIR CONDITIONS



Graph Updated 08/01/2016 01:45 PM

ACKERMAN CONSULTING

Legal and Regulatory

August 8, 2016

1. **Old Dogs Learn New Tricks:** The old saying that “you can’t teach an old dog new tricks” is being proven wrong by the giant sequoias in the Sierra Nevada mountains. One of the largest and oldest forms of life on the planet is showing that it can adapt to changing weather patterns. The giant sequoias have been through hundreds of years of real climate change and are showing again that they can adapt to those changes. These trees have changed their leaf structure to survive on less water and make better use of the water they capture. They have also been shown to engage in tree shedding, which is the reduction in total number of leaves on a tree. This also reduces water need and makes better use of existing water. A giant sequoia carries on average 2 billion leaves. During this drought, scientists have noticed an unequalled amount of tree shedding. While California has lost an estimated 60 million trees during the drought conditions, only a few have been giant sequoias. With the increased rainfall just experienced, these same scientists will check to see how quickly the trees reverts to their old styles.
2. **Algae Blooms and the Drought:** Several areas throughout the state, Discovery Bay in Contra Costa County, Santa Clara Valley, Pyramid Lake, and other areas throughout the USA, Florida, Utah, and Lake Erie, have been experiencing algae blooms in their bodies of water. These blooms cause potential health problems for humans and animals. State health departments have issued warning and shut down beaches due to the blooms. The culprit is cyanobacteria or blue-green algae which produces a toxin that can cause eye, skin and intestinal issues. The interesting fact is that these blooms are naturally occurring. However it is believed that human activities can make the condition worse. All water contact, swimming, boating, fishing are discouraged as even boiling the water does not kill these toxins.
3. **Fight the Drought-Eat Less:** The Grace Communication Foundation has developed a Water Footprint Calculator to examine every element of your life and tell you the water consequences of your life style. For instance, a cheese sandwich uses 56 gallons of water while a turkey sandwich uses 160 gallons. Meat production uses substantially more water than most other foods except nuts. They also calculated the amount of energy used in producing these various food products. If you want more detail you can check out their website for a drought tolerant menu. Their bottom line was – eat less to conserve more water and energy. Move over Weight Watchers!!
4. **San Diego and Recycling:** San Diego is trying to catch up with OC in recycling and reuse. Their new Advanced Water Purification Facility hopes to be handling 30 million gallons per day of sewage by 2021. The end product will be drinking water quality. This plant will be located in Miramar as it is close to Lake Miramar and the Miramar landfill. Methane from the landfill will be used to power the plant. Kudos for San Diego for investing in

Pure Water San Diego. This could have been done much sooner but some of their prior leadership did not believe in the concept.

5. **Home Delivery for Water:** Before residential or other developments can be approved they must identify a water source for the projects' needs. LA County is considering a housing plan in a rural area that would satisfy this requirement by hauling in water for construction and ultimate use. The development would require the construction of storage tanks of water for human consumption and fire suppression. Environmental groups are strongly opposing this plan on numerous grounds: air quality, biological, poor land use, dangerous, water quality and more. The areas being considered are mainly in the high desert and have no other source for water.
6. **Governor Hires Babbitt for WaterFix:** Governor Brown has recently hired former Governor and Interior Secretary Bruce Babbitt, 78, to shepherd his Water Fix to completion. Babbitt has a reputation as President Clinton's Interior Secretary of getting things done in a bipartisan manner and was even complemented by former Governor Pete Wilson as fixing things. Babbitt lives in Washington DC and commutes to work here. He says he is solution oriented and wants to see something happen. Time will tell.
7. **More Water for Delta Smelt??:** State officials have recently released various plans to save the smelt by releasing more and more water from our reservoirs. The Delta Smelt Resiliency Strategy supported by the CNRA calls for releasing almost a quarter of the capacity of Folsom Lake. They are also considering buying water, reducing amount of water going south and releasing more water from Central Valley dams. Farmers and many members of Congress are strongly opposing these alternatives. All this at a time when the fish count for the smelt continues to drop.
8. **Rice May Save the Salmon:** Rice is the 4th thirstiest crop behind alfalfa, pastures and nuts. In the past few years as a result of the drought, rice farmers have been curtailed. However, recent studies have shown that flooded rice fields are excellent facilities for migratory birds and fish and can actually be used as feeding grounds for young salmon. Rice paddies contain unlimited amounts of insects and other salmon nutrients. When young salmon are introduced to the rice fields, they flourish and are known as "floodplain fatties". After a period of time they are reintroduced to the nearest American or Sacramento inlets and continue their journey to the sea in a stronger condition. In spite of this evidence, the NRDC wants to further reduce water for rice farmers and release more for salmon migration. California is the second largest producer of rice, next to Arkansas. It is presently as \$5 billion crop in California.

A. Priority Support/Oppose

[AB 1755](#)

[\(Dodd D\)](#) *The Open and Transparent Water Data Act.*
Current Text: Amended: 8/1/2016 [pdf](#) [html](#)
Current Analysis: 08/01/2016 [Senate Senate Appropriations \(text 8/1/2016\)](#)
Last Amend: 8/1/2016
Status: 8/1/2016-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.
Is Urgency: N
Summary: Would enact the Open and Transparent Water Data Act. The act would require the Department of Water Resources, in consultation with the California Water Quality Monitoring Council, the State Water Resources Control Board, and the Department of Fish and Wildlife, in accordance with a specified schedule, to create, operate, and maintain a statewide integrated water data platform that, among other things, would integrate existing water and ecological data information from multiple databases and provide data on completed water transfers and exchanges. This bill contains other existing laws.
Laws: An act to add Part 4.9 (commencing with Section 12400) to Division 6 of the Water Code, relating to water data.

Position	Priority
Support	A. Priority
	Support/Oppose

[AB 2022](#)

[\(Gordon D\)](#) *Advanced purified demonstration water.*
Current Text: Amended: 3/31/2016 [pdf](#) [html](#)
Current Analysis: 08/01/2016 [Senate Senate Appropriations \(text 3/31/2016\)](#)
Last Amend: 3/31/2016
Status: 8/1/2016-Action From APPR.: Do pass.
Is Urgency: N
Summary: Would authorize the operator of a facility producing advanced purified demonstration water, as defined, to cause that water to be bottled and distributed as samples for educational purposes and to promote water recycling. The bill would prohibit the advanced purified demonstration water from

being distributed unless the water meets or is superior to all federal and state drinking water standards. The bill would authorize advanced purified demonstration water to be bottled at a licensed water-bottling plant in compliance with specified provisions.

Laws: An act to add Section 13570 to the Water Code, relating to water.

Position	Priority
Support	A. Priority
	Support/Oppose

Notes 1: Moving with unanimous support so far.

[AB 2488](#)

([Dababneh D](#)) Protected species: unarmored threespine stickleback: taking or possession.

Current Text: Amended: 6/21/2016 [pdf](#) [html](#)

Current Analysis: 06/10/2016 [Senate Senate Natural Resources And Water](#) (text 6/9/2016)

Last Amend: 6/21/2016

Status: 8/2/2016-Action From SECOND READING: Read second time. To THIRD READING.

Is Urgency: N

Summary: Would permit the Department of Fish and Wildlife to authorize, under the California Endangered Species Act, the take of the unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*) attributable to the periodic dewatering, inspection, maintenance, modification, or repair of the Metropolitan Water District of Southern California's Foothill Feeder water supply facility from Castaic Dam to the Joseph Jensen Treatment Plant in the County of Los Angeles, as specified, if certain conditions, including the adoption of an adaptive management process, are satisfied.

Laws: An act to amend Section 5515 of, and to add Section 2081.10 to, the Fish and Game Code, relating to fish.

Position	Priority
Support	A. Priority
	Support/Oppose

[AB 2909](#)

([Levine D](#)) Water: transfer or exchange: expedited review.

Current Text: Amended: 8/1/2016 [pdf](#) [html](#)

Current Analysis: 06/24/2016 [Senate Senate Natural Resources And Water](#) (text 6/21/2016)

Last Amend: 8/1/2016

Status: 8/1/2016-Read second time and amended. Re-referred to Com. on APPR.

Is Urgency: N

Summary: The State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Current law provides procedures for a permittee or licensee to temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights, as specified. These temporary transfers are defined as transfers of one year or less. This bill would require the board to develop and implement an expedited 30-day review process for approval of petitions under those provisions to temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if the transfer is for a reoccurring water transfer, as defined, or an environmentally beneficial transfer, as defined.

Laws: An act to add and repeal Section 1733 of the Water Code, relating to water.

Position	Priority
	A. Priority
	Support/Oppose

Notes 1: This bill is a successor to AB 2304 on water transfers. Staff is recommending support and the bill is on the PAL Committee agenda for 7/18.

[SB 814](#)

([Hill D](#)) Drought: excessive water use: urban retail water suppliers.

Current Text: Amended: 6/21/2016 [pdf](#) [html](#)

Current Analysis: 07/29/2016 [Assembly Floor Analysis](#) (text 6/21/2016)

Last Amend: 6/21/2016

Status: 6/30/2016-Read second time. Ordered to third reading.

Is Urgency: N

Summary: Would declare that during prescribed periods excessive water use by a residential customer in a single-family residence or by a customer in a multiunit housing complex, as specified, is prohibited. This bill, during prescribed periods, would require each urban retail water supplier to establish a method to identify and discourage excessive water use. This bill would authorize as a method to identify and discourage excessive water use the establishment of a rate structure that includes block tiers, water budgets, or rate surcharges over and above base rates for excessive water use by residential customers.

Laws: An act to add Chapter 3.3 (commencing with Section 365) to Division 1 of the Water Code, relating to water.

Position	Priority
Opposition	A. Priority Support/Oppose

Notes 1: Although still an unnecessary mandate on water agencies, the more objectionable provision have been removed. Member agencies are pursuing amendments.

SB 919

(Hertzberg D) Water supply: creation or augmentation of local water supplies.

Current Text: Amended: 8/1/2016 [pdf](#) [html](#)

Current Analysis: 08/01/2016 [Assembly Appropriations \(text 5/31/2016\)](#)

Last Amend: 8/1/2016

Status: 8/1/2016--From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.

Is Urgency: N

Summary: Would require the Public Utilities Commission, before January 1, 2018, in consultation with the Independent System Operator, to address the oversupply of renewable energy resources through a tariff or other economic incentive for electricity purchased by customers operating "facilities that create or augment local water supplies," as defined, to reduce the cost of electricity to those facilities. This bill contains other related provisions and other existing laws.

Laws: An act to add Section 711 to the Public Utilities Code, relating to water supply.

Position	Priority
Watch	A. Priority Support/Oppose

Notes 1: This bill is moving without opposition and is a possible candidate for a support recommendation due to potential to benefit desalinization projects. At this time, however, MWDOC has not been asked to take a position, and it is not clear that it would provide a tangible benefit to a member agency if passed. ACWA, CASA, and CMUA are supportive but seeking clarifying amendments. San Diego Water Authority is to the only water agency listed in full support.

B. Watch

AB 938

(Rodriguez D) Sustainable Groundwater Management Act: adjudicated basins.

Current Text: Amended: 3/9/2016 [pdf](#) [html](#)

Current Analysis: 04/13/2015 [Assembly Water, Parks And Wildlife \(text 2/26/2015\)](#)

Last Amend: 3/9/2016
Status: 3/9/2016-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on N.R. & W.
Is Urgency: Y
Summary: Would authorize the watermaster or local agency administering an adjudicated basin to elect that the adjudicated basin be subject to the provisions of the Sustainable Groundwater Management Act. The bill would authorize the court with jurisdiction over the adjudicated basin to issue an order setting a hearing to determine whether the adjudicated basin shall be subject to the act, as prescribed. This bill contains other related provisions and other existing laws.
Laws: An act to amend Section 10720.8 of the Water Code, relating to groundwater, and declaring the urgency thereof, to take effect immediately.

Position	Priority
	B. Watch

Notes 1: This bill is a holdover from last year and is not moving at this time. Watch position is due to potential impacts to SGMA.

AB 1242

(Gray D) Water quality and storage.
Current Text: Amended: 9/1/2015 [pdf](#) [html](#)
Current Analysis: 08/19/2015 [Senate Floor Analyses \(text 8/19/2015\)](#)
Last Amend: 9/1/2015
Status: 9/1/2015-Failed Deadline pursuant to Rule 61(a)(14). (Last location was THIRD READING on 9/2/2015)
Is Urgency: N
Summary: Would require the Department of Water Resources to increase statewide water storage capacity by 25% by January 1, 2025, and 50% by January 1, 2050, as specified. The bill would require the department, on or before January 1, 2017, to identify the current statewide water storage capacity and prepare a strategy and implementation plan to achieve those expansions in statewide water storage capacity, and would require the department to update the strategy and implementation plan on January 1, 2018, and every 2 years thereafter, until January 1, 2050.
Laws: An act to amend Section 39719 of the Health and Safety Code, and to add Section 13145.5 to, and to add Chapter 4.5 (commencing with Section 430) to Division 1 of, the Water Code, relating to water, and making an appropriation therefor.

Position	Priority
	B. Watch

Notes 1: This bill is from 2015 and is not moving at this time. Watched due to potential impacts to SGMA and how SWRCB must deal with groundwater sustainability plans when formulating water quality regulations.

AB 1463

(Gatto D) Student financial aid: California Covenants Program: tuition certificates: gross income exclusion.

Current Text: Amended: 6/30/2016 [pdf](#) [html](#)
Current Analysis: 05/29/2015 [Assembly Floor Analysis \(text 2/27/2015\)](#)
Last Amend: 6/30/2016

Status: 6/30/2016-Re-referred to Coms. on ED. and GOV. & F. From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on ED.
Is Urgency: Y

Summary: Would establish the California Covenants Program, under the administration of the Treasurer. The program would be a prepaid college tuition program, under which an individual could purchase a fixed percentage of the tuition and mandatory systemwide fees for an academic year of full-time enrollment as an undergraduate at a campus of the California State University, the University of California, or an independent institution of higher education, as specified, for a beneficiary who meets specified criteria.

Laws: An act to add Article 20.2 (commencing with Section 69996) to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, and to add Section 17131.12 to the Revenue and Taxation Code, relating to student financial aid, and declaring the urgency thereof, to take effect immediately.

Position	Priority
	B. Watch

Notes 1: Watched due to potentially serious concerns by retail agencies over contamination of potable water. Not moving at this time.

([Mathis R](#)) Groundwater.
Current Text: Amended: 4/14/2016 [pdf](#) [html](#)
Current Analysis: 04/25/2016 [Assembly Appropriations \(text 4/14/2016\)](#)
Last Amend: 4/14/2016
Status: 5/27/2016--Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 4/27/2016)
Is Urgency: N
Summary: Would, in implementing the competitive grants for projects that develop and implement groundwater planning requirements, require special consideration be given to those projects that would create groundwater recharge basins in areas of fallow farmland. This bill would appropriate \$50,000,000 from the proceeds of the bond act for the purpose of that competitive grant program.
Laws: An act to add Section 79776 to the Water Code, relating to groundwater, and making an appropriation therefor.

Position	Priority
	B. Watch

Notes 1: Watched due to possible impacts to groundwater management of member agencies. Significant opposition in committee on 4/12.

([Mathis R](#)) Water and Wastewater Loan and Grant Program.
Current Text: Amended: 6/15/2016 [pdf](#) [html](#)
Current Analysis: 08/01/2016 [Senate Senate Appropriations \(text 6/15/2016\)](#)
Last Amend: 6/15/2016
Status: 8/1/2016--Action From APPR.: To APPR. SUSPENSE FILE.
Is Urgency: Y
Summary: Would require the State Water Resources Control Board to establish a program to provide funding to counties to award low-interest loans and grants to eligible applicants for specified purposes relating to drinking water and wastewater treatment. This bill would authorize a county to apply to the board for a grant to award loans or grants, or both, to residents of the county, as prescribed. This bill would create the Water and Wastewater Loan and Grant Fund and provide that the moneys in this fund are available, upon appropriation by the Legislature, to the board to administer and implement the program.
Laws: An act to add Chapter 6.6 (commencing with Section 13486) to Division 7 of the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

Position	Priority
	B. Watch

Notes 1: Potential benefit to water infrastructure projects, but 2/3rds vote required. Not impossible since the bill creates a loan program, but fate will be determined by concerns beyond the bill itself.

([Mathis R](#)) California Environmental Quality Act: exemption: City of Porterville.
Current Text: Amended: 8/1/2016 [pdf](#) [html](#)
Current Analysis: 06/30/2016 [Senate Senate Environmental Quality \(text 6/15/2016\)](#)
Last Amend: 8/1/2016
Status: 8/1/2016--Amended.
Is Urgency: Y
Summary: Would, until January 1, 2021, exempt from the California Environmental Quality Act's requirements a water treatment project determined by the City of Porterville as the best option based on a certain feasibility study, as provided. This bill contains other related provisions.
Laws: An act to add and repeal Section 21080.06 of the Public Resources Code, relating to environmental quality, and declaring the urgency thereof, to take effect immediately.

Position	Priority
	B. Watch

Notes 1: This bill proposes a CEQA exemption. Pulled from committee twice. Will prepare recommendation if there is any possibility of it moving.

([Levine D](#)) Department of Finance: infrastructure investment.

Current Text: Amended: 5/27/2016 [pdf](#) [html](#)

Current Analysis: 08/01/2016 [Senate Senate Appropriations \(text 5/27/2016\)](#)

Last Amend: 5/27/2016

Status: 6/28/2016-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 3.) (June 28). Re-referred to Com. on APPR.

Is Urgency: N

Summary: Would authorize the Department of Finance to identify infrastructure projects in the state for which the department will guarantee a rate of return on investment for an investment made in that infrastructure project by the Public Employees' Retirement System. The bill would create the Reinvesting in California Special Fund as a continuously appropriated fund and would require the moneys in the fund to be used to pay the rate of return on investment. The bill would require the rate of return on investment to be subject to the availability of moneys in the fund.

Laws: An act to add Section 13314 to the Government Code, relating to state government, and making an appropriation therefor.

Position	Priority
Opposition	B. Watch

([Pavley D](#)) Low Carbon Fuels Council.

Current Text: Amended: 6/20/2016 [pdf](#) [html](#)

Current Analysis: 06/29/2016 [Assembly Natural Resources \(text 6/20/2016\)](#)

Last Amend: 6/20/2016

Status: 8/1/2016-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (June 30).

Is Urgency: N

Summary: Would create the Low Carbon Fuels Council, as specified, which, among other things, would coordinate state agencies' activities that are related to the acceleration and development of the instate production of low carbon fuels.

Laws: An act to add Article 7 (commencing with Section 43890) to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, relating to vehicular air pollution.

Position	Priority
Watch	B. Watch

Notes 1: The author has indicated that she will not pursue a public goods charge in this bill or any other.

Notes 2: Could affect potential funding sources for water infrastructure projects.
ACWA is opposed.

([Hertzberg D](#)) Local government: fees and charges.

Current Text: Amended: 8/1/2016 [pdf](#) [html](#)

Current Analysis: 06/28/2016 [Assembly Local Government \(text 6/13/2016\)](#)

Last Amend: 8/1/2016

Status: 8/1/2016-Read second time and amended. Ordered to second reading.

Is Urgency: N

Summary: Articles XIII C and XIII D of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Current law, the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with Articles XIII C and XIII D of the California Constitution and defines terms for these purposes. This bill would define the terms "proportional cost of the service attributable to the parcel" and "sewer service " for these purposes.

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

Position	Priority
	B. Watch

(Wolk D) Water Conservation in Landscaping Act.
Current Text: Amended: 6/21/2016 [_pdf_](#) [_html_](#)
Current Analysis: 06/28/2016 [Assembly Local Government \(text 6/21/2016\)](#)
Last Amend: 6/21/2016
Status: 6/30/2016--From committee: Do pass and re-refer to Com. on APPR. (Ayes 5, Noes 3.) (June 29). Re-referred to Com. on APPR.
Is Urgency: N
Summary: The he Water Conservation in Landscaping Act requires the Department of Water Resources to update a specified model water efficient landscape ordinance by regulation and prescribes various requirements for the updated model ordinance. Current law requires each local agency to adopt either the updated model water efficient landscape ordinance or an ordinance that is at least as effective in conserving water as the updated model ordinance. If the local agency does not make a selection, the model ordinance shall apply within the jurisdiction of the local agency. This bill would allow the governing body of a local agency to adopt an ordinance prescribing fees for filing an application for the permit, subject to the restrictions that the fees not exceed the amount reasonably required to review applications and issue the permits and that the fees not be levied for general revenue purposes
Laws: An act to amend Section 65595 of the Government Code, relating to water conservation.

Position	Priority
Watch	B. Watch

Total Measures: 16
Total Tracking Forms: 16



ACTION ITEM
August 17, 2016

TO: Board of Directors

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

Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: AB 2909 (Levine) – Water Transfer or Exchange, Expedited Review

STAFF RECOMMENDATION

Staff recommends the Board of Directors adopt a **support position** on AB 2909 (Levine).

COMMITTEE RECOMMENDATION

Committee recommends (To be determined by committee)

BACKGROUND

This item was presented at the Workshop Meeting of the Board of Directors with MET Directors on August 3. Although AB 2909 was amended on August 1st (see attachment), the author's office has indicated that further amendments will be submitted by the end of the week (8/5). Staff will provide an update along with the most recently amended language to the Board at the Public Affairs and Legislation Committee.

At the July 18 Public Affairs & Legislation Committee meeting, the Committee directed staff to return AB 2909 to the Board once the expected amendments were in print – either to the Workshop Meeting of the Board of Directors with MET Directors or the Public Affairs & Legislation Committee – depending on how quickly the bill is amended.

AB 2909 would require the Department of Water Resources (DWR) to develop a 30-day expedited review process for reoccurring water transfers. "Reoccurring water transfers" are

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

defined in the bill to mean transfers of one year or less in duration and substantially similar to a transfer approved by DWR within the previous 4 years.

ARGUMENTS IN SUPPORT

According to the author's office, "Water transfers make up only 3% of all water use in California. Clearly we can do better. It is important that we remove as many barriers to transfers as possible. This bill is a simple step to ensure that where substantially similar transfers have been completed before they do not have to go back to square one for approval. This will allow for improved efficiency in completing transfers as we move forward and will help us more efficiently distribute water."

ARGUMENTS IN OPPOSITION

While there is no official opposition on file, staff has recently learned that the DWR has concerns about the 30-day expedited review process and will likely urge a veto should the measure pass the Legislature. In addition, the State Water Resources Control Board is concerned about shortening the public comment period. It would eliminate their ability to go beyond the 30-day comment period even when both parties agree to the extension. This measure would require them to make their decision on or before day-30 which may hinder their ability to analyze comments received or resolve potential impacts.

REPORT

AB 2909 is the successor to AB 2304 by the same author. AB 2304 included provisions to create a water transfer market exchange and an Internet database for information related to water transfers. That bill drew significant opposition. AB 2909 was originally a bill related to parks and wildlife, but was amended in late June to address expedited water transfers and to create a water transfer task force. The purpose for the gut-and-amend was to remove opposition arguments against AB 2304 from agricultural interests within ACWA.

The first version of AB 2909, which never appeared in print but was circulated within the water lobbying community in Sacramento, included a water market task force, and expedited review for reoccurring water transfers and transfers intended to provide environmental benefits. The task force provisions were deleted at the request of ACWA, and the provisions relating to environmental transfers were also deleted, ironically, at the request of environmental interests. The author also took technical amendments from various organizations including MET.

The most recently amended version of AB 2909 is attached. Further amendments are expected and those will be circulated via email or printed copies will be made available at the committee meeting, whichever comes first.

Based on these amendments, MWDOC staff recommends a **support position** as it is a step in the right direction for improving water transfers within the state.

AMENDED IN SENATE AUGUST 1, 2016

AMENDED IN SENATE JUNE 21, 2016

AMENDED IN ASSEMBLY APRIL 5, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2909

Introduced by Assembly Member Levine

March 9, 2016

An act to add *and repeal* Section 1733 to of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2909, as amended, Levine. Water: transfer or exchange: expedited review.

Under existing law, the State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Existing law provides procedures for a permittee or licensee to temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights, as specified. *These temporary transfers are defined as transfers of one year or less.*

This bill would require the board to develop and implement an expedited 30-day review process for approval of petitions *under those provisions* to temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if the transfer is for a reoccurring water transfer, as defined, or an environmentally beneficial transfer, as defined. The bill would require the Department of Water Resources to develop a 30-day review process for reoccurring water transfers between contractors for State Water

~~Project water and~~ for reoccurring water transfers that utilize facilities of the State Water Project. The bill would repeal its provisions as of January 1, 2022.

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

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

1 SECTION 1. Section 1733 is added to the Water Code, to read:
2 1733. (a) For the purposes of this section:
3 (1) “Environmentally beneficial transfer” means a transfer that
4 does not negatively impact an ecosystem’s health or local drinking
5 water supply in the source area and includes ~~any~~ *either* of the
6 following:
7 (A) A transfer between water users that is designed to benefit
8 the environment.
9 (B) A transfer that protects habitat and sensitive wildlife or
10 enhances managed wetland supply, wildlife refuges, ecosystems,
11 and instream flow.
12 ~~(C) A transfer that benefits local drinking water supplies by~~
13 ~~reducing local groundwater overdraft or improving water quality.~~
14 ~~(D) A transfer that contributes to the implementation of the~~
15 ~~Sustainable Groundwater Management Act (Part 2.74 (commencing~~
16 ~~with Section 10720) of Division 6).~~
17 (2) “Reoccurring water transfer” means a transfer of one year
18 or less that is substantially similar in volume, time of year, and
19 hydrologic conditions to a transfer previously approved by the
20 department or the board in the past 48 months.
21 (b) The board shall develop and implement an expedited 30-day
22 review process for approval of petitions *under this article* to
23 temporarily change the point of diversion, place of use, or purpose
24 of use due to a transfer or exchange of water or water rights if the
25 transfer is for a reoccurring water transfer or an environmentally
26 beneficial transfer.
27 (c) The department shall develop a 30-day review process ~~for~~
28 ~~reoccurring water transfers between contractors for State Water~~
29 ~~Project water and~~ for reoccurring water transfers that utilize
30 facilities of the State Water Project.
31 (d) Transfers under this section shall not alter the priority for
32 use of conveyance facilities.

- 1 (e) This section applies in addition to any other law relating to
- 2 water transfers or exchanges.
- 3 (f) This section shall remain in effect only until January 1, 2022,
- 4 and as of that date is repealed, unless a later enacted statute, that
- 5 is enacted before January 1, 2022, deletes or extends that date.



Soil and Water Conservation Merit Badge

Requirements for the Soil and Water Conservation merit badge:

1. Do the following:
 - a. Tell what soil is. Tell how it is formed.
 - b. Describe three kinds of soil. Tell how they are different.
 - c. Describe the three main plant nutrients in fertile soil. Tell how they can be put back when used up.
2. Do the following:
 - a. Define soil erosion.
 - b. Tell why soil conservation is important. Tell how it affects you.
 - c. Name three kinds of soil erosion. Describe each.
 - d. Take pictures of or draw two kinds of soil erosion.
3. Do the following:
 - a. Tell what is meant by conservation practices.
 - b. Describe the effect of three kinds of erosion-control practices.
 - c. Take pictures or draw three kinds of erosion-control practices.
4. Do the following:
 - a. Explain what a watershed is.
 - b. Outline the smallest watershed that you can find on a contour map.
 - c. Outline, as far as the map will allow, the next larger watershed which also has the smaller one in it.
 - d. Explain what a river basin is. Tell why all people living in a river basin should be concerned about land and water use in the basin.
5. Do the following:
 - a. Make a drawing to show the hydrologic cycle.
 - b. Demonstrate at least two of the following actions of water in relation to soil: percolation, capillary action, precipitation, evaporation, transpiration.
 - c. Explain how removal of vegetation will affect the way water runs off a watershed.
 - d. Tell how uses of forest, range, and farmland affect usable water supply.
 - e. Explain how industrial use affects water supply.
6. Do the following:
 - a. Tell what is meant by water pollution.
 - b. Describe common sources of water pollution and explain the effects of each.
 - c. Tell what is meant by 'primary water treatment', 'secondary waste treatment', and 'biochemical oxygen demand'.
 - d. Make a drawing showing the principles of complete waste treatment.
7. Do TWO of the following:
 - a. Make a trip to two of the following places. Write a report of more than 500 words about the soil and water and energy conservation practices you saw.
 1. An agricultural experiment.
 2. A managed forest or woodlot, range, or pasture.

3. A wildlife refuge or a fish or game management area.
4. A conservation-managed farm or ranch.
5. A managed watershed.
6. A waste-treatment plant.
7. A public drinking water treatment plant.
8. Industry water use installation.
9. Desalinization plant.
- b. Plant 100 trees, bushes and/or vines for a good purpose.
- c. Seed an area of at least one-fifth acre for some worthwhile conservation purpose, using suitable grasses or legumes alone or in a mixture.
- d. Study a soil survey report. Describe the things in it. Using tracing paper and pen, trace over any of the soil maps; and outline an area with three or more different kinds of soil. List each kind of soil by full name and map symbol.
- e. Make a list of places in your neighborhood, camps, school ground, or park having erosion, sedimentation, or pollution problems. Describe how these could be corrected through individual or group action.
- f. Carry out any other soil and water conservation project approved by your merit badge counselor.

Soil and Water Conservation Worksheet

Find more Scouting Resources at www.BoyScoutTrail.com

**ACTION ITEM**

August 17, 2016

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

Staff Contact: Jonathan Volzke

SUBJECT: Sponsorship of Boy Scout 'Soil and Water Conservation' Merit Badge**STAFF RECOMMENDATION**

Staff recommends the Board of Directors determine whether MWDOC should sponsor the Soil and Water Conservation merit badge offered by Boy Scouts of America.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

DETAILED REPORT

The approved 2016-17 MWDOC budget included \$5,000 to sponsor the Boy Scouts' Soil and Water Conservation merit badge in the Orange County District.

Sponsorship of the badge at the \$5,000 level, which the Scouts refer to as "Silver," allows MWDOC to organize and host merit badge clinics that will increase the number of Scouts earning the Soil and Water Conservation badge and learning the associated lessons. The \$5,000 is a donation to the Orange County District's Friends of Scouting (FOS) Campaign, which supports the general operation of the council. It helps to pay for the many programs and camp facilities of the entire council.

Scouting officials report about 20,000 boys belong to Scouting in Orange County, about 8,000 of whom are at the level appropriate for them to earn the merit badge.

Budgeted (Y/N): Y	Budgeted amount: \$8,000	Core X	Choice _
Action item amount: \$5,000	Line item: 7670		
Fiscal Impact (explain if unbudgeted):			

Requirements for the badge are attached, but include a combination of lessons about soil, nutrients, soil erosion, water sheds, water supply and water treatment, along with a tour of a water-treatment facility and hands-on activities such as native plantings.

MWDOC and Scouting officials will plan “merit badge in a day” events, at which Scouts can accomplish the “classroom” portion of the merit badge and tour a water/wastewater facility, accomplishing seven of the eight requirements for the Soil and Water Conservation badge in a single day.

MWDOC plans to work with member agencies, who will each host a Saturday session. That will allow MWDOC to offer sessions for Scouts in North, Central and South Orange County. In addition to reaching Scouts throughout the county, the program will also create an additional partnership between MWDOC and member agencies.

Scouting officials will market the events through newsletters and monthly leadership meetings. MWDOC and participating member agencies will also market the events through their own channels.

The goal for each daylong event is 50 to 80 Scouts.

The MWDOC Scouting sponsorship will also coordinate with other MWDOC education efforts. For example, if a Scout working on his Soil and Water Conservation merit badge attends a high school that is part of the MWDOC/Orange County Department of Education CHOICE program, that Scout can design and host a booth at that school’s Water Expo for credit toward his merit badge.

The MWDOC sponsorship also creates opportunities for MWDOC to identify Scouts who may have an interest in a career in water and help foster that interest with additional facilities tours and other programs, as well.

The sponsorship also has marketing benefits to MWDOC, which will be listed on the Scout Council website. MWDOC will also be invited to the Scouts’ annual reception attended by civic, community and business leaders from throughout Orange County.

INSPECTION TRIP SCHEDULE 2016 - 2017

Inspection trip dates are assigned on a first-come, first-served basis. Directors should expect to receive a confirmation of the trips and dates approved by MWD in June 2016.

TOUR DATES FOR NEXT SEASON

THURSDAY- JULY 12, 2016

METROPOLITAN DIRECTOR

DIRECTOR LINDA ACKERMAN

TOUR GUIDE

NOTES

STAFF

STATE WATER PROJECT	10.21.2016	10.22.2016		ROSA	HEATHER
COLORADO RIVER/HOOVER	TBD	TBD		TBD	TBD

DIRECTOR BRETT BARBRE

NOTES

TOUR GUIDE

STAFF

STATE WATER PROJECT/AGRICULTURE	2.24.2017	2.26.2017	SHARED WITH DIRECTOR BEARD, FULLERTON	AL	TBD (TIFFANY•HEATHER)
COLORADO RIVER/HOOVER	4.7.2017	4.9.2017		AL	HEATHER
INFRASTRUCTURE	TBD	TBD		TBD	TBD

DIRECTOR LARRY DICK

NOTES

TOUR GUIDE

STAFF

JPL/WEMOUTH	11.18.2016	11.19.2016		AL	JONATHAN/BRYCE
STATE WATER PROJECT/AGRICULTURE	10.14.2016	10.15.2016	SHARED WITH DIRECTOR GALLEANO, WESTERN	AL	TIFFANY

DIRECTOR LARRY MCKENNEY

NOTES

TOUR GUIDE

STAFF

STATE WATER PROJECT	9.23.2016	9.24.2016	ACC-OC	ROSA	TIFFANY/HEATHER
COLORADO RIVER/HOOVER	5.5.2017	5.6.2017	SHARED WITH DIRECTOR (?)	AL	BRYCE
DIAMOND VALLEY LAKE	TBD	TBD			TBD

JULY			AUGUST				SEPTEMBER				OCTOBER				NOVEMBER				DECEMBER															
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15	16	17	18	19	20	21	12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	4	5	6	
22	23	24	25	26	27	28	19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
29	30	31					26	27	28	29	30	31		23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	
Holidays 2016:			October 10 Columbus Day				November 24 Thanksgiving Day				Holidays 2017: February 20 Presidents Day				April 16 Easter				Conference Dates:				December 7-9 CRWUC Las Vegas											
September 5 Labor Day			October 11-12 Yom Kippur				December 24-Jan. 1 Hanukkah				January 1 New Year's Day				March 31 Cesar Chavez's B-Day				May 14 Mother's Day				October 24-27 CA-NV-AWWA				May 9-12 ACWA Spring Conf.							
October 2-4 Rosh Hashanah			November 11 Veterans Day				December 25 Christmas Day				January 16 Martin Luther King Day				April 10-18 Passover				May 29 Memorial Day				Nov. 29 - Dec. 2 ACWA Fall Conf.				June 11-14 AWWA Annual Conf.							

**INFORMATION ITEM**

August 8, 2016

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

Staff Contact: Jonathan Volzke

SUBJECT: Update on Potential SJC Utilities Consolidation**STAFF RECOMMENDATION**

Staff recommends the Board of Directors receive and file report.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

DETAILED REPORT

The San Juan Capistrano City Council on August 2 voted unanimously to request the Local Agency Formation Commission (LAFCO) to launch a Municipal Services Review on whether another agency should assume operation of the city's utilities department.

The city's Utilities Commission on July 6 approved a list of 12 criteria for consideration during the study. The City Council directed staff to modify the list so items were suggestive or desirable, but not mandatory. "Reliability of Supply" and "Cost/Rate Impact" top of the list, which also calls for an at-large member of any new agency's board of directors. Under the proposed criteria, a member of the City Council would retain a seat on the San Juan Basin Authority.

Councilman Derek Reeve during the meeting identified the public agencies that have expressed interest in the city's utilities operations thus far are Irvine Ranch Water District, Moulton Niguel Water District and Santa Margarita Water District.

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

Reeve said the priority list was important, but that key element was price projections – what residents would pay in monthly rates after any potential consolidation. Utilities Commissioner Ray Miller told the Council that water rates were going to increase, no matter what action the Council took.

Former Mayor Larry Kramer addressed the council before the vote, pointing out that the public seems largely unaware of what would be the largest decision the City Council would make during the tenure. Council members agreed, but also pointed out the process would not be finished before the November election, when Councilman John Perry – a strong advocate for the study – will leave the council. The City moves to election by district in November, meaning incumbent Sam Allevato is ineligible to seek re-election, as well.

The city has \$150,000 in its budget for the LAFCO study. San Juan Capistrano has spent more than \$660,000 on the consolidation study under a contract with Brownstein Hyatt Farber Schreck, and the firm's sub consultants.

The City has a web page on the potential consolidation, at <http://waterstudy.sanjuancapistrano.org/>

A full list of the recommendations is attached.

**CRITERIA FOR EVALUATING A POTENTIAL CHANGE IN UTILITY
ORGANIZATION FOR THE CITY OF SAN JUAN CAPISTRANO TO A NEW
PROVIDER**

**Recommended by the Utilities Commission
July 19, 2016**

(Note: all these criteria apply to both potable and non-potable water systems as well as wastewater systems currently owned, operated, or planned by the City)

1. **Reliability of Supply:** Provider will develop a study showing a measurable increase in water supply reliability during periods of drought and/or physical disruption in supply. New Provider's water study will depict capability to meet water needs of new growth in demand by customers in the San Juan Capistrano service area (the City).
2. **Cost/Rate Impact:** Provider will project how current water and wastewater rates, charges, and fees for the City and its customers will stabilize. Any adjustments in those rates will be comparable to rate changes of other customers in all service areas of the Provider.
3. **Ownership of Facilities and Assets:** Provider will assume responsibility and ownership for all City water and wastewater assets, including drinking water facilities, non-potable water facilities, wastewater facilities, and the GWRP plant and related facilities. Provider assumes all financial, operational, and regulatory liabilities associated with operating those assets including debt service.
4. **Water and Capacity Rights:** City will transfer all of its groundwater pumping rights, storage capacity rights, wastewater treatment capacity rights, and pipeline capacity rights to the Provider. As necessary, the City will assign those rights to the provider so that the provider can perform its obligations associated with the contemplated change in utility organization.
5. **Financial Structure:** Provider will develop a financial study showing it is capable of meeting all the financial obligations related to the operation of the drinking water, non-potable water, and wastewater assets and the GWRP plant. These obligations include an industry "best practices" program of on-going maintenance and capital improvements for all the assets included in the potential change in the utility organization.
6. **Provider Experience:** Provider must currently own and operate wells, wastewater and drinking water treatment plants, as well as recycled water facilities for non-potable water use. Provider must demonstrate proven ability to maximize the productivity of these assets acquired from the City, and in particular, the City's GWRP.
7. **OCLAFCO:** Importantly, Provider and its staff must demonstrate experience with acquisition or annexation of existing drinking and wastewater systems and assets. The new provider must also have worked with OCLAFCO in the past.

***Criteria for Evaluating a Potential Change in Utility Organization . . .
July 19, 2016***

8. **Customer Service:** Provider will provide a level of customer service that meets or exceeds best industry practices and will have a local office accessible to wastewater and water customers for billing, service requirements including quick response to drinking water and wastewater system asset failures or disruptions.
9. **Governance:** San Juan Capistrano water service and wastewater service customers will have the right to vote for an at-large member of the provider's governing board.
10. **Employee Salary and Benefits:** Provider will assess the feasibility of maintaining the existing City staff until such time as each employee terminates employment or retires. Salary and benefits would be contingent on what is allowed for under the law, a collective bargaining agreement, and/or local agency rules and policies of any new provider.
11. **Provider Location:** It would be desirable for the Provider's service area to be adjacent to that of the City of San Juan Capistrano.
12. **Seat on San Juan Basin Authority Board:** Provider will appoint a City Council designated representative to the San Juan Basin Authority Board.



INFORMATION ITEM

August 8, 2016

TO: Board of Directors

FROM: **Public Affairs Legislative Committee**
(Directors Barbre, Tamaribuchi and Hinman)

Robert Hunter, General Manager

Staff Contact: Jonathan Volzke

SUBJECT: **Update on Water Policy Dinner**

STAFF RECOMMENDATION

Staff recommends the Board of Directors receive and file report and provide input on alternative events.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

JULY REPORT

At the direction of the Water Policy Dinner subcommittee, the candidates for California's U.S. Senate seat were contacted as potential guests to discuss their views of the state water policy and California WaterFix.

Following the June primary, Government Affairs Manager Heather Baez contacted the staff of Congresswoman Loretta Sanchez, while Public Affairs Manager Jonathan Volzke contacted the Kamala Harris campaign.

Although we still have not heard from Ms. Sanchez, her staff was open to the idea, while Ms. Harris declined our offer.

AUGUST UPDATE:

The Ad Hoc Committee on Water Policy Dinners (Directors Dick, Barbre, and Tamaribuchi) are scheduled to meet on August 4th to continue its discussions on the next event; an oral update will be given at the PAL meeting.

**Public Affairs Activities Report
July 15, 2016 – August 17, 2016**

Member Agency Relations	<p>Jonathan met with SMWD Director Chuck Gibson to discuss outreach.</p> <p>Tiffany, Bryce and Laura and Jonathan joined ACWA/Save Our Water's webinar introducing partners to the new "Water Conservation. IT'S FOR LIFE" campaign.</p> <p>Tiffany gave a presentation to the Member Agency Managers, providing an overview of Metropolitan's "H2Love" summer campaign and ACWA/Save Our Water's "Water Conservation. IT'S FOR LIFE" summer campaign.</p> <p>Tiffany provided an oral summary of the 2016 OC Water Summit for the MWDOC/OCWD Joint Planning Committee.</p> <p>Tiffany met with Christopher Regan and Sarah Wilson to discuss current issues and upcoming projects/campaigns at LBCWD.</p> <p>Tiffany met with Damon Micalizzi to discuss current issues and upcoming projects at YLWD.</p> <p>Jonathan and Laura met with the OC Register to develop a prototype of the water magazine for the 2016-17 CHOICE communications offering.</p> <p>Jonathan and Laura worked with the OC Register and Capistrano Unified School District to publicize the award for the Poster Slogan Contest.</p> <p>Heather met with Kathy Besser, Director of External Affairs at the Inland Empire Utilities Agency (IEUA) to discuss planning for the next D.C. luncheon.</p> <p>Heather met with Stacy Taylor of Mesa Water District to discuss legislation and upcoming Mesa Water events.</p> <p>Heather provided an update on the SWCB's Public Drinking Water Fee proposal to the MWDOC member agency managers.</p> <p>Heather met with EJ Caldwell of West Basin Municipal Water District to exchange ideas and concepts for future elected officials meetings and water summits.</p> <p>Heather served on an interview panel for IEUA's external affairs analyst position.</p>
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	The Public Affairs team attended OCWD's Dedication of the H2O Learning Center.
Community Relations	<p>Laura participated in the NPDES Public Education sub-committee conference call with the County of Orange.</p> <p>Jonathan participated in a panel during the Filipino chamber of commerce "Go Green" event.</p> <p>Jonathan attended the OCBC Infrastructure Committee meeting.</p> <p>Jonathan sent out the August edition of eCurrents, which included stories from Bryce and Ivan.</p>
Education	<p>Laura performed the year-end reconciliation of 2015-16 education program.</p> <p>Laura coordinated with member agencies for their 2016-17 target student budgets.</p> <p>Bryce, Jonathan and Laura met with representatives from the United Water to explore opportunities for education partnerships.</p> <p>Jonathan and Laura met with the MET Education Unit to discuss integration/coordination of the MET high school program with the MWDOC program.</p>
Media Relations	<p>Jonathan attended a seminar on crisis communications sponsored by the National Oceanic and Atmospheric Administration.</p> <p>Jonathan attended a media mixer hosted by the Orange County Public Relation Society.</p> <p>Jonathan and Tiffany attended the MET PIO meeting.</p> <p>Jonathan coordinated an interview on OC water use with Rob Hunter and KFI reporter Jo Kwan. Jonathan and Joe Berg prepared materials for Mr. Hunter to use during the interview.</p>
Special Projects	<p>Laura designed an introductory flyer and the first door hanger. Program for a program that will use OC Realtors to distribute MWDOC conservation messages. The work received positive feedback from the OCAR Board of directors at their board meeting.</p> <p>Laura created the notifications that were sent out through the weekly California Sprinkler Adjustment Notification emails.</p>

	<p>Tiffany and Bryce met with Steve Creech and Tammy Glossip with the Wyland Foundation. Items discussed included the 2017 Wyland National Mayors Challenge, community event opportunities with the Foundation, the Wyland National Art and Mural Challenge and Metropolitan inspection trip opportunities for Foundation staff members.</p> <p>Tiffany and Bryce met with Michelle Schuetz with Asm. Travis Allen's office. Items discussed were Bolsa Conservancy Barefoot Ball opportunities for MWDOC staff and the Metropolitan inspection trip schedule for 2016-17. Michelle also connected the team to the education coordinator for the Conservancy.</p> <p>Tiffany and Bryce met with Fred O'Callaghan with JPL to discuss tour logistics and itinerary options for the 2016-17 inspection trip season.</p> <p>Tiffany and Bryce met with Rob and Cathy to discuss MWDOC entryway display options. Bryce has received several quotes from a variety of vendors, and has prepared a few rough mockups.</p> <p>Tiffany joined a webinar defining participation in "Imagine a Day Without Water 2016."</p> <p>Tiffany is completing the newly formatted WEROC briefing paper.</p> <p>Tiffany and Bryce met with Metropolitan staff, Director Larry Dick, and Director Don Galleano with Western Municipal Water District to outline the itinerary for their joint inspection trip of the SWP and Central Valley Agriculture.</p> <p>Tiffany and Bryce are currently working on trip logistics, guest and Director needs for the following inspection trips:</p> <ol style="list-style-type: none"> 1. September 23-24, Director McKenney, SWP (working with ACC-OC to fill the bus) 2. October 14-15, Director Dick/Director Galleano (WMWD) SWP/Central Valley Agriculture 3. October 21-22, Director Ackerman, SWP 4. November 18(?), Director Dick, JPL/Weymouth (still confirming date with JPL) <p>Tiffany worked with Ellen Orange-Brown and Coastkeeper to secure a table for MWDOC at the Coastal Cleanup event- Huntington Beach location- on September 17th. Several thousand attendees are expected. Tiffany prepared a promotional flyer for the event which will be used in social media</p>
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	<p>outreach, and in eCurrents. Ricki the Raindrop mascot will be making his public debut.</p> <p>Jonathan met with Jeff Duer from the OC Boys Scouts to reviews details of the Soil and Water Conservation Merit Badge.</p> <p>Jonathan attended the Water Use Efficiency Committee meeting.</p> <p>Heather staffed the WACO Planning meeting where the committee provided staff direction for the August and September programs. Director Finnegan also attended.</p> <p>Jonathan attended a planning meeting for Supervisor Bartlett's Oct. 1 South OC Water Summit.</p> <p>Heather and Laura staffed the ISDOC Executive Committee meeting. Directors Dick and Finnegan also attended.</p> <p>Heather staffed the August WACO meeting featuring WEROC manager, Kelly Hubbard and a panel of emergency response officials discussing how Orange County will coordinate and respond in the event of a natural disaster.</p>
Legislative Affairs	<p>Heather, Syrus and Stacy Taylor had a conference call with Jimmy McDonald of the California Special Districts Association to discuss planning for the 2017 legislative year.</p> <p>Heather participated in the Metropolitan Member Agency Legislative Coordinators conference call.</p> <p>Heather participated in the Southern California Water Committee Legislative Task Force conference call.</p>
Water Summit	<p>Jonathan and Tiffany attended two hotel walk-throughs with OCWD to scout potential locations for the 2017 OC Water Summit. Tiffany is following up with a third potential hotel in Huntington Beach, and has placed a guaranteed hold on space at the South Coast Plaza Westin.</p>