

MEETING OF THE  
BOARD OF DIRECTORS OF THE  
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
Jointly with the  
**PUBLIC AFFAIRS AND LEGISLATION COMMITTEE**  
October 15, 2018, 8:30 a.m.  
Conference Room 101

**Committee:**

Director Dick, Chair  
Director Thomas  
Director Tamaribuchi

Staff: R. Hunter, K. Seckel, H. Baez,  
D. Micalizzi, T. Dubuque, T. Baca

**Ex Officio Member:** Director Barbre

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

**PUBLIC PARTICIPATION**

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

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

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

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

**DISCUSSION ITEMS**

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

**ACTION ITEMS**

2. MWDOC LEGISLATIVE POLICY PRINCIPLES ANNUAL UPDATE
3. ISDOC CALL FOR NOMINATIONS

**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. EDUCATION PROGRAM UPDATE
5. UPDATE ON 2019 OC WATER SUMMIT
6. OCTOBER 11<sup>TH</sup> 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  
Allison Leavitt

*Municipal Water District of Orange County, California*  
*Washington Update*  
*October 9, 2018*

To provide some perspective of what is happening in Washington as this Report is being written, the Senate voted to confirm Brett Kavanaugh to the Supreme Court on Saturday, October 6<sup>th</sup>, by a vote of 50-48, after a very bitter nomination process. To say the least, tensions have been at a very high level here in the Capitol Building Complex during the last two weeks.

Meanwhile on the Appropriations front, Federal Funding for the new fiscal year has either become law, as seen with the Energy and Water Appropriations bill and several other agency funding bills--or federal funding through a short term Continuing Resolution (CR) has been provided until December 7, 2018. This is the case for the Interior/EPA Appropriations Bill—which is still awaiting final approval from the Congress.

As previously discussed, one of the issues we are tracking is the Calvert Language in the Interior/EPA Appropriations Bill dealing with the Waterfix Project. It is one of the many policy riders currently under consideration in an ongoing negotiation between the House and the Senate in the appropriations process—and an agreement on these policy riders was unable to be reached before the House adjourned at the end of September. After the November election, the House returns to session on November 13<sup>th</sup> and depending upon the outcome of the mid-term elections—the WaterFix language could be approved in the final bill or could be rejected with many of the other policy riders.

As a reference point, the Senate had generally kept all of its Appropriations Bills free from controversial riders while the House has had many controversial provisions in its bills.

The Water Resources Development Act of 2018 (the WRDA Bill), S 3021, is now being debated on the Senate Floor this week and is expected to pass without difficulty later this week. This legislation provides the legal authorities for the Army Corps of Engineers to perform its core missions and is national in its scope. It authorizes a number of new Army Corps of Engineers port, levee and ecosystem restoration projects, and reauthorizes the Safe Drinking Water Act for the first time in two decades.

### ***The Mid Term Elections:***

As the House and the Senate begin campaigning in earnest in October, the Republican controlled House continued to show signs that the control of the House may flip to the Democrats. Numerous media outlets are currently reporting that the Democrats have been gaining ground this year seeking to erase their 23 seat deficit.

Among other publications, *Politico* reports that there are now 209 seats either firmly or leaning in the Democratic column — only nine shy of the 218 needed to win control. The GOP still has a path to keep the House, but it would require either a near-sweep of the toss-up races or a significant change in the political environment in the final four weeks of the campaign.

It is noteworthy to mention that the polling for this analysis above was done before the Kavanaugh vote on Saturday and there is speculation that the Republican generic ballot has picked up a couple of points in the last week as a result of this confirmation process in the Senate. That said, under even the most positive of circumstances, Republican House Members or senior staff will tell you privately that if the Republicans do maintain control of the House, it will be by a very narrow margin.

On the Senate side, several months ago, a flip of the Senate to the Democrats was seen as impossible. Then there was a slight shift in some key states suggesting there was a “chance” the Democrats could flip the Senate. Now the feeling here is the GOP is still likely to keep the Senate and may increase its numbers slightly. The current majority in the Senate is 51 Republicans to 49 Democrats. As of today, there are four weeks to go until the election and this process is very fluid.

### ***Drought Contingency Plan:***

During our recent PAL Board Call, there was a question that arose regarding the Drought Contingency Plan affecting California, Nevada and Arizona, and more specifically, the role that the newly appointed Senator Kyl (R-Arizona) might play in the resolution in this issue.

I have visited with Senator Kyl's key staff handling this matter. Senator Kyl was appointed to serve as a U.S. Senator to fill the vacancy created by the death of Senator John McCain. His office advises me that he is only expecting to serve as a Senator until the "approximate January 2019 period" as the Arizona Governor is expected to appoint another individual to serve the balance of the two year period—until the next November 2020 General Election.

That said, due to Senator Kyl's experience as a former water attorney, coupled with his tenure in the both the House of Representatives and the Senate with key water assignments, he and his staff are trying to move the process along as quickly as they can. They recognize the importance of reaching a Drought Contingency Agreement for Arizona and for the states of Nevada and California.

The Kyl office is tracking this issue very closely. The current staffer working on this is the former Senator McCain water staffer. The office is working on a "one or two sentence piece of legislation" in case it is needed to provide the Department of the Interior the ability to manage the Colorado River under the new guidelines of a new drought management agreement. One of the complications for the State of Arizona deals with the various Indian Lands contained within the State and the water rights held by those tribes.

Kyl's office reports that the water officials in Arizona are now making progress towards reaching an agreement. Until only recently, Arizona has had difficulty moving through this process. However, since the mid-summer period, Arizona water managers have been meeting twice a month to finalize an agreement that the Arizona State Legislature can approve. The goal of all of these discussions has been to have an agreement in place by mid December 2018. It is unclear to Senator Kyl's office if the State Legislature would be able to "approve" such a proposal by that date or that such approval would be more likely in January 2019. The Senator's office speculates there could be a scenario in which there could be an agreement in principle reached by December, but due to scheduling related issues, the legislature may not be able to vote on it until early 2019.

Meanwhile, Commissioner Brenda Burman of the Bureau of Reclamation has asked Arizona to move swiftly as the Bureau would like to have the drought contingency plans in place before the end of the year.

Lake Mead is 38% full. If the water level reaches the 1,075 feet level, at the end of any given year, the Department of the Interior will declare a "shortage" and supplies to California, Arizona and Nevada will be cut back. The central idea of the new agreement is to begin taking water cutbacks now, to avoid Lake Mead from going to even lower water levels and hitting or

delay hitting as long as possible that 1,075 foot level. The current guidelines for the management of the Colorado River were put into place in 2007.

***Ocean Water Desalination Grant Application from the South Coast Water District***

Director Barbre and Director Green from the South Coast Water District, along with key senior staff from both MWDOC and SCWD, participated in a conference call with the Acting Deputy Commissioner of the US Bureau of Reclamation in September. The purpose of the call was to discuss the unique aspects and the background behind the Doheny Beach Desalination Project. SCWD is in the process of applying for a federal grant for this project. The Deputy Commissioner was very appreciative of the information that was provided. The grant funding that SCWD is seeking was created by the 2016 WIIN Act which provided specific construction funding for Desalination Projects and MWDOC was instrumental in having the legislation include funding opportunities for such Desal facilities.

*JCB 10-9-18*

## **Memorandum**

To: Municipal Water District of Orange County  
From: Syrus Devers, Best Best & Krieger  
Date: October 15, 2018  
Re: Monthly State Political Report

## **Legislative Report**

Between 2,000 and 2,500 bills get introduced in the Legislature each year of the biennial session. Of those introduced in this year, 1,217 made it the Governor's desk. Of that roughly lucky half, 1,016 were signed into law. Republican legislators have a tough time getting bills through a legislature controlled by the Democrats, but when a Republican bill does survive it has about the same odds of getting signed as a Democrat's bill. Republican-authored bills were vetoed 15% of the time compared to 18% for Democrats. These numbers are typical of most years.

Reasonable minds can disagree over the most significant bills of the session, but AB 375 (Chau) on consumer privacy, SB 1054 (Hertzberg) on bail reform, and SB 822 (Weiner) on net neutrality, are clear standouts. Honorable mention goes to SB 894 (Dodd) on wildfire liability. Others might list SB 100 (De Leon) that requires 100% renewable energy by 2045, but the Legislature has a lot of time to change its mind after everyone who voted for the bill is long gone; the final verdict on this bill is yet to be written. The most significant veto is probably AB 3080 (Gonzalez-Fletcher), part of which would have prohibited mandatory arbitration agreements in employment contracts.

BB&K staff takes no enjoyment out of being right about SB 998 (Dodd) on water service shutoffs being signed, and AB 2050 (Caballero) on small district consolidation being vetoed, and why. In the veto message Governor Brown clearly telegraphed that the veto was over his displeasure at the failure of his initiative to establish a tax on water which would, "...address the most significant problem with providing safe drinking water - a stable funding source to pay for ongoing operations and maintenance costs." Condolences to the Eastern Municipal Water District and the CMUA who put in a Herculean amount of work with nothing but a petulant veto to show for it.

## **Election Preview**

Here are some legislative races to watch in November from a Sacramento point of view. (Meaning, "follow the money.")

## Senate

SD 12 (Salinas-Stockton): Incumbent—Anthony Cannella (R). This is a likely pick up for the Dems. Cannella is the quintessential moderate Republican and fits the district, his father represented part of the district as a very moderate (read conservative) Democrat, but the Reps don't have another Cannella. They do have Supervisor Rob Poythress who has put significant amounts of his own money into the race from his successful agribusiness, but almost all of the Sacramento money has gone to Assembly Member Anna Caballero. She's been waiting for another shot at this Senate seat since losing to Cannella in 2010. Registration is 45% Dem, 27% Rep, 24% DTS. Both sides have spent real money on the race with Caballero spending \$1.1M to Poythress' \$1.6M, but Caballero enters the home stretch with \$465K on hand to Poythress' \$56K.

SD 34 (Santa Ana-Westminster): Incumbent—Janet Nguyen (R). This is a real race because the Dems have a big-name candidate in Tom Umberg. Both sides have spent real money this year with Nguyen at \$1M slightly edging out Umberg at \$894K. Nguyen enters the home stretch with more than Umberg at \$525K on hand to his \$268K, but Umberg has more than enough to be competitive. Registration is 39% Dem, 30% Rep, and 27% DTS. This all points to a competitive race, but the Sacramento money is going to Nguyen. The overwhelming source of funds for Umberg is the Dem Party and organized labor, while PAC managers who are not already on one side (i.e., organized labor) are backing Nguyen. The Sacramento pundits are expecting Nguyen to survive the challenge.

## Assembly

AD 32 (Hanford): Incumbent—Rudy Salas (D). Registration is 46% Dem, 25% Rep, and 25% DTS. The DTS votes trend conservative in this district, which makes it competitive, but the reality is that the odds of Salas losing after winning twice in tougher elections is remote. How much Salas has in the bank isn't relevant because the amount he has to work with is pretty much whatever he needs. Still, his opponent is no slouch. Justin Mendes has spent \$570K so far but may be at the end of his rope with only \$84K on hand. Sacramento PAC managers aren't holding their breath on this one and have lined up behind Salas.

AD 38 (Santa Clarita): Incumbent—Dante Acosta (R). Registration is evenly split at 35% for each party and 26% DTS. This would ordinarily be safe for the Reps, but Dems are motivated and have the money to spend. The Dem challenger, Christy Smith, has spent \$920K so far, and has \$250K to spend on the home stretch. This is nearly all party and organized labor money. Non-aligned Sacramento PAC managers are avoiding this one. This, and AD 60 (see below), may be the races to watch.

AD 40 (Redlands): Incumbent—none. (Steinorth (R)) Registration is 41% Dem, 31% Rep, and 23% DTS. This could be a nail biter, but it probably won't be. A high turnout for Dems would capture this seat, so where's the money? The Dem, James Ramos, has spent real money and has a lot more to spend in the last 30 days. \$1.3M spent so far and \$385K cash on hand at the end of September. That's a lot for a Senate race; in an Assembly race it's a huge amount. His Rep challenger, Henry Nickels, is way behind with \$211K spent so far and \$128K on cash on hand. Almost all of that is from the party in form or another. Ramos, on the other hand, is receiving support from a diverse group of Sacramento PACs.



AD 60 (Corona-El Cerrito): Incumbent—Sabrina Cervantes (D). Registration is 40% Dem, 32% Rep, and 24% DTS. This is a real race. The Rep challenger, Bill Essayli, captured more votes in the Primary in a head-to-head matchup, but conclusions may be hard to draw. It could be that with only two candidates in the Primary, which guaranteed each a win, that maybe they didn't campaign that hard. The spending patterns tend to support that scenario. Cervantes has spent \$1.5M so far, a whopping amount, but \$1M of that has been spent since the Primary. Essayli is significantly behind in funds and has followed the same pattern. Total spend so far is \$530K with \$127K on hand, but that's enough to be relevant in an Assembly race. This may be the main race to watch. Independent Sacramento PAC managers wouldn't dare cross the Assembly Speaker on this one. They've lined up behind Cervantes and are willing to risk a loss on this one.

AD 76 (Carlsbad): Incumbent—none. (Rocky Chavez (R)) Whoops--no Rep in the race. Automatic pickup for the Dems after six Reps jumped into the Primary and let two Dems win it all. This isn't one to watch—obviously—but interesting nonetheless. The highest vote-getting Rep candidate, Phil Graham, captured 23,155 votes. The 2nd Dem, Tasha Boerner Horvarth, edged him out with 27,566. The votes of any of the next four Rep candidates would have put Graham in the #2 spot. However, it may be a blessing in disguise for the Reps: the percentage of total votes cast in the primary were 52%/48% Dem/Rep. The Reps may have spent scarce resources on this race and still lost in the General Election where a higher percent of Dem voters are expected to turn out.

Conclusion: the Dems may pick up one in each house, which won't make 2019 fundamentally different. The Governor's race is the only real change on the horizon.

# The County of Orange Report

October 9, 2018  
by Lewis Consulting Group

## **Orange County Law Enforcement Scandal Expands**

Every phone call that originates from the Orange County jail is recorded unless a block is placed on the number receiving the call. A list of such numbers is maintained and updated, but starting in 2015 something went wrong. Among the numbers to be blocked are the Orange County Public Defenders Office and defense attorneys.



The county vendor, Global Tel Link, blamed the recordings on a failed software update. They claim only 1,079 phone calls were inappropriately recorded. Defense attorneys and others claim the number is much larger.

Even more troubling is that a minimum of 58 phone calls were assessed by sheriff personal. According to California law, their monitoring could be charged as felonies.

Supervisor Spitzer pointed out that over 1,300 phone numbers were supposed to be on the DO NOT RECORD LIST, but for some period of time only 72 numbers were offered that protection. Led by harsh criticism by Supervisors Spitzer and Nelson, a variety of options including the termination of the vendor will be agenized at a future board meeting.

In the meantime, this scandal on the heels of the Orange County Jail Snitch, raises new questions regarding the fate of criminal cases, county liability and possible impacts in the upcoming November election.

## **October Predictions**

With the caveat that the last month leading up the election is a life time and anything can happen, I am stepping out on a limb with final pre November PAL meeting predictions.

Previous charts were based on competitiveness of races. This chart for ease of reading will be based on my confidence level of an accurate prediction. For example, the first race listed I am next to certain of the pick. The last race listed is a Wild A\*\* guess.

This tumultuous election season has the most uncertainty I have ever seen. Nationally

three large motivating factors are the President's continuing unpopularity, the booming economy and the aftermath of the Supreme Court confirmation process. The national mood will affect local turnout and hence all local races.

<u>Office</u>	<u>Winner</u>	<u>Comes up Short</u>
Sheriff	Barnes	Nguyen
49 <sup>th</sup> Congressional	Levin	Harkey
65 <sup>th</sup> Assembly District	Quirk Silva	Coronado
72 <sup>nd</sup> Assembly District	Lowenthal	Diep
39 <sup>th</sup> Congressional	Kim	Cisneros
45 <sup>th</sup> Congressional	Porter	Walters
74 <sup>th</sup> Assembly District	Harper	Petrie-Norris
District Attorney	Spitzer	Rackauckas
4 <sup>th</sup> District Supervisor	Shaw	Chaffee
48 <sup>th</sup> Congressional	Rohrabacher	Rouda

NOVEMBER 6, 2018

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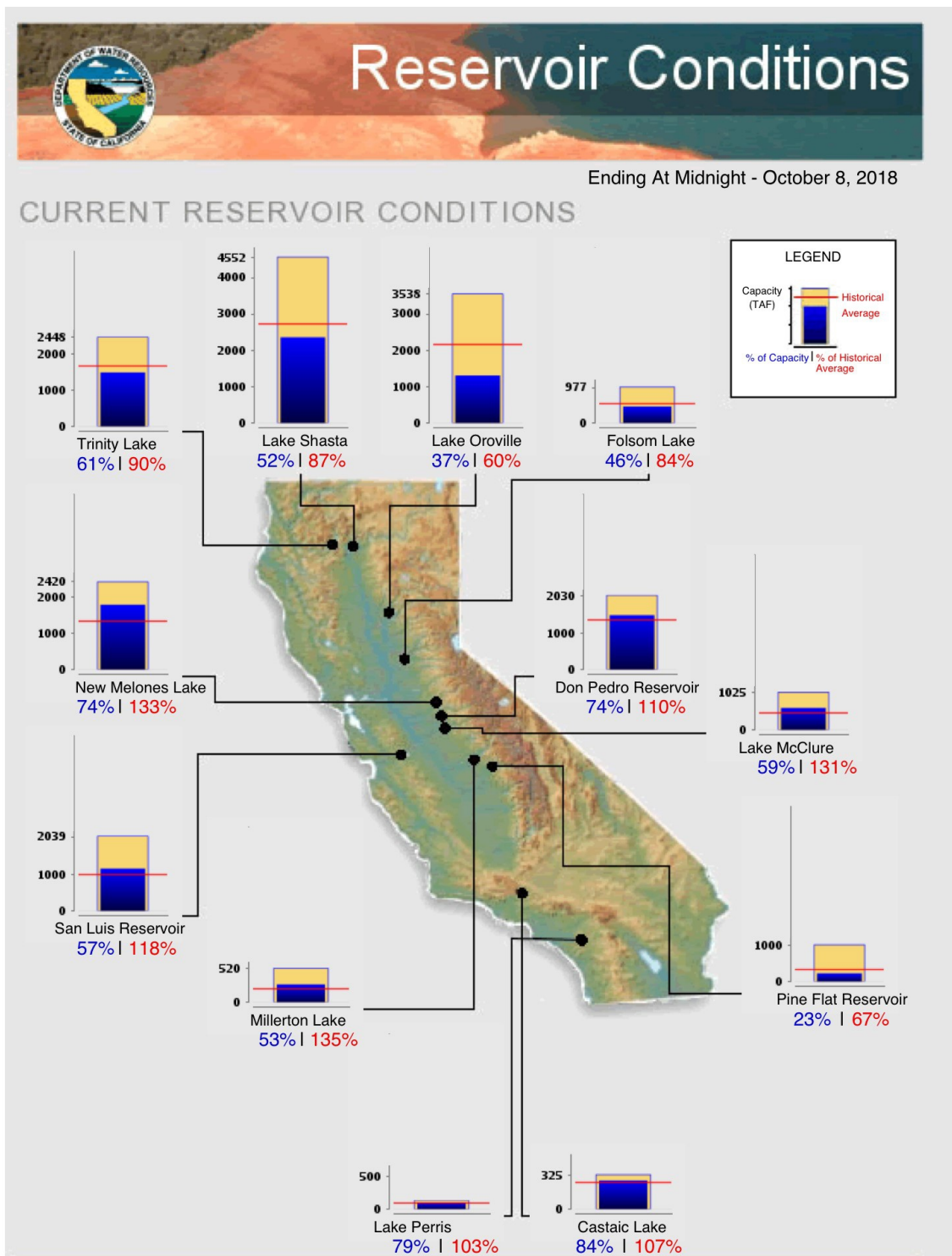
The October 10<sup>th</sup> LAFCO meeting took place after our print deadline, so any matters of note will be discussed verbally at PAL.

The agenda is lacking in substance. The only item on the agenda is a consent calendar item related to the Focused Municipal Services Review for the City of San Juan Capistrano Water and Waste Water Utility. Included are a statement of determinations and CEQA exemption.

Although not agenized for action, a meeting of the LAFCO AD HOC Committee dealing with policies and procedures and workplace review took place on Monday, October 1<sup>st</sup>. The committee is made up Commissioners McGregor, Brothers and Davert. Apparently, discussion largely mirrored prior verbal agreement on amendments between LAFCO staff and Special Districts. However, marked up documents are not yet available.

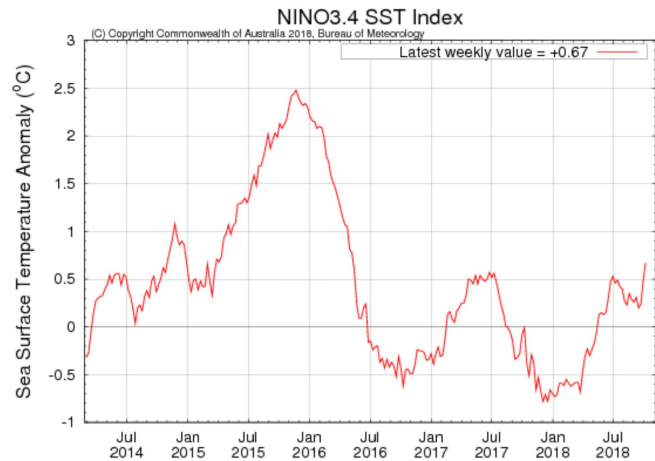
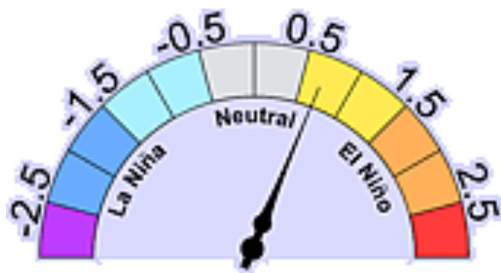
## Drought Taking Its Toll On Northern California Reservoirs

Four of our state's largest reservoirs, all facilities in Northern California, are now showing the effect of our state's latest drought. Lake Shasta, Oroville, Folsom and Trinity are each running below their average capacity for this time of year at 88%, 61%, 84% and 90% respectively. Oroville (which has had other challenges) is now only 38% full while Shasta is barely over 50%. The other eight measured southern reservoirs, are doing much better with seven over 100% of normal. Overall, strong early season rains could completely restore the Northern California deficiency.



## **It's Official - We Are Now in La Niña Mode**

### **ENSO METER**



## **And it Burns, Burns, Burns, Burns, this Ring of Fire** **(Apologies Johnny)**

Even more evidence that the so-called Ring of Fire is literally exploding with activity. On Friday, September 28, 2018, a 7.5 earthquake affected the countries of Indonesia, Philippines and Malaysia. The quake triggered an 18 foot tsunami that swept over the Indonesian island of Sulawesi, killing more than 1,400 people. Days later, a new volcano in Indonesia erupted spewing ash 20,000 feet in the sky. Scientist have not yet determined whether or not the earthquake triggered the new volcano. Two days later, a 6.6 earthquake rocked Fiji as well.

## Legal and Regulatory

October 15, 2018

1. **Compton Water Board Out:** The Sativa Los Angeles County Water District in Compton has had significant water quality issues in the past few years. It serves 6800 customers in Compton and Willowbrook has been delivering brown water with high manganese content. The board has been accused of nepotism and mismanagement. The Governor recently signed AB 1577 which dismantles the Board and turns control over to a new general manager from LA County. LA County Local Agency Formation Commission recently voted to dissolve the District. The Bill eliminated the voters right to fight the dissolution and seeks to find a new successor for the District. Opponents of the takeover call it power grab by the State and County. It is estimated that it would take \$15 million to bring the system up to normal. This is another example of smaller systems and districts not having a sufficient customer base to maintain their aging systems.
2. **Water vs Beer, Part Two:** Colorado has more than 200 craft breweries within its borders, more than any other state. Beer has a strong base in Colorado (Coors) because of its water quality, which is unique in the US. However, now, as a result of drought conditions, all businesses, including breweries, are being faced with serious cutbacks. The industry has also been hit with crop harvest decreases as a result of the drought. Many fires in the region have been contaminating the water supply. No one likes a smoky beer. Breweries are employing conservation measures but that can only go so far. Coors has been buying up water rights to ensure their supply plus they have replicated the taste and mineral content of Colorado water for their out of state plants. Fort Collins, the beer center, shows beer brewing using 2% of the available water and lawns 50%. A beer spokesman claims "People are going to give up their lawns before they give up their beer." This battle is going on in California also.
3. **Chairwoman Conflict?:** Certain Central Valley counties, including Stanislaus, Merced and others, are questioning the "water grab" plan of the State Water Resources Board. In particular, they are looking at the influence of the San Francisco Estuary Institute on the Boards decision making process. The executive of the SFEI is Warner Chabot who is the husband of Felicia Marcus, the chair of the Board. Conflicting opinions has been rendered from all sides but the Board says there is no conflict but advised Marcus to recuse herself from consideration of SFEI contracts. Part of the opinion was based on SFEI being a nonprofit entity making her interest "remote". Many close to the discussion confide that even if there is no actual conflict, it does not look good.

4. **Scott River Case Impacts Groundwater:** The recently passed Sustainable Groundwater Management Act attempts to manage the groundwater situation in California. It also gives water world more than 20 years to plan and achieve certain sustainability goals. However, a recent case may change all of that. An August ruling by a California Appellate Court ruled that some action may be required now. The case involved the Scott River near the Oregon border which is a tributary of the Klamath River. The Court examined the relation between pumping groundwater from aquifers and the result on adjoining rivers and their flow. While rivers are generally dependent on rainwater and snow melting, many also rely on groundwater. In this case, groundwater pumping had decreased the flow in the River which endangered the fish population. The court ruled for the fish over the farmers who claimed they had water rights and need for the additional pumping. A similar condition is occurring Napa and Sonoma where water used for the vineyards is reducing the flow of the Russian River. This is but another step in the battle over water rights, fish, farmers and who controls water in California.
5. **Calaveras Reservoir Completed:** After seven years and a lot of money, reconstruction of the Calaveras Reservoir in the Fremont/Milpitas area in Northern California has been completed. This major facility was forced to rebuild due to seismic issues. The water level has been at a reduced amount (25-40%) for many years because of failure probability. This reservoir is part of the Hetch-Hetchy system and has had many delay and cost overruns. Cost went from \$409 million to \$823 million and was 3 years late. Both were unavoidable according to experts because of existence of a 20 million year old geological landslide which required considerable more excavation than anticipated. They also found hippo teeth, whale parts and fossilized plants dating back over 20 million years. (The collection is at UC Berkeley if you want to see them) The construction will also allow the dam to be raised an additional 150 feet for future expansion.
6. **DWP Cuts Off Ranchers:** DWP is taking another swipe at ranchers and residents of Mono County. For over 70 years, DWP has helped maintain the plains east of Yosemite in Mono county by annual flooding. This allowed for cattle forage, ranching and habitat for local and migrant birds and animals. This land has been leased to ranchers with water rights attached. Many of these ranchers have been multi generational and are an important part of the local economy. As a result of the drought and new directions of the Department, they are cutting off these water rights to the ranchers. Many of the ranchers have already transferred their cattle to other states. The loss of economic value to the region is estimated at \$8 million per year. Mono County has about 14,000 residents who are dependent on ranching, fishing and tourist travel to the region. Mono officials are accusing LA of another water grab. 94% of their land is owned by outside city, state and federal agencies. DWP is making one exception. They are allotting 1000 acre feet per year to protect 600 sage grouse in the area.
7. **Another Study:** The federal government, USDA National Institute of Food and Agriculture is funding a \$5 million study for Nevada, Arizona, and Colorado (not California). The study will look at snowpack, basin risk, existing water right laws and regulations, agricultural sustainability, water forecast and other factors. Then



they intend to make recommendations regarding all of these areas. This can all be useful information but I would caution advise from Big Brother or Big Sister without appropriate input from all stakeholders.

8. **US Supreme Court Pending Issues:** Even before last week's US Supreme Court nominations hearing, the courts agenda was going to include many issues which will impact water world. Those issues included the following: interpretation of Endangered Species Act; various property rights cases; uranium mining; public lands management; extent of executive power and agency directives; reach of Clean Water Act; federal land withdrawals; Tribal hunting. The confirmation of Justice Kavanaugh will definitely impact these decisions. While many of the cases have already been set for hearing, it takes four Justices to add cases to their docket. Another interesting factor is that many of these case have already been briefed with those briefs written assuming Justice Kennedy (a sometimes swing vote) would be hearing them. That scenario has changed.
9. **Lead Limits in School Districts:** Currently the State and Federal limits of lead in drinking water is 15 parts per billion. Some local school districts are considering or have adopted limits much more stringent than State and Federal ones. Berkeley has adopted a 1 part per billion standard, San Diego has adopted 5 parts per billion, and Oakland has chosen the 5 level. Many pediatric experts are making the case that the State and Federal limits are too high and a danger to children. A recent survey has shown 24 schools in Oakland and 150 throughout the State exceed the 15 level. Most of the increase levels are due to faulty or old pipes and fixtures in the schools. The cost to repair and replace is substantial and most schools are requesting help from the State while other are considering local bonds. There are State funds available for disadvantaged communities.
10. **Groundwater Recharge Beneficial Use?:** Current California law does not allow groundwater recharge from surface water to be used for pollution management, controlling subsidence or salinity. The Sustainable Groundwater Management Act requires as part of the sustainability goals treating pollution, seawater intrusion and controlling subsidence. Current beneficial use definitions include delivering drinking water and growing crops. The battle is between defining recharge and storage. Regulatory and legislative fixes have been attempted but not completed as of this writing. Hopefully, it will be done soon.



# MWDOC

## PAL Committee

Prepared by Best Best & Krieger  
October 15, 2018 – Final Bill Status

### A. Priority Support/Oppose

Measure	Author	Topic	Status	Brief Summary	Position	Priority
<a href="#">AB 1668</a>	<a href="#">Friedman</a> D	Water management planning.	5/31/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 15, Statutes of 2018.	Would require the State Water Resources Control Board, in coordination with the Department of Water Resources, to adopt long-term standards for the efficient use of water, as provided, and performance measures for commercial, industrial, and institutional water use on or before June 30, 2022. The bill would require the department, in coordination with the board, to conduct necessary studies and investigations and make recommendations, no later than October 1, 2021, for purposes of these standards and performance measures.	Support	A. Priority Support/Oppose
<a href="#">AB 2050</a>	<a href="#">Caballero</a> D	Small System Water Authority Act of 2018.	9/28/2018-Vetoed by Governor.	Would create the Small System Water Authority Act of 2018 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems. The bill, no later than March 1, 2019, would require the state board to provide written notice to cure to all public agencies, private water companies, or mutual water companies that operate a public water system that has either less than 3,000 service connections or that serves less than 10,000 people, and are not in compliance, for 4 consecutive quarters, with one or more state or federal primary drinking water standard maximum contaminant levels as of December 31, 2018, as specified.	Support	A. Priority Support/Oppose
<a href="#">SB 120</a>	<a href="#">Roth</a> D	Water conveyance: use of facility with unused capacity.	8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S.	Current law prohibits the state or a regional or local public agency from denying a bona fide transferor of water from using a water	Opposition	A. Priority Support/Oppose

			APPR. on 8/31/2018)	conveyance facility that has unused capacity for the period of time for which that capacity is available, if fair compensation is paid for that use and other requirements are met. This bill would, notwithstanding that provision, prohibit a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands, as defined, that is in the vicinity of specified federal lands or state lands to outside of the groundwater basin unless the State Lands Commission, in consultation with the Department of Fish and Wildlife, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands.		
<a href="#">SB 606</a>	<a href="#">Hertzberg D</a>	Water management planning.	5/31/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 14, Statutes of 2018.	Would require an urban retail water supplier to calculate an urban water use objective no later than November 1, 2023, and by November 1 every year thereafter, and its actual urban water use by those same dates. The bill would require an urban retail water supplier to submit a report to the department for these purposes by those dates. The bill would authorize the State Water Resources Control Board to issue information orders, written notices, and conservation orders to an urban retail water supplier that does not meet its urban water use objective, as specified. The bill would authorize the board to waive these requirements for a period of up to 5 years, as specified.	Support	A. Priority Support/Oppose
<a href="#">SB 845</a>	<a href="#">Monning D</a>	Safe and Affordable Drinking Water Fund.	8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. APPR. on 8/24/2018)	Would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the board. By creating a new continuously appropriated fund, the bill would make an appropriation. The bill would require the board to administer the fund to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure.	Opposition	A. Priority Support/Oppose
<a href="#">SB 998</a>	<a href="#">Dodd D</a>	Discontinuation of residential water service; urban and community water systems.	9/28/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 891, Statutes of 2018.	Would require an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, to have a written policy on discontinuation of water service to certain types of residences for nonpayment available in prescribed	Oppose unless amended	A. Priority Support/Oppose

				languages. The bill would require the policy to include certain components, be available on the system's Internet Web site, and be provided to customers in writing, upon request.		
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## B. Watch

Measure	Author	Topic	Status	Brief Summary	Position	Priority
<a href="#">AB 2060</a>	<a href="#">Garcia, Eduardo</a> D	Water: grants: advanced payments.	9/28/2018-Vetoed by Governor.	Would require the State Water Resources Control Board, within 60 days of awarding a grant from the grant fund, to provide a project proponent that requests an advanced payment and satisfies certain criteria with the requested advanced payment, up to a maximum of \$500,000 or 50% of the grant award, whichever is less, for projects in which the project proponent is a nonprofit organization or a disadvantaged community, or the project benefits a disadvantaged community. The bill would require the advanced funds to be handled as prescribed.	Watch	B. Watch
<a href="#">AB 2064</a>	<a href="#">Gloria</a> D	Integrated regional water management plans: grants: advanced payment.	9/28/2018-Vetoed by Governor.	Current law, until January 1, 2025, requires a regional water management group, within 90 days of notice that a grant has been awarded, to provide the Department of Water Resources with a list of projects to be funded by the grant funds if the project proponent is a nonprofit organization or a disadvantaged community or the project benefits a disadvantaged community. Current law requires the department, within 60 days of receiving this project information, to provide advanced payment of 50% of the grant award for those projects that satisfy specified criteria. The bill, until January 1, 2025, would require the department to provide a project proponent that requests advanced payment and satisfies certain criteria with advanced payment for those projects of \$500,000 or 50% of the grant award, whichever is less.	Watch	B. Watch
<a href="#">AB 2258</a>	<a href="#">Caballero</a> D	Local agency formation commissions: grant program.	9/18/2018-Vetoed by Governor.	Would require the Strategic Growth Council, until July 31, 2024, to establish and administer a local agency formation commissions grant program for the payment of costs associated with initiating and completing the dissolution of districts listed as inactive, the payment of costs associated with a study of the services provided within a county by a public agency to a disadvantaged community, as defined, and for other specified purposes, including the initiation of an action, as defined, that	Watch	B. Watch

				is limited to service providers serving a disadvantaged community and is based on determinations found in the study, as approved by the commission.		
<a href="#">AB 2339</a>	<a href="#">Gipson D</a>	Water utility service: sale of water utility property by a city.	9/28/2018-Approved by the Governor. Chaptered by Secretary of State - Chapter 866, Statutes of 2018.	Would authorize the City of El Monte, the City of Montebello, and the City of Willows, until January 1, 2022, to sell its public utility for furnishing water service for the purpose of consolidating its public water system with another public water system pursuant to the specified procedures, only if the potentially subsumed water system is wholly within the boundaries of the city, if the city determines that it is uneconomical and not in the public interest to own and operate the public utility, and if certain requirements are met. The bill would prohibit the city from selling the public utility for one year if 50% of interested persons, as defined, protest the sale.	Watch	B. Watch
<a href="#">AB 3206</a>	<a href="#">Friedman D</a>	Water conservation: water meters: accuracy and performance standards.	8/17/2018-Failed Deadline pursuant to Rule 61(b)(15). (Last location was S. APPR. SUSPENSE FILE on 8/6/2018)	Would require the State Energy Resources Conservation, on or before January 1, 2020, to the extent that funding is available, to adopt regulations setting standards for the accuracy of water meters, as described, that, on or after the effective date of those regulations, are installed by a water purveyor or manufactured and sold or offered for sale in the state. The bill would include an exception for a water meter that, as of the effective date of the regulations, a water purveyor possesses, or has entered into a contract to purchase, and has not yet installed.	Watch	B. Watch
<a href="#">SB 844</a>	<a href="#">Monning D</a>	Water quality: agricultural safe drinking water fees.	8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. APPR. on 8/24/2018)	Current law requires every person who manufactures or distributes fertilizing materials to be licensed by the Secretary of Food and Agriculture and to pay a license fee that does not exceed \$300. This bill, during calendar years 2019 to 2033, inclusive, would require a licensee to pay to the secretary a fertilizer safe drinking water fee of \$0.008 per dollar of sale for all sales of fertilizing materials intended for farm use and \$0.004 per dollar of sale for all sales of fertilizing materials intended for noncommercial use. This bill, during calendar years 2019 to 2033, inclusive, would require a licensee to pay to the secretary a fertilizer safe drinking water fee of \$0.008 per dollar of sale for all sales of fertilizing materials intended for noncommercial use and \$0.004 per		B. Watch

				dollar of sale for all sales of packaged fertilizing materials intended for noncommercial use.		
<a href="#">SB 966</a>	<a href="#">Wiener D</a>	Onsite treated nonpotable water systems.	9/28/2018-Approved by the Governor. Chaptered by Secretary of State. Chapter 890, Statutes of 2018.	Would, on or before December 1, 2022, require the State Water Resources Control Board, in consultation with the California Building Standards Commission and the Department of Housing and Community Development, to adopt regulations for risk-based water quality standards for the onsite treatment and reuse of nonpotable water, as provided. The bill would authorize the state board to contract with public or private entities regarding the content of the standards.	Watch	B. Watch
<b>Total Measures: 13</b>						
<b>Total Tracking Forms: 13</b>						

**Metropolitan Water District of Southern California  
State Legislation Matrix 10/1/2018**

Item No. 1f

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>AB 732</b> <b>Frazier (D)</b>  Sponsor: Author	Amended 5/30/17  Held in Senate Appropriations Committee	<b>Delta Levee Maintenance:</b> Delta levee maintenance program was established for reimbursement of costs incurred in connection with maintenance or improvement of project or non-project levees in the Sacramento-San Joaquin Delta. AB 732 sought to extend the current 75% state reimbursement rate for Delta levee maintenance costs in excess of \$1,000 per mile, until July 1, 2020.	<b>WATCH</b> based upon prior position on SB 554 (Wolk) from 2016	Metropolitan dropped its opposition to AB 732 after the Delta Stewardship Council directed staff to enter into a Memorandum of Understanding with the Central Valley Flood Protection Board (CVFPB) and DWR to develop and recommend a new set of guidelines, including a methodology and local agency requirements for evaluating a local agency's ability to pay for cost of levee maintenance or improvements under the Delta Levee Subventions Program.  SB 854, the Public Resources budget trailer bill, ultimately became the legislative vehicle to make permanent changes to the Delta Levee Subventions Program (Chapter 51, Statutes of 2018).
<b>AB 747</b> <b>Caballero (D)</b>  Sponsor: Author	Amended 8/28/18  Signed by Governor on 9/22/18  Chapter 668, Statutes of 2018	<b>State Water Resources Control Board (SWRCB) - Administrative Hearing Office:</b> Creates, within the SWRCB, an Administrative Hearings Office, effective July 1, 2019, to ensure that water rights matters are resolved in timely manner.	<b>SUPPORT</b> based upon Board-adopted legislative policy priorities dated 12/12/17	AB 747 allows the SWRCB to designate impartial hearing officers to conduct hearings on certain water rights matters. This structure could allow for more efficient resolution of certain enforcement actions and other matters before the SWRCB.

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Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>AB 869</b> <b>Rubio (D)</b>  Sponsor: Author	Amended 8/24/17  Held in Senate Natural Resources and Water Committee	<b>Recycled Water:</b> Required long-term standards for urban water use conservation and water use to include credit for recycled water, as specified. Provided that water conservation does not include curtailment of use of recycled water. Prohibited urban retail water supplier from being required to reduce amount of recycled water it produces, sells or distributes for beneficial potable or nonpotable uses during period when water conservation measures are in effect.	<b>SUPPORT IF AMENDED</b> based upon Board-adopted legislative policy priorities dated 12/12/17	AB 869 was consistent with provisions found in SB 606 (Skinner/Hertzberg) and AB 1668 (Friedman), with a few distinctions. Bill recognized that recycled water is an efficient use and should be treated as such in any new water use efficiency targets, although bill sought to expand credit specified in SB 606 and AB 1668 to include nonpotable recycled water. Also sought to override authority extended to Governor under Emergency Services Act regarding curtailment of potable and nonpotable recycled water.
<b>AB 1270</b> <b>Gallagher (R)</b>  Sponsor: Author	Amended 1/22/18  Signed by Governor on 2/26/18  Chapter 3, Statutes of 2018	<b>Dams and Reservoirs – Inspections and Reporting:</b> Requires DWR to inspect dams, reservoirs, and critical appurtenant structures within its jurisdiction once per fiscal year, with the exception of low hazard potential dams which shall receive inspections, at a minimum, every two fiscal years. Also requires owners to disclose information sufficient to enable DWR to determine conditions of dams, reservoirs, and critical appurtenant structures regarding their safety and to perform, at the owner's expense, other work necessary to secure maintenance and operation that will safeguard life and property.	<b>WATCH</b> (1/22/18)	Based upon Metropolitan's decades of experience in building, monitoring, maintaining and operating more than 20 dams within the district's regional water distribution system, the bill addresses security and inspection concerns previously identified.

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State Legislation Matrix 10/1/2018**

<b>Bill Number Author</b>	<b>Amended Date; Location</b>	<b>Title-Summary</b>	<b>MWD Position</b>	<b>Effects on Metropolitan</b>
<b>AB 1323 Weber (D)</b>  Sponsor: San Diego County Water Authority	Amended 5/30/17  Held in Senate Appropriations Committee	<b>Water Efficiency Targets:</b> Provided that if a statute is not chaptered during 2017-18 legislative session to establish water conservation targets and long-term drought contingency planning, DWR would convene stakeholder workgroup by February 1, 2019, to develop, evaluate and recommend proposals for establishing new water use targets for urban retail water suppliers.	<b>SUPPORT</b> based upon Board-adopted legislative policy priorities dated 12/12/17	Metropolitan supports state agency implementation of a framework consistent with the water use efficiency goals set by the Legislature by working through a stakeholder process to ensure the goals are met in a way that recognizes the unique challenges of agencies throughout California.
<b>AB 1667 Friedman (D)</b>  Sponsor: Author	Amended 7/3/17  Held in Senate Natural Resources and Water Committee	<b>Water Management Planning:</b> Reflected the Brown Administration's June 2017 proposal to implement Executive Order B-37-16 and the framework contained in the report Making Water Conservation a California Way of Life for urban and agricultural water usage and drought planning.	<b>SUPPORT IF AMENDED</b> based upon Board-adopted legislative policy priorities dated 12/12/17	AB 1667 was consistent, in part, with the policy priorities adopted by Metropolitan's board. There were specific provisions, however, that required further revisions to merit full support.



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State Legislation Matrix 10/1/2018**

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>AB 1668</b> <b>Friedman (D)</b>  Sponsor: Author	Amended 5/3/18  Signed by Governor on 5/31/18  Chapter 15, Statutes of 2018	<b>Water Management Planning:</b> Sets targets for indoor residential water use and performance measures for CII water. References the Model Water Efficient Landscape Ordinance (MWLEO) for outdoor water use. Also clarifies SWRCB enforcement authority for non-compliance; updates agricultural water use efficient requirements; and provides for countywide and small system drought planning.	<p style="text-align: center;"><b>SUPPORT</b></p> based upon Board-adopted legislative policy priorities dated 12/12/17	<p>AB 1668 recognizes the Legislature's critical role in providing appropriate oversight to implementation of water conservation efforts by the Department of Water Resources and the State Water Resources Control Board, while preserving local decision making.</p> <p>AB 1668 includes a water-budget based target-setting approach that could be customized to unique location conditions and could be equally effective in reducing water use. Final amendments were made to ensure CII performance measures are cost effective and technically feasible; clarify application of enforcement provisions and MWELO requirements; and authorizes a 15% bonus incentive for existing potable reuse projects, as defined.</p> <p>The Delta is the largest estuary in the western hemisphere and the location of the largest water delivery systems in the nation. Comprehensive and balanced Delta planning and oversight cannot be accomplished by one region seeking to eliminate the voices of all others. AB 1876 represented a giant step backwards in a statewide approach to resolving and balancing statewide interests.</p>
<b>AB 1876</b> <b>Frazier (D)</b>  Sponsor: Author	Amended 4/3/18  Assembly Water, Parks and Wildlife Committee; failed passage on 4/24/18	<b>Delta Plan:</b> Sought to abolish the Delta Stewardship Council and proposed to transfer its duties on July 1, 2020, to the Delta Protection Commission, a body that is dominated by in-Delta interests.	<p style="text-align: center;"><b>OPPOSE</b></p> based upon June 2007 Board-adopted Delta Action Plan	

**Metropolitan Water District of Southern California  
State Legislation Matrix 10/1/2018**

<b>Bill Number Author</b>	<b>Amended Date; Location</b>	<b>Title-Summary</b>	<b>MWD Position</b>	<b>Effects on Metropolitan</b>
<b>AB 2050</b> <b>Caballero (D)</b>  Sponsors: Eastern MWD and CA Municipal Utilities Association	Amended 8/6/18  Vetoed by Governor on 9/28/18	<b>Small System Water Authority Act of 2018:</b> Would have enacted the Small System Water Authority Act of 2018, to authorize the creation of a small system water authority and required consolidation of failing water systems into an authority.	<b>SUPPORT</b> as adopted by Board on 3/13/18	While laws have been enacted over the past several years to address access to safe drinking water, immediate and lasting changes to the governance structure of chronically noncompliant small systems are still necessary to protect public health and safety. AB 2050 provided another tool which could lead to more sustainable water systems to effectively deliver safe and affordable drinking water to its residents.  Although appreciating the author's intent, the Governor vetoed the bill as he felt it created an expensive, bureaucratic process and did not address the most significant problem with providing safe drinking water - identifying a stable funding source to pay for ongoing operations and maintenance costs.
<b>AB 2062</b> <b>Matenschein (R)</b>  Sponsor: Author	Amended 4/30/18  Signed by Governor on 8/20/18  Chapter 165, Statutes of 2018	<b>State Highways - Landscaping:</b> Requires the Department of Transportation (CalTrans) to include California native wildflowers and climate-appropriate vegetation in planning projects, as specified.	<b>SUPPORT</b> based upon Board-adopted legislative policy priorities dated 12/12/17	Landscape water use on state highways should diminish with the installation of native plants and climate-appropriate vegetation. Leading by example, state highways could become a showcase to the public on the application of native plants in outdoor landscapes.

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State Legislation Matrix 10/1/2018**

<b>Bill Number Author</b>	<b>Amended Date; Location</b>	<b>Title-Summary</b>	<b>MWD Position</b>	<b>Effects on Metropolitan</b>
<b>AB 2283 Holden (D)</b>  Sponsor: Author	Introduced 2/13/18  Held in Assembly Appropriations Committee	<b>Income Tax Exclusions – Turf Removal Water Conservation Programs:</b> Would have extended, until December 1, 2024, the exclusion from gross income of any amount received as a rebate, voucher or other financial incentive issued by a local water agency or supplier for expenses incurred for participation in a turf removal water conservation program.	<b>SUPPORT</b> based upon past support of AB 2434 (Gomez), Chapter 738, Statutes of 2014	Extending the existing tax exclusion by five years would have provided relief to state taxpayers and could have encouraged participation in turf removal programs. In January 2014, Metropolitan added turf removal to the SoCal WaterSmart Regional Program, making it available to customers throughout the service area.
<b>AB 2543 Eggman (D)</b>  Sponsor: Author	Amended 3/13/18  Signed by Governor on 9/29/18  Chapter 918, Statutes of 2018	<b>State Agencies - Infrastructure Project Budget and Schedule:</b> Requires state agencies to publicly report significant changes in the cost or schedule of large and complex infrastructure projects. The bill seeks to incorporate a recommendation from the October 2017 report on CA WaterFix by the State Auditor General.	<b>OPPOSE</b> based upon June 2007 Board-adopted Delta Action Plan	While an open and transparent project delivery process is important to public agencies and their customers, Metropolitan raised concerns with the vagueness its terminology and application to state infrastructure projects. Project opponents could use an alleged violation of the reporting requirement to bring any action to halt, delay or modify a project.

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Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>AB 2545</b> <b>Gallagher (R)</b>  Sponsor: California Farm Bureau Federation	Amended 5/25/18  Held in Senate Natural Resources and Water Committee	<b>Lake or Streambed Alteration Agreements (LSAA):</b> Complete rewrite. Sought to direct the CA Department of Fish and Wildlife (CDFW) to develop a general agreement alternative to a project-specific LSAA.	<p style="text-align: center;"><b>SUPPORT</b></p> based upon Board-adopted legislative policy priorities dated 12/12/17	<p>The process to obtain a LSAA, under the existing regulatory framework, can take upwards of nine months, and CDFW has often required a number of seasonal constraints, conditions and mitigation requirements for perceived impacts to fish and wildlife resources. LSAA's typically do not allow for flexibility in project scheduling without going through another regulatory process to amend the LSAA which can interfere with Metropolitan's ability to safely and efficiently maintain its facilities.</p> <p>AB 2545 provided an alternative to a project-specific LSAA by directing CDFW to develop a general agreement.</p>
<b>AB 2649</b> <b>Arambula (D)</b>  Sponsor: Author	Amended 8/28/18  Held in Senate Rules Committee	<b>State Water Project: Water Supply Contracts:</b> Existing law requires that at least 60 days prior to the final approval of the renewal or extension of a long-term water supply contract between Department of Water Resources (DWR) and any State Water Project (SWP) contractor, DWR is required to present the contract terms, conditions and details to the Joint Legislative Budget Committee (JLBC) during an informational hearing. AB 2649 would have expanded the transparency requirements for DWR on significant amendments to the SWP contract going forward.	<p style="text-align: center;"><b>SUPPORT</b></p> based upon Board-adopted legislative policy priorities dated 12/12/17	<p>AB 2649 was written to reflect a compromise between the Joint Legislative Budget Committee chair and DWR. The bill would have eliminated any hearing requirement for SWP contract extensions in the future. The bill also required that DWR notify the JLBC and policy committees of jurisdiction on any significant amendments to the SWP contract as defined by the Monterey Agreement, such as CA WaterFix.</p>

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Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>AB 2697</b> <b>Gallagher (R)</b>  <b>Sponsor:</b> California Waterfowl and Pheasants Forever	Amended 8/21/18  Signed by Governor on 9/20/18  Chapter 588, Statutes of 2018	<b>Water Transfers – Idled Agricultural Lands:</b> Requires the Wildlife Conservation Board to establish an incentive program to encourage landowners to voluntarily cultivate or retain cover crops or other upland vegetation on idled lands to provide wildlife habitat for waterfowl and other game birds, provided the voters approve Proposition 3, on the November 2018 general election ballot, or should federal funding be secured for the purposes of the bill.	<b>WATCH</b> based upon past opposition to AB 472 (Frazier) in 2017	The bill leaves DWR's current water transfer program and guidelines intact. The existing program strikes a balance between encouraging cover crops and protecting water transfers.
<b>AB 3045</b> <b>Gallagher (R)</b>  <b>Sponsor:</b> Author	Amended 4/25/18  Held in Assembly Appropriations Committee	<b>Natural Resources Agency: State Water Project</b> <b>Commission:</b> Proposed to transfer control of the SWP from the California Department of Resources to a newly formed State Water Project Commission, which would consist of Governor appointees.	<b>OPPOSE</b> based upon June 2007 Board-adopted Delta Action Plan	AB 3045 proposed sweeping changes in SWP governance, but without addressing the multitude of complex policy, legal and operational issues that the bill is intended to address. As the bill was written, it could have resulted in delays or disruptions of needed improvements to ensure the sustainability of the SWP.

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<b>Bill Number Author</b>	<b>Amended Date; Location</b>	<b>Title-Summary</b>	<b>MWD Position</b>	<b>Effects on Metropolitan</b>
<b>AB 3170 Friedman (D)</b>  Sponsor: Author	Amended 4/16/18  Held in Assembly Appropriations Committee	<b>Sales Tax Exemption:</b> Authorized, until January 1, 2024, an annual three-day exemption from state sales tax for the purchase of qualified water efficiency products, including: rain barrels with a capacity of 100 gallons or more; soaker or drip-irrigation hoses; weather-based irrigation controllers; soil moisture-based control technologies; mulch and compost; WaterSense products; low-water use plants; and a permeable ground cover surface, other than living turf grass, that allows water to reach underground basins, aquifers, or water collection points.	<b>SUPPORT</b> based upon Board-adopted legislative policy priorities dated 12/12/17	Metropolitan and its member agencies will continue to strengthen their conservation outreach and rebate programs, focusing on new ways to help homeowners, businesses and communities change outdoor landscapes and gardens, where most water typically is used. AB 3170 sought to provide further financial incentives to make this transformation a reality and would have facilitated an aggressive approach to lowering water use.
<b>SB 473 Hertzberg (D)</b>  Sponsor: Author	Amended 8/16/18  Signed by Governor on 9/10/18  Chapter 329, Statutes of 2018	<b>California Endangered Species Act (CESA):</b> Makes numerous modifications to CESA, including, but not limited to, clarification that public agencies are covered under CESA; repealing the local voluntary agricultural program for routine and ongoing maintenance, except in one existing instance; requires the listing of endangered or threatened species by the Fish and Game Commission based solely upon best available scientific information; and proposes numerous other modifications to existing law.	<b>SUPPORT</b> based upon Board-adopted legislative policy priorities dated 12/12/17	SB 473 provides regulatory compliance flexibility, promotes consistent implementation of CESA and reduces regulatory duplication.

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<b>Bill Number Author</b>	<b>Amended Date; Location</b>	<b>Title-Summary</b>	<b>MWD Position</b>	<b>Effects on Metropolitan</b>
<b>SB 532 Dodd (D)</b>  Sponsor: Author	Amended 8/23/18  Signed by Governor on 9/19/18  Chapter 557, Statutes of 2018	<b>Emergency Services - Cyberterrorism:</b> Adds “cyberterrorism” to the list of conditions that are named in the Emergency Services Act that may be cited to support the proclamation of a state or local emergency.	<b>SUPPORT</b> based upon Board-adopted legislative policy priorities dated 12/12/17	SB 532 would allow cities, counties and other public agencies to be eligible for emergency funding and assistance if cyberterrorism was deemed the cause of a state or locally-declared emergency.
<b>SB 579 Galgiani (D)</b>  Sponsor: Author	Amended 8/24/18  Held in Assembly Rules Committee	<b>Water Quality Control Plans - Alternative Measures:</b> Would have amended the Water Code to ensure that the State Water Resources Control Board (SWRCB), in consultation with other appropriate agencies like the California Department of Fish and Wildlife and the California Natural Resources Agency, take into account the benefits to designated beneficial uses from both state-led and stakeholder-driven habitat restoration and adaptive management measures when it updates the Water Quality Control Plan for the Sacramento-San Joaquin Bay-Delta (Bay-Delta WQCP).	<b>SUPPORT</b> based upon Board-adopted legislative policy priorities dated 12/12/17	SB 579 did not expand the SWRCB’s authority, but rather ensured that non-stream- flow measures like habitat restoration and adaptive management that are anticipated to result from voluntary, stakeholder-based negotiations among water rights holders in the Sacramento and San Joaquin River watersheds, are accounted for before the SWRCB adopts any updates to the Bay-Delta WQCP that affect stream flows.

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Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>SB 606</b> <b>Hertzberg (D)</b>  Sponsor: Author	Amended 5/7/18  Signed by Governor on 5/31/18  Chapter 14, Statutes of 2018	<b>Water Management Planning:</b> Provides for the calculation of water use objectives by urban retail water supplies. Specifies SWRCB enforcement tools and timelines. Contains revisions to UWMP reporting and filing requirements. Provides for preparation of Water Shortage Contingency Plans and annual water supply and demand assessment by urban wholesaler and retailer water suppliers. Measure also recognizes that recycled water is an efficient use and should be treated as such in the calculation for new water use efficiency targets.	<b>SUPPORT</b> based upon Board-adopted legislative policy priorities dated 12/12/17	Preserves the legislative process for setting water-use efficiency goals yet recognizes the role of state agencies to implement a detailed framework consistent with those goals. Bill contains numerous opportunities for stakeholder engagement to ensure requirements of the measure are met in a way that recognizes the unique challenges of water agencies throughout California. SB 606 preserves local and regional decision-making and control in determining actions to avoid shortage or mitigate shortage impacts.
<b>SB 623</b> <b>Monning (D)</b>  Sponsor: Community Water Center and Western Growers Association	Amended 8/21/17  Held in Assembly Rules Committee	<b>Safe and Affordable Drinking Water Fund:</b> Would have established the Safe and Affordable Drinking Water Fund to assist communities and individual domestic well owners who lack access to safe drinking water, particularly those in small, rural disadvantaged communities. Fund was designed to pay for replacement water; domestic well testing and investigations; planning, construction, operation and maintenance costs for system improvements; and outreach to eligible communities. Revenue for the Fund would come from an agricultural fee on fertilizer sales and dairy operations and a permanent tax on ratepayers of urban retail water systems.	<b>OPPOSE UNLESS AMENDED</b> based upon Board-adopted legislative policy priorities dated 12/12/17	Generally speaking, the water industry agreed with the intent of SB 623. The lack of access to safe drinking water in certain disadvantaged communities is a public health and social issue that the state must address. Potential revenue sources identified for the Fund, however, should reflect the “beneficiary pays” principle, as opposed to a fee or assessment levied on water agencies for funding the broader public benefits.



**Metropolitan Water District of Southern California  
State Legislation Matrix 10/1/2018**

<b>Bill Number Author</b>	<b>Amended Date; Location</b>	<b>Title-Summary</b>	<b>MWD Position</b>	<b>Effects on Metropolitan</b>
<b>SB 844</b> <b>Monning (D)</b>  Sponsor: Brown Administration	Amended 8/22/18  Held in Assembly Appropriations Committee	<b>Water Quality: Agricultural Safe Drinking</b> <b>Water Fees:</b> Would have imposed fees on fertilizer, dairies and confined animal operations, for deposit into the Safe and Reliable Drinking Water Fund, created by SB 845. Revenues raised were to be continuously appropriated for grants, loans, contracts or services to assist eligible applicants with addressing nitrate contamination in disadvantaged communities. Enforcement relief from certain RWQCB actions was extended to those that pay into the Fund. By January 1, 2028, SWRCB was to undertake a public review of regulatory and basin plan amendment implementation to evaluate progress toward achieving water quality objectives with respect to nitrate in groundwater and to assess compliance by agricultural operations. Passage required a two-thirds vote of the Legislature and was contingent on passage of SB 845 (Monning).	<b>WATCH</b> based upon Board-adopted legislative policy priorities dated 12/12/17	SB 844 was a more acceptable and equitable approach than that required for agricultural operations in SB 623 and the budget trailer bill advanced in early 2018. The fees imposed on agricultural operations were structured and based upon a periodic needs assessment by the SWRCB. The Secretary of Food and Agriculture was directed to adjust the fees as necessary to meet, but not exceed, 70% of the anticipated funding need for nitrate cleanup after January 1, 2034. The fees did not sunset but decreased, as defined in the bill.

**Metropolitan Water District of Southern California  
State Legislation Matrix 10/1/2018**

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>SB 845</b> <b>Monning (D)</b>  Sponsor: Brown Administration	Amended 8/22/18  Held in Assembly Appropriations Committee	<b>Safe and Affordable Drinking Water Fund:</b> Rather than imposing a mandatory charge on urban water retail agencies as proposed in SB 623 (Monning) and the budget trailer bill from early 2018, this bill required that retail water agencies impose a “voluntary remittance” on each customer’s bill beginning July 1, 2019, to raise funds to assist disadvantaged communities to gain access to safe and reliable drinking water. Retail customers could elect to “opt out” by deducting all or a portion of the amount from their water bill, or could pay more than the established minimum amount. The initial minimum amount would be based upon service connection size, as defined. Funds collected were to be remitted by the water provider at least twice a year based upon the funds received.	<p style="text-align: center;"><b>OPPOSE</b></p> based upon Board-adopted legislative policy priorities dated 12/12/17	SB 845 lacked sufficient detail regarding implementation and collection of the “voluntary remittance.” The bill failed to recognize the complexities associated with retail billing systems around the state. Instead, the bill deferred to a collaborative process between the SWRCB and ACWA to develop voluntary best practices associated with bill presentation, accounting and collection. The best practices included special consideration for low-income households, although there was no specific exemption for low-income ratepayers.
<b>SB 919</b> <b>Dodd (D)</b>  Sponsor: The Nature Conservancy	Amended 6/27/18  Held in Assembly Appropriations Committee	<b>Water Resources – Stream Gages:</b> Required the Department of Water Resources (DWR) and State Water Resources Control Board to develop a plan to deploy a network of stream gages that included a determination of funding needs and opportunities for reactivating existing gages.	<p style="text-align: center;"><b>SUPPORT</b></p> based upon Board-adopted legislative policy priorities dated 12/12/17 and June 2007 Board-adopted Delta Action Plan	A robust and accurate data collection system will support informed decision-making regarding water management. Having a more reliable and accurate system of stream gages can also help integrate groundwater recharge during high-flow events. Good information and science leads to sound public policy on water management.

**Metropolitan Water District of Southern California  
State Legislation Matrix 10/1/2018**

<b>Bill Number Author</b>	<b>Amended Date; Location</b>	<b>Title-Summary</b>	<b>MWD Position</b>	<b>Effects on Metropolitan</b>
<b>SB 1301 Beall (D)</b>  Sponsor: Santa Clara Valley Water District	Amended 8/6/18  Vetoed by Governor on 9/28/18	<b>State Permitting – Processing Procedures:</b> Sought to authorize a dam safety project or flood risk reduction project eligible for supplemental consultation, as specified, for the purpose of expediting the permitting of the project. Required the Office of Planning and Research to develop a joint multi-agency pre-application and model fee-for-service agreement.	<p style="text-align: center;"><b>SUPPORT</b></p> based upon Board-adopted legislative policy priorities dated 12/12/17	<p>SB 1301 was designed to establish a more efficient permitting process for dam safety and flood protection projects. This could have been helpful for enhanced early engagement to better inform project design and the environmental review process. Due to understaffing at state permitting agencies, deadlines for permitting are often missed, particularly for large projects that yield the most public safety benefit.</p> <p>The Governor viewed the measure as an attempt to address a perceived shortfall in funding and staffing at the permitting agencies. He believed the proper balance of state agency resources should be deliberated in the annual budget process not through legislation and suggested the author address this issue in next year's budget cycle.</p>

**Metropolitan Water District of Southern California  
State Legislation Matrix 10/1/2018**

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
<p style="text-align: center;"><b>SB 1422</b> <b>Portantino (D)</b></p> <p>Sponsor: Author</p>	<p style="text-align: center;">Amended 8/23/18</p> <p style="text-align: center;">Signed by Governor on 9/28/18</p> <p style="text-align: center;">Chapter 902 Statutes of 2018</p>	<p style="text-align: center;"><b>California Safe Drinking Water Act – Microplastics:</b> Requires the State Water Resources Control Board (SWRCB) to adopt a definition of microplastics by July 1, 2020, and then adopt rules for the testing of microplastics in drinking water, including a detection methodology and disclosure requirements, on or before July 1, 2021.</p>	<p style="text-align: center;"><b>OPPOSE</b> based upon Board-adopted legislative policy priorities dated 12/12/17</p>	<p>While studies have identified the presence of microplastics in drinking water, it remains unclear as to what the presence of microplastics means in terms of affecting human health. Further research is necessary and is currently underway. However, the development and validation of testing methods through a peer-review process is still years away. There also is no detection limit nor are there any accredited environmental laboratories in the state that can provide analysis for microplastics in drinking water. The availability of science and research, not an arbitrary deadline, should guide the development of any requirements for an issue as complex as microplastics.</p> <p>SB 1422 also requires public disclosure on testing results without there being information available to put the results in context as to whether the results are significant. Without context, the reporting may detrimentally impact the public's perception of the safety and quality of their drinking water.</p>

**Metropolitan Water District of Southern California  
State Legislation Matrix 10/1/2018**

<b>Bill Number Author</b>	<b>Amended Date; Location</b>	<b>Title-Summary</b>	<b>MWD Position</b>	<b>Effects on Metropolitan</b>
<b>SB 1493 Senate Committee on Natural Resources and Water</b>  Sponsors: Multiple	Amended 8/21/18  Signed by Governor on 9/23/18  Chapter 742, Statutes of 2018	<b>State Lands:</b> Represents the Senate Natural Resources and Water Committee omnibus “code clean-up” bill. Sections 29 and 30 repeal the State Lands Commission’s (SLC) Statutory Trust Grant issued to Metropolitan and returns the tide and submerged lands at Bolsa Chica to the State of California. Metropolitan has not, and does not intend to, move forward with projects as defined in the grant.	<b>WATCH</b> based on MWD Real Property and Asset Management Committee discussion on 12/12/17	The tide and submerged lands granted to Metropolitan in 1967 by the State Lands Commission are subject to a reversionary interest. The state is choosing to exercise that interest to focus its resources on other matters rather than annually monitoring and reviewing the inactive status of the grant.



**ACTION ITEM**  
October 17, 2018

**TO:** **Public Affairs and Legislation Committee**  
(Directors Dick, Tamaribuchi and Thomas)

**FROM:** **Robert Hunter, General Manager**

Staff Contact: Heather Baez

**SUBJECT: MWDOC LEGISLATIVE POLICY PRINCIPLES ANNUAL UPDATE**

**STAFF RECOMMENDATION**

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Staff recommends the committee: 1) review and adopt the updated legislative policy principles, and 2) provide direction to staff to facilitate the development of the 2019 Legislative Priorities.

**COMMITTEE RECOMMENDATION**

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Committee recommends (To be determined at Committee Meeting)

**BACKGROUND**

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At the September PAL meeting, staff presented this item for discussion, and requested feedback. Staff also began soliciting input from senior staff and the member agencies through the general managers and other participating city staff via the MWDOC Member Agencies Managers and Legislative Coordinators group.

All feedback received has been incorporated to the attached document.

**REPORT**

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MWDOC maintains a set of legislative policy principles that serve as guidelines for staff and our legislative advocates on issues that are of importance to the District. The policy

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

principles attached are a culmination of current policies and initial changes recommended by staff and member agencies.

These principles 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. Having such principles in place allow the District to respond to certain types of legislation in a timely manner; however in cases where issues are not clear or have complicated implications will be presented to the Board for further guidance.

The goal for this item today is to have the Committee accept or reject the recommended changes to MWDOC's Legislative and Regulatory Policy Principles and provide further changes if necessary for the Board's approval. This will allow and provide direction to staff to draft legislative priorities for 2019 for the Board's consideration.

Changes to the 2019 Policy Principles are as follows:

### **NEW FOR 2019**

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#### Local Water Resources

Added additional text to two policy principles

#### Water Use Efficiency

Expanded the section on regionally appropriate statewide landscape water use efficiency standards and regulations

Added two policies (one support, one oppose) related to emergency drought declarations and regulations

#### Water Infrastructure Financing

Reworded a section to include all types of projects including infrastructure

Expanded section on types of financing to also include Title XVI

#### Energy

Add "cost effective" to one section

#### Fiscal Policy

Expanded the section related to a "public goods charge" to also include user fees

#### Emergency Response

Added four new policies (two support, two oppose)

#### Member Agency Recommended Additions

New policies recommended by MWDOC's member agencies are listed below.

- 1) *When legislation impacts member agencies, MWDOC will solicit input on bill positions from member agencies and will remain neutral on legislation if member agencies are in opposition to MWDOC's position. (OCWD)*

2) *When working with elected officials, staff to elected officials, and with media and/or developing educational materials, MWDOC will not portray itself as representing all of Orange County.* (OCWD)

3) *Promotes the voluntary development of and recognize the importance of protecting extraordinary/emergency water supplies for use by local water agencies during times of drought or water shortages.* (IRWD) - Staff note: This fits under the Local Water Resources section.

Attached: Municipal Water District of Orange County Legislative and Regulatory Policy Principles



Additions are *italicized*

Deletions are ~~crossed through~~

Source of the recommended change is listed at the end of each policy principle

## **Municipal Water District of Orange County** **Legislative and Regulatory Policy Principles**

### **IMPORTED WATER SUPPLY**

**It is MWDOC's policy to support legislation and regulation that:**

- 1) 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 California WaterFix and EcoRestore, 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 through the Delta either for, or supplemental to, State Water Project deliveries;
  - c) Improves the quality of water delivered ~~from~~ *through* the Delta; (Staff)
  - d) Enhances the Bay-Delta's ecological health in a balanced manner;
  - e) Employs sound scientific research and evaluation to advance the co-equal goals of improved water supply and ecosystem sustainability.
  - f) Expedites the California WaterFix and EcoRestore.
- 3) Funds a comprehensive Bay-Delta solution in a manner that equitably apportions costs to all beneficiaries.
- 4) Provides conveyance and storage facilities that are cost-effective for MWDOC and its member agencies, while improving the reliability and quality of the water supply.
- 5) Authorizes and appropriates the federal share of funding for the California WaterFix and EcoRestore.
- 6) Authorizes and appropriates the ongoing state share of funding for the California WaterFix and EcoRestore.
- 7) Provides funding for Colorado River water quality and supply management efforts.

- 8) Promotes continued federal funding and coordination between states for the Colorado River Basin Salinity Control Program under the departments of Agriculture and Interior.
- 9) Protects and preserves Metropolitan's interest in binational water conservation programs.

**It is MWDOC's policy to oppose legislation or regulation 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.
- 2) Imposes water user fees to fund non-water supply improvements in the Delta region or user fees that are not proportional to the benefits received from a Delta region water supply improvement.
- 3) Delays or impedes implementation of the California WaterFix and EcoRestore.

**LOCAL WATER RESOURCES**

**It is MWDOC's policy to support legislation and regulation that:**

- 1) Supports the development of, provides funding for, and authorizes and/or facilitates the expanded use of, *cost effective*, water recycling, potable reuse, conservation, water use efficiency, groundwater recovery and recharge, storage, brackish and ocean water desalination and surface water development projects where *water supply is improved and* the beneficiaries of the project pay for the portions of the project not funded by state or federal funds. (IRWD)
- 2) Recognizes that recycled water for both potable and non-potable reuse is a valuable resource that should be promoted and encouraged, while considering total cost elements, and regulated and permitted in a manner which promotes greater reuse throughout the county and state.
- 3) Reduces and/or streamlines regulatory burdens on augmented or alternative water supply projects, and provides protections for the use of these supplies during water supply shortages, through exemptions or provisions of credit during state mandated reductions.
- 4) Supports ecosystem restoration, increased stormwater capture *where the capture avoids impact to others*, and sediment management activities that are cost-effective and enhance the quality or reliability of water supplies. (IRWD)
- 5) Authorizes, promotes, and/or provides incentives for indirect and direct potable reuse projects and provides protections for the use of local supply projects during water shortages by exempting them from state mandated reductions.

- 6) Recognizes that the reliability and high quality of supplies to the end user is the primary goal of water suppliers.
- 7) Keeps decision-making, with regard to stormwater management and recapture, at the local or regional level.
- 8) Recognizes stormwater management and recapture as important tools in a diversified water portfolio that can help to achieve improved water quality in local surface and groundwater supplies, and can augment surface and groundwater supplies.
- 9) Reduces or removes regulatory hurdles that hinder the use of augmented or alternative water supplies.
- 10) Provides incentives for local or regional use of augmented or alternative water supplies.
- 11) Support the evaluation of reservoirs to provide an enhancement in water supplies.
- 12) Support the inclusion of environmental infrastructure projects the Army Corps of Engineers must consider in its Report to Congress.
- 13) Allows Investor Owned Utilities to invest in redundancy and reliability projects.

**It is MWDOC's policy to oppose legislation or regulation 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 or increases costs to the safe application of recycled water and continues to define recycled water as a waste or resource of lesser value than traditionally defined potable water.
- 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.
- 4) Restricts or limits a local governmental agency's ability to establish local priorities for water resources planning decisions.
- 5) Reduces a local agency's ability to benefit from local investments in drought-proof or emergency water supplies during water shortages.
- 6) Would impose conservation mandates that do not account for the unique local water-supply circumstances of each water district.

**WATER USE EFFICIENCY**

**It is MWDOC's policy to support legislation and regulation that:**

- 1) Furthers the statewide goal of increasing water use efficiency, as opposed to water conservation throughout the state.
- 2) Would allow flexibility and options for compliance in achieving statewide water reduction goals.
- 3) Seeks to cost-effectively improve water efficiency standards and policies for water-using devices.
- 4) Provides loans and grants to fund incentives for water conserving devices or practices.
- 5) Legislatively set water efficiency standards provided the standards are reasonable, cost effective for Orange County agencies, and consider unintended consequences, such as impacts to wastewater systems, reductions in recycled water supplies, demand hardening, and impacts to regional reliability and drought preparedness.
- 6) Reasonably improves landscape water use efficiency and Commercial, Institutional and Industrial (CII) water use efficiency programs while preserving community choice and the local economy.
- 7) Encourages regionally appropriate statewide landscape water efficiency-standards and regulations that consider land use, *plant material*, *irrigation efficiency* and climate factors.  
(Staff)
- 8) Provides financially appropriate incentives, funding, and other assistance where needed to facilitate market transformation and gain wider implementation of water-efficient indoor and outdoor technologies and practices.
- 9) Provides incentives, funding, and other assistance where needed to facilitate water use efficiency partnerships with the energy efficiency sector.
- 10) Recognizes past investments in water use efficiency measures, especially from the demand hardening perspective.
- 11) Recognizes community growth and development when developing comparative standards for water use efficiency year-over-year.
- 12) Provides tax exemptions for water conservation or efficiency incentives for measures including, but not limited to, turf removal, devices, and other measures to reduce consumption of water or enhance the absorption and infiltration capacity of the landscape.
- 13) *Creates a process for development and implementation of emergency drought declarations and regulations that recognizes variations among communities, regions, and counties with respect to their abilities to withstand the impacts and effects of drought.*  
(Staff)

**It is MWDOC's policy to oppose legislation or regulations that:**

- 1) Fails to ensure balance in the implementation of water efficiency practices *throughout the state* and requirements for both urban and agricultural use. (Staff)
- 2) Would repeal cost-effective efficiency standards for water-using devices.
- 3) Diminishes local agency control or flexibility in implementing water efficiency practices or standards.
- 4) Places unreasonable conservation measures on commercial, industrial and institutional customers that would negatively impact or limit the potential for economic growth.
- 5) Fails to recognize the importance of both water use efficiency and water supply development.
- 6) Fails to recognize augmented or alternative water supplies as an efficient use of water, or that fails to provide an adequate incentive for investments in such water, for potable or non-potable reuse.
- 7) Fails to consider regional and local reliability when establishing any reduction targets during water shortages.
- 8) Requires water efficiency standards or performance measures that are infeasible, not practical or fail to have a positive cost-benefit ratio when comparing the cost of meeting the standard or implementing the performance measure with the value of the volume of water saved.
- 9) *Creates a “one-size-fits-all” approach to emergency drought declarations and regulations that ignores variations among communities, regions, and counties with respect to their ability to withstand the impacts and effects of drought.* (Staff)

## **WATER QUALITY AND ENVIRONMENTAL IMPACTS**

### **It is MWDQC's policy to support:**

- 1) Legislation that protects the quality of surface water and groundwater including the reduction of salt loading to groundwater basins.
- 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.
- 4) Administrative/legislative actions to improve clarity and workability of CEQA, and eliminate other duplicative state processes.
- 5) Streamlining or exempting water, recycled water, wastewater projects, and/or environmental restoration projects, from the California Environmental Quality Act (CEQA). Provides liability protections to public water districts, and related wholesale water providers, seeking to consolidate troubled water systems that cannot consistently demonstrate that they are able to provide safe, clean and reliable water supplies to their customers.

**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.
- 3) Projects that negatively impact the water quality of existing local supplies.

**METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**

**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.
- 2) Would restrict MET's rate-making ability.

**WATER TRANSFERS**

**It is MWDOC's policy to support legislation and regulation 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 or regulation that:**

- 1) Undermines the operations and maintenance of the conveyance system conveying the water.
- 2) Interferes with the financial integrity of a water utility or compromises water quality.
- 3) Increases regulatory or procedural barriers to water transfers at the local or state level.

**WATER INFRASTRUCTURE FINANCING AND PROJECT FUNDING**

**It is MWDOC's policy to support legislation and regulation that:**

- 1) Employs a "beneficiary pays" principle that establishes a clear nexus between the costs 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, *including but not limited to infrastructure projects*. (Staff)
- 3) Considers local investments made in infrastructure, programs, mitigation and restoration in determining appropriate cost shares for water infrastructure, *and project* investments. (Staff)
- 4) Reduces the cost of financing water infrastructure planning and construction, such as tax-credit financing, tax-exempt municipal bonds, Water Resources Development Act (WRDA), Water Infrastructure Finance Innovation Act (WIFIA), the Environmental Infrastructure Accounts, *the Title XVI Water Reclamation and Reuse Project*, and other funding mechanisms. (IRWD)

**It is MWDOC's policy to oppose legislation or regulation that:**

- 1) Establishes a fee or tax that does not result in a clear and proportional benefit to the District, its member agencies, and their customers.
- 2) Would reduce the total available water infrastructure financing measures such as WIFIA, state-revolving funds, and others.

**ENERGY**

**It is MWDOC's policy to support legislation or regulation that:**

- 1) Facilitates the development and expansion of clean, *and cost effective* renewable energy in California, including hydropower. (IRWD)
- 2) Supports water supply reliability as the primary focus of water agencies and energy intensity of water supplies as a secondary factor.
- 3) Recognizes the role and value of the water industry investment in water use efficiency and therefore recognizes WUE efforts towards greenhouse gas reduction, including funding such activities.
- 4) 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).
- 5) Facilitates voluntary and cost effective local investments in renewable energy, energy management and storage, and energy efficiency which improve the water-energy nexus and reduce local agency costs.

**FISCAL POLICY**

**It is MWDOC's policy to support legislation or regulation 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 or regulation 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.
- 6) Would impose mandated costs or regulatory constraints on the District or its member agencies without reimbursement.
- 7) Mandates a specific rate structure for water agencies.
- 8) Imposes a "public goods charge" "*water user fee*", or "*water tax*" on public water agencies or their ratepayers. (Staff)

**GOVERNANCE**

**It is MWDOC's policy to support legislation or regulation that:**

1) Advances good government practices and public transparency measures in a manner that does 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 or regulation that:**

- 1) Imposes unnecessarily broad burdens upon all local governments.
- 2) Shifts state programs, responsibilities and costs to local governments without first considering funding to support the shift.
- 3) Seeks to limit or rescind local control.
- 4) Reduces or diminishes the authority of the District to govern its affairs.
- 5) Imposes new costs on the District and the ratepayers absent a clear and necessary benefit.



6) 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.

## **EMERGENCY RESPONSE**

**It is MWDOC's policy to support legislation that:**

- 1) Increases coordination on Homeland Security and emergency response efforts among the federal, state, and local governments with clearly defined roles and responsibilities for each.
- 2) Provides continued funding to enhance and maintain local Homeland Security infrastructure, including physical and cyber protection of critical infrastructure.
- 3) Ensures adequate funding for expenditures related to disaster response and all phases of emergency management; including the earthquake early notification system and efforts to enhance water infrastructure resiliency.
- 4) Strengthens intergovernmental planning and preparation coordination for emergency response and drills.
- 5) *Enhances protection of information and cyber security for critical infrastructure through policy and funding for local efforts. (Staff)*
- 6) *Supports water utility capability to notify customers of emergency protective measures through reverse notification systems. (Staff)*

***It is MWDOC's policy to oppose legislation or regulation that:***

- 1) *Reduces a water utility's ability represent itself in any component of the disaster preparedness cycle, especially the response and recovery section staff. (Staff)*
- 1) *Negatively impacts water and wastewater utility's ability to prepare, mitigate or respond to emergencies in order to provide fire suppression, drinking water and wastewater services. (Staff)*

## **MEMBER AGENCY RECOMMENDED ADDITIONS**

- 1) *When legislation impacts member agencies, MWDOC will solicit input on bill positions from member agencies and will remain neutral on legislation if member agencies are in opposition to MWDOC's position. (OCWD)*

2) *When working with elected officials, staff to elected officials, and with media and/or developing educational materials, MWDOC will not portray itself as representing all of Orange County. (OCWD)*

3) *Promotes the voluntary development of and recognize the importance of protecting extraordinary/emergency water supplies for use by local water agencies during times of drought or water shortages. (IRWD) - Staff note: This fits under the Local Water Resources section.*

DRAFT



**ACTION ITEM**  
October 17, 2018

**TO: Public Affairs and Legislation Committee**  
(Directors Dick, Tamaribuchi, and Thomas)

**FROM: Robert Hunter, General Manager**

Staff Contact: Heather Baez

**SUBJECT: ISDOC CALL FOR NOMINATIONS**

**STAFF RECOMMENDATION**

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Staff recommends the Board of Directors review the list of candidates for the ISDOC Executive Committee and authorize President Brett Barbre or his designee to vote on MWDOC's behalf.

**COMMITTEE RECOMMENDATION**

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Committee recommends (To be determined at Committee Meeting)

**REPORT**

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Last month, the Independent Special Districts of Orange County (ISDOC) sent out its Notice of Election and Call for Candidates to all member districts. Nominations were received for all positions (with the exception of Secretary) and ballots were mailed to all eligible voting members.

At this time, ISDOC is conducting a vote of Regular Special District Members for the election of officers. The notice of election, ballot, and statements from candidates are attached for the Board's review.

The ISDOC bylaws indicate, "At the end of the nominating period if only one candidate is nominated for a vacant seat, that candidate shall be deemed selected." This is the case for

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

the 2<sup>nd</sup> Vice President, 3<sup>rd</sup> Vice President, and Treasurer positions; therefore, they are not on the ballot. Arlene Schafer from the Costa Mesa Sanitary District, Mary Aileen Matheis from Irvine Ranch Water District and Joan Finnegan from the Municipal Water District of Orange County, respectfully, have been selected to these seats.

The other candidates are as follows:

President – Sandra Jacobs, Santa Margarita Water District  
Michael Posey, Orange County Mosquito and Vector Control District

1st Vice President (Programs) – Lucille Kring, Orange County Mosquito and Vector Control District

Mark Monin, El Toro Water District

Candidates were invited to submit a candidate statement to be included in the packet of materials that was sent to all ISDOC members along with the ballot and ballot instructions. Those statements are included for your review.

To be included in the count, all ballots must be received no later than 5:00 p.m. on October 23, 2018. Election results will be announced at ISDOC's Quarterly Meeting on October 25, 2018. Officers will assume their positions in January 2019.

**Attached:**

ISDOC Executive Committee Election of Officers Ballot  
Ballot Cover Letter  
(4) Candidate Statements



Mailing Address

P.O. Box 20895  
Fountain Valley, CA 92728

Meeting Location

MWDOC/OCWD  
18700 Ward Street  
Fountain Valley, CA 92708

(714) 963-3058  
(714) 964-5930 fax

[www.mwdoc.com/isdoc](http://www.mwdoc.com/isdoc)

Executive Committee

**President**

Hon. James Fisler  
*Mesa Water District*

**1<sup>st</sup> Vice President**

Hon. Sandra Jacobs  
*Santa Margarita Water District*

**2<sup>nd</sup> Vice President**

Hon. Mark Monin  
*El Toro Water District*

**3<sup>rd</sup> Vice President**

Hon. Mary Aileen Mathews  
*Irvine Ranch Water District*

**Secretary**

Hon. Doug Davert  
*East Orange County Water District*

**Treasurer**

Hon. Joan C. Finnegan  
*Municipal Water District of  
Orange County*

**Immediate Past President**

Hon. Mike Scheafer  
*Costa Mesa Sanitary District*

Staff Administration

**Heather Baez**

*Municipal Water District of Orange  
County*

**Sylvia Prado**

*East Orange County Water  
District*

September 21, 2018

**RE: Election of Independent Special Districts of Orange County (ISDOC)  
Officers**

Dear Member Districts,

The nomination period for Executive Committee officer positions closed on September 18<sup>th</sup>, 2018. At this time, ISDOC is conducting a vote of Regular Special District Members for the election of officers. This letter serves as official notice of the election.

The names of nominated candidates are printed on the ballot. Please vote for one candidate per seat.

The Executive Committee meets at 7:30 am on the first Tuesday of the month. Meetings are open to the public. Duties of Executive Committee members are contained in the ISDOC bylaws, which may be found at the ISDOC website - <http://www.mwdoc.com/ISDOC>.

Each Regular Member District in good standing shall be entitled to one vote. In accordance with current bylaws, the vote must be cast (signed) by the district's presiding officer or an alternate selected by the district board.

You may submit your ballot via mail or email to Heather Baez: P.O. Box 20895, Fountain Valley, CA 92728 (mail) or [hbaez@mwdoc.com](mailto:hbaez@mwdoc.com) (email). **Ballots must be received by 5:00 p.m. on Tuesday, October 23, 2018 in order to be counted. Even if positions are uncontested, it is important to submit a ballot since a quorum of voting members is required for the election of officers.**

The names of officers elected will be announced at the October 25th quarterly meeting.

If you have any questions or wish to discuss the election process further, please contact Heather Baez (MWDOC) at [hbaez@mwdoc.com](mailto:hbaez@mwdoc.com) or (714) 593-5012.

Sincerely,

James R. Fisler, President  
Independent Special Districts of Orange County

**Enclosed:** Ballot for ISDOC Election of Officers  
Candidates' Statements

# INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY

## ELECTION OF OFFICERS

The ISDOC Executive Committee consists of the President, First Vice President, Second Vice President, Third Vice President, Secretary, Treasurer and Immediate Past President. Officers are elected in October of even numbered years for two year terms. Please vote for one candidate per seat.

The ISDOC bylaws indicate, "At the end of the nominating period if only one candidate is nominated for a vacant seat, that candidate shall be deemed selected." This is the case for the Second Vice President, Third Vice President and Treasurer positions, therefore they are not on the ballot. Arlene Schafer from Costa Mesa Sanitary District, Mary Aileen Matheis from Irvine Ranch Water District and Joan Finnegan from Municipal Water District of Orange County, respectfully, have been selected to these seats. As there were no nominations for the Secretary position, the ISDOC Executive Committee will either fill the vacancy by appointment or call for a special election within the first sixty days of 2019.

**Cast your Vote:** Please cast your vote for the remaining seats by placing an "X" on the line next to the individual for which you wish to vote in each position. If you are writing in a candidate, please include their district affiliation and position. **THE SIGNATURE PAGE IS ON THE REVERSE SIDE OF THE BALLOT. IT MUST BE SIGNED BY YOUR VOTING REPRESENTATIVE IN ORDER TO BE COUNTED.**

### President

\_\_\_\_\_ Sandra Jacobs, Vice President  
Santa Margarita Water District

\_\_\_\_\_ Michael Posey, Trustee  
Orange County Mosquito & Vector Control District

### First Vice President (Programs)

\_\_\_\_\_ Lucille Kring, President  
Orange County Mosquito & Vector Control District

\_\_\_\_\_ Mark Monin, Director  
El Toro Water District

-----  
\_\_\_\_\_  
DISTRICT NAME

\_\_\_\_\_  
SIGNATURE OF VOTING REPRESENTATIVE

**Ballots must be received no later than 5 p.m. October 23, 2018.**

You may return your ballot by mail or email to:

Heather Baez  
P.O. Box 20895  
Fountain Valley, CA 92728

**Attention: ISDOC Executive Committee Election**

OR Email: [hbaez@mwdoc.com](mailto:hbaez@mwdoc.com)

BOARD OF DIRECTORS  
JUSTIN McCUSKER      SAUNDRA F. JACOBS  
BETTY H. OLSON, PH.D    CHARLEY WILSON  
CHARLES GIBSON  
  
DANIEL R. FERONS  
GENERAL MANAGER



## Santa Margarita Water District

August 28, 2018

Dear Colleagues:

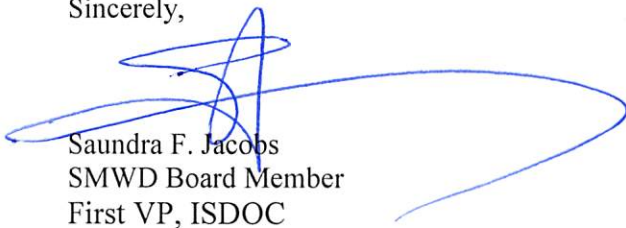
I am delighted to announce my candidacy for President of the Independent Special Districts of Orange County ("ISDOC"). I am writing today to ask for your districts' support.

I have a deep and abiding commitment to the twenty-six Special Districts that competently and ably provide critical public services in our county. It has been my privilege to serve in ISDOC leadership during my 12 consecutive years on the ISDOC Board. I am currently the First Vice President and serve on the Executive Committee.

My passion for public service and the work of special districts comes from my 22 years on the Santa Margarita Water District ("SMWD") Board of Directors. While I have extensive experience in the water sector I also have a keen interest and awareness of the needs and requirements for success of all special districts—from library and vector control to water, sewer, and other community services. I hope that I have adequately demonstrated my willingness to provide leadership in organization, advocacy, and communication to benefit and nurture special districts of every stripe.

ISDOC is an important association of agencies providing important services associated with LAFCO and CSDA. We need the continued leadership of all individuals who have a demonstrated commitment to serving the public, a strong sense of responsibility for the protection of the value that special districts provide, and a vision to plan for the future of the organization here in Orange County. It would be my honor to serve you and our organization as President and I humbly ask for your vote and support. If you or your colleagues have questions about my candidacy I hope you will contact me at 949/702-1145 or at [saundraj@smwd.com](mailto:saundraj@smwd.com).

Sincerely,



Sandra F. Jacobs  
SMWD Board Member  
First VP, ISDOC

# Michael Posey



708 Main St. • Huntington Beach, CA 92648 • Phone: 714-412-0174  
E-Mail: mikeposey@earthlink.net

Date: September 17, 2018

Independent Special Districts of Orange County  
18700 Ward St.  
Fountain Valley, CA 92708

Dear Selection Committee

I am writing to you today to express my keen interest in serving as President of ISDOC. I was nominated to apply and voted unanimously by my peers at Orange County Mosquito and Vector Control where I serve on the Board of Trustees as well serve as the Chair for the Budget and Finance Committee.

Until year-end, I also serve as Mayor for the City of Huntington Beach voted in unanimously by my City Council colleagues in December 2017 for a one-year term. First elected to the City Council in 2014 I am finishing my first term and running for re-election for a second term. Prior to my election to City Council, I served as a Planning Commissioner.

Other County-wide service includes Commissioner for Orange County Parks. I was nominated to serve by Orange County Supervisor, Michelle Steel with my nomination confirmed unanimously by the entire Board. I also serve as Chair of the West Orange County Water District and an alternate on Sanitation District.

Committees served at the City of Huntington Beach include Chair of Economic Development Committee, Chair of Intergovernmental Relations, Personnel Committee, Special events and many others.

Non-Governmental service with the Association of California Cities include, Co-Chair of the Jobs and Economic Development Committee and member of the Legislative Affairs Committee. I also serve on the Governmental Affairs Committee for the Huntington Beach Chamber of Commerce.

Lastly, I am on the Board of SCAG, OCCOG and serve as the alternate voting member of the RHNA Committee for SCAG.

I respectfully ask that nomination be considered: I have the demonstrated leadership, organizational and relationship building skills to well serve ISDOC and its members.

Sincerely,

Michael Posey



**BOARD OFFICERS FOR 2018**

**PRESIDENT**

LUCILLE KRING

**VICE-PRESIDENT**

CHERYL BROTHERS

**SECRETARY**

SHARI L. HORNE

**DISTRICT MANAGER**

RICHARD HOWARD

**CLERK OF THE BOARD**

TAWNIA E. PETT



13001 GARDEN GROVE BOULEVARD

GARDEN GROVE, CA 92843-2102

PHONES: (714) 971-2421

(949) 654-2421

FAX: (714) 971-3940

ocvcd@ocvcd.org

ocvector.org

facebook.com/ocvectorcontrol

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**BOARD OF TRUSTEES - 2018**

**ALISO VIEJO**

PHILLIP B. TSUNODA

**ANAHEIM**

LUCILLE KRING

**BREA**

CECILIA HUPP

**BUENA PARK**

MICHAEL DAVIS

**COSTA MESA**

SANDRA GENIS

**CYPRESS**

PAULO MORALES

**DANA POINT**

RICHARD VICZOREK

**FOUNTAIN VALLEY**

CHERYL BROTHERS

**FULLERTON**

JENNIFER FITZGERALD

**GARDEN GROVE**

STEPHANIE KLOPFENSTEIN

**HUNTINGTON BEACH**

MIKE POSEY

**IRVINE**

LYNN SCHOTT

**LA HABRA**

JAMES GOMEZ

**LA PALMA**

MARSHALL GOODMAN

**LAGUNA BEACH**

ROB ZUR SCHMIEDE

**LAGUNA HILLS**

LARRY WOODRUFF

**LAGUNA NIGUEL**

JOHN MARK JENNINGS

**LAGUNA WOODS**

SHARI L. HORNE

**LAKE FOREST**

ROBERT HOLTZCLAW

**LOS ALAMITOS**

MARK CHIRCO

**MISSION VIEJO**

ROBERT RUESCH

**NEWPORT BEACH**

SCOTT PEOTTER

**ORANGE**

MICHAEL ALVAREZ

**PLACENTIA**

CRAIG GREEN

**RANCHO SANTA MARGARITA**

APRIL JOSEPHSON

**SAN CLEMENTE**

MICHELLE SCHUMACHER

**SAN JUAN CAPISTRANO**

PAM PATTERSON

**SANTA ANA**

CECILIA AGUINAGA

**SEAL BEACH**

SANDRA MASSA-LAVITT

**STANTON**

AL ETHANS

**TUSTIN**

LETITIA CLARK

**VILLA PARK**

BILL NELSON

**WESTMINSTER**

SERGIO CONTRERAS

**YORBA LINDA**

PEGGY HUANG

**COUNTY OF ORANGE**

LILLY SIMMERING

September 17, 2018

My name is Lucille Kring, council woman in Anaheim for 14 years.

I am running for 1<sup>st</sup> Vice President of ISDOC. This organization is needed to serve the community of Orange County. It does a great job and needs to be protected.

I have served on the Orange County Sanitation District board for over 4 years.

I served on the Transportation Corridor Agencies board for over 8 years.

I am currently the president of the Orange County Mosquito and Vector Control board and have served for over 11 years, twice as President.

I believe my background on these boards and council has prepared me to be a part of ISDOC.

Thank you for your consideration,

Lucille Kring



# El Toro Water District

"A District of Distinction"

Serving the Public - Respecting the Environment

September 27, 2018

RECEIVED

OCT 01 2018

MWD OF OC



## Board of Directors

M. Scott Goldman  
William H. Kahn  
Jose F. Vergara  
Frederick J. Adjarian  
Mark L. Monin

## General Manager

Robert R. Hill

**Re: Mark Monin for ISDOC Executive Committee 1<sup>st</sup> Vice President**

Dear Board Members,

I would be honored to serve as 1st Vice President for the Independent Special Districts of Orange County Chairing the Program Committee and would love to speak with your District. Duties include planning the Quarterly Luncheon Program, inviting and coordinating with the invited speakers and in the absence of the President perform all duties of the President.

I currently serve on the ISDOC Executive Committee as the 2<sup>nd</sup> Vice President chairing the Membership Committee. Duties include maintaining a list of current and regular and associate members, follow up with any outstanding membership dues as needed and in the absence of the President and the 1<sup>st</sup> Vice President perform all duties of the President.

I am a Director and Treasurer on the El Toro Water District Board and Vice Chairman / Commissioner of the Orange County Airport Land Use Commission. I was also a PCF Fire Fighter with the Orange County Fire Authority. I have proven to be a fiscally responsible individual with a "think out of the box mentality" and I look forward to working with the other ISDOC Board members to achieve greatness. I love Orange County and want to work hard here and in Sacramento to help Special Districts progress into the future. With the exception of one meeting, I have attended every ISDOC Executive Committee meeting in the last 4 years and I know the issues that have affected ISDOC in the past and what is important to propel this fine organization in the future. My qualifications for this position include:

**>EXPERIENCED LEADER >COMMITTED TO SPECIAL DISTRICTS >FISCALLY RESPONSIBLE  
>DEDICATED**

As you know ISDOC is a membership association that was formed more than 30 years ago to serve the needs of Orange County's independent special districts. I want to continue to build on that fine tradition, work hard with others to achieve a higher degree of member satisfaction and make ISDOC even stronger. I feel I can collaborate with the Executive Committee and the membership to provide valuable information and presentations on issues that affect Special Districts which can help you with important discussions in the future.

Please see the accompanying resume outlining my experience and education. I would love to hear your thoughts on how we can make ISDOC even better and please contact me with your input, ideas or questions on my experience or platform. I can be reached at (949) 939-6612 or [markmonin@msn.com](mailto:markmonin@msn.com).

Sincerely,

Mark Monin, Director/Treasurer



**Mark L. Monin**  
3371 Punta Alta Unit 3E  
Laguna Woods, CA 92637  
(949) 939-6612  
markmonin@msn.com



Mark Monin serves as a Director with the El Toro Water District and Vice Chairman of the Orange County Airport Land Use Commission. He is also has over 35 years in the securities industry, most recently with Raymond James, specializing in executive services, 401k, endowments, foundations, high level financial planning and asset management. Mark is also a former PCF Fire Fighter with Orange County Fire Authority and has pilot FAA Licenses private, commercial, instrument and multi engine. Mark also has over 28 years of real estate experience mostly in Orange County California.

## **Professional Experience**

### **Boards/Committees/Community Involvement**

- El Toro Water District, Board of Directors 2015 – Present
- Vice Chairman of the Orange County Airport Land Use Commission 2015 – Present
- Finance Committee of The Association of California Water Agencies and its Education Subcommittee, Investment Subcommittee 2015 – Present
- South Orange County Watershed Management Area Executive Committee
- Independent Special Districts of Orange County (ISDOC)
- South Orange County Agencies
- Water Advisory Committee of Orange County (WACO)
- Orange County Water Association (OCWA)
- City of Laguna Woods Public Safety Committee Chairman 2012-2015 Past Chairman
- City of Laguna Woods Landscape Committee, Past Member
- Newport Beach Chamber of Commerce, Past Member
- Irvine Chamber of Commerce, Past Member
- 

### **Financial Investment/Securities Industry (35 Years)**

- Raymond James Financial Services, Newport Beach 2009-current
- Oppenheimer & Co. Newport Beach, California 2005-2009
- Morgan Stanley, Sales Manager / Financial Advisor, Los Angeles / Orange County 1998 - 2005
- Merrill Lynch, Manager / Financial Advisor , Los Angeles / Orange County 1994 - 1998
- Prudential Securities, Assistant Manager, Anaheim 1991 – 1994

### **Aviation Experience / Aviation Organizations**

- Pilot Data & FAA Licenses
  - Private
  - Commercial
  - Instrument
  - Multi Engine
- Vice Chairman of the Orange County Airport Commission (Land Use) 2015-present
- Adjunct Professor at California Baptist University, Riverside, CA 2015- Present
  - Teaches Aviation Law and Aviation Finance
- Civil Air Patrol (Auxiliary United States Air Force) from 1992-1996
  - *Aerial and ground search & rescue,*
- *Civil Air Patrol Aerial Disaster inspection, Orange County, CA*
  - *DEA and Customs assistance in aerial surveillance, air transport from 1992-1996*
- Flying Samaritans/ Liga
  - Free medical clinics; fly physicians/medical professionals to Mexico 1995-present
- Angel Flight Pilot
  - Provides transportation to medical treatment for those who cannot afford/tolerate public transportation, 1998-present
- Southern California Pilots Association

- To provide a collective voice for General Aviation at our So CA Airports.
- Develop a positive working relationship with the airport administration.
- Foster camaraderie amongst So CA Pilots with aviation related
- Enhance safety and education in the So CA Pilot community.
- Orange County Pilots Association (OCPA)
  - OCPA is an association of aviation enthusiasts with the purpose of promoting aviation at the Orange County Airport
- Experimental Aviation Association (EAA)
  - **Experimental Aircraft Association** based in Oshkosh, Wisconsin, encourages and supports recreational aviation.

### **Real Estate Experience (28 Years)**

- California Department of Real Estate, 1988 – Present (28 Years)
- Real Estate Consultant
- California Department of Real Estate Continuing Education

### **Firefighter Experience**

- Orange County Fire Authority
  - *PCF/ Firefighter/Engineer/ search & rescue/ medical training* (first responder) 1988-1995
- Twin District Fire Department, Lancaster, NY
  - *Firefighter/ Engineer/ search & rescue/ medical training* (first responder) 2005-2006
- Lancaster Fire Department, Lancaster, NY
  - *Firefighter/ Engineer/ search & rescue/ medical training* (first responder) 1982-1984
- Egypt Fire Department, Rochester/Perrington, NY
  - *Firefighter/ Engineer/ search & rescue/ medical training* (first responder) 1985-1987

### **Education/Licensure**

- Pepperdine University, Malibu California, Masters in Business Administration, 2002
- The Wharton School, University Of Pennsylvania, Senior Financial Advisor
- The Wharton School, University Of Pennsylvania, Management Training Program
- Institute of Investment Management Consulting, Investment Management Consultant
- The Institute of Business & Finance: Certified Annuity & Fund Specialist
- Board Certified in Asset Allocation
- Canisius College, Buffalo New York, BS/Finance, 1981
- University of Buffalo, Aeronautical Engineering, 1978
- Federal Aviation Administration, Multi Engine, 2000
- New York Stock Exchange, Series 8, Branch Manager, 1990
- National Association of Securities Dealers, Series 65, Financial Planning, since 1989
- California Department of Real Estate, since 1988
- National Association of Securities Dealers, Series 3, Futures, since 1988
- National Association of Securities Dealers, Series, Options Principal, since 1983
- National Association of Securities Dealers, Series 24, Principal Supervisor, since 1983
- National Association of Securities Dealers, Series 63, State Licensing, since 1981
- Securities Licensed in California, Colorado, Connecticut, Delaware, Georgia, Iowa, Illinois, Indiana, Louisiana, Maryland, New Jersey, New York, Ohio, Pennsylvania
- National Association of Securities Dealers, Series 7, 1981, Financial Advisor
- Federal Aviation Administration, Commercial, 1979
- Federal Aviation Administration, Instrument, 1978
- Federal Aviation Administration, Private, 1977



**INFORMATION ITEM**  
October 15, 2018

**TO:** **Public Affairs & Legislation Committee**  
(Directors Dick, Tamaribuchi, Thomas)

**FROM:** **Robert Hunter, General Manager**

Staff Contact: Sarah Wilson

**SUBJECT:** **Education Programs Update**

**STAFF RECOMMENDATION**

---

Staff recommends the Public Affairs & Legislation Committee: Receive and file this report.

**COMMITTEE RECOMMENDATION**

---

Committee recommends (To be determined at Committee Meeting)

**DETAILED REPORT**

---

Contractors for the Municipal Water District of Orange County's (MWDOC) education programs have started booking classes for the current school year. The following reports are included here: Elementary Education Student Counts and the "What About Water" High School Program report.

The primary goal for both the Elementary and High School programs is to provide comprehensive instruction on the science, geography, economics, and history of Orange County water. These goals are measured through pre- and post- test metrics.

**Elementary School Program**

- **Goal 1:** Students will understand the importance of water as it relates to the local climate and ecosystem.

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

- **Goal 2:** Students will be able to identify California water sources and understand the challenges in delivering a reliable source of drinking water to Orange County.
- **Goal 3:** Students will recognize and have the necessary resources to apply water efficient practices at home and in the community.

The following keypad response data demonstrates an average increase in student understanding after attending the September 2018 Elementary School Program assemblies:

- **First Grade:** Students are tested on the water cycle and how plants use water, carbon dioxide, and sunlight. Students demonstrated a **14.39%** average increase in understanding from the pre- to post- test.
- **Second Grade:** Students are tested on where water is found in nature and the ways in which nature cleans our water. Students demonstrated a **14.03%** average increase in understanding from the pre- to post- test.
- **Third Grade:** Students are tested on local climate and the ability of plants and organisms to survive in a particular climate. Students demonstrated a **14.14%** average increase in understanding from the pre- to post- test.
- **Fourth Grade:** Students are tested on the local ecosystem, water sources, and water use efficiency. Students demonstrated a **28.84%** average increase in understanding from the pre- to post- test.
- **Fifth Grade:** Students are tested on how the water cycle cleans and recycles freshwater supply and water use efficiency. Students demonstrated a **33.01%** average increase in understanding from the pre- to post- test.
- **Sixth Grade:** Students are tested on the forces that drive the water cycle and factors that influence the growth of organisms in our local area. Students demonstrated a **38.59%** average increase in understanding from the pre- to post- test.

### **High School Program**

- **Goal 1:** Students will be able to identify California water sources and understand the challenges in delivering a reliable source of drinking water to Orange County.
- **Goal 2:** Students will understand local water policy and reliability issues and be able to debate the merits of a current or proposed policy or project.
- **Goal 3:** Students will recognize and have the necessary resources to apply water efficient practices at home and in the community.

Following the first High School Program visit, pre- and post- metrics will be reported.

# WHAT ABOUT WATER?

**Monthly Report**  
Presented by



## October 2018

What About Water? - Inside the Outdoors School Visits									
Year 4 - 2018/2019									
Agency	High School	1st Visit - student	1st Visit Enrollment	2nd Visit - student	2nd Visit Enrollment	School Expo	Expo School Enrollment	Total Students	Notes
Anaheim	Anaheim High School	11/28/18		2/7/19		3/20/19		0	3/20 - Lunchtime Expo
City of Brea	Brea Olinda High School	4/26/19		5/31/19		6/4/18		0	6/4 - Lunchtime Expo
City of Buena Park	Buena Park High School							0	
City of Fountain Valley	Fountain Valley High School or Los Amigos (alternate)							0	
City of Huntington Beach	Edison High School							0	
City of San Clemente	San Clemente High School	4/29/19		5/6/19		5/14/19		0	5/19 - Lunchtime Expo
City of San Juan Capistrano	Junipero Serra High School or San Juan Hills High School							0	
City of Tustin	Tustin High School or Columbus Middle School							0	
East Orange WD	Foothill High School							0	
El Toro	El Toro High School							0	waiting on date confirmation
El Toro Water District	Los Alisos Jr. High							0	
Moulton Niguel	Aliso Niguel High School							0	
Moulton Niguel	Laguna Hills High School							0	waiting on date confirmation Jan/Feb 2019
Moulton Niguel	Capistrano Valley High School							0	new teacher contact, waiting for date confirmation
Moulton Niguel /Santa Margarita WD	Mission Viejo High School							0	
Santa Ana	Saddleback High School							0	
Santa Margarita WD	Tesoro High School	4/10/19		5/15/19		5/29/19		0	5/29 - Lunchtime Expo
South Coast WD	Dana Hills High School	12/3/18		4/15/19		5/21/19		0	5/21 - Lunchtime Expo
Westminster	La Quinta High School							0	
Westminster	Westminster High School							0	
Total			0		0		0	0	
Teacher Workshops									
Student Summits									
Where's My Water									
	Brea Olinda High School	9/21/18							
tbd = verbal confirmation, pending calendar dates									

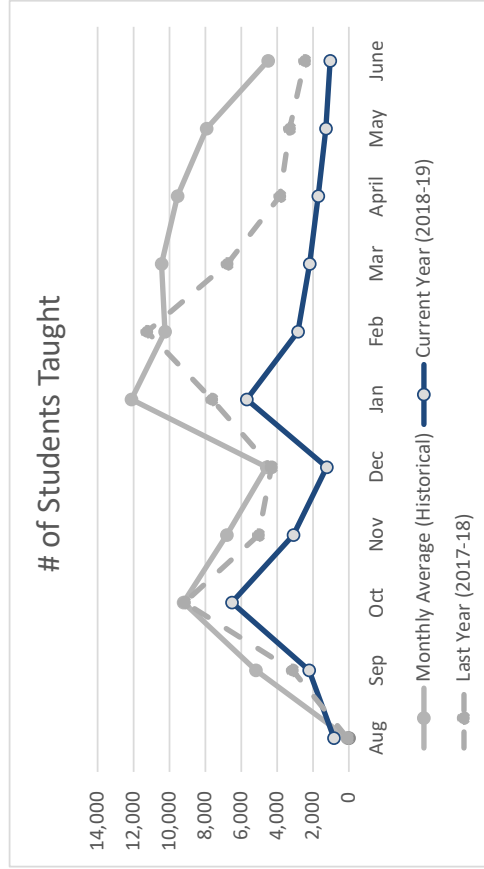
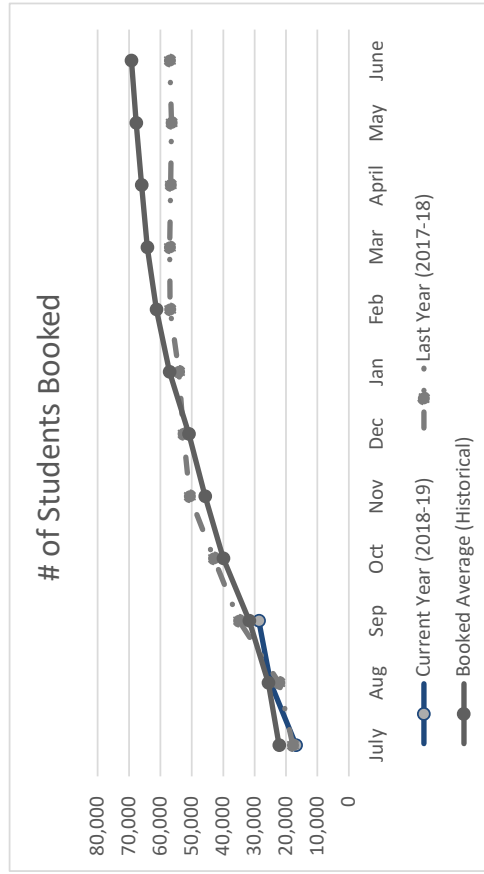


## 2018-19 Water Education School Program

# of Students Booked		July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
Booked Average (Historical)		22,206	25,634	31,729	39,925	45,814	50,938	57,082	61,319	64,177	66,001	67,758	71,394
Last Year (2017-18)		17,823	22,162	34,981	42,926	50,696	52,682	54,111	56,887	57,056	56,720	56,445	62,035
Current Year (2018-19)		16,801	24,868	28,668									63,084

# of Students Taught		July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	Total
Monthly Average (Historical)		-	71	5,190	9,216	6,805	4,576	12,117	10,250	10,435	9,542	7,935	4,502	80,639
Last Year (2017-18)		0	77	3,144	9,149	5,033	4,305	7,634	11,242	6,771	3,840	3,296	2,453	56,944
Current Year (2018-19)		0	829	2,220	6,522	3,090	1,236	5,692	2,839	2,190	1,716	1,286	1,048	28,668





**INFORMATION ITEM**

October 15, 2018

**TO:** Board of Directors

**FROM:** **Public Affairs Legislative Committee**  
(Directors Dick, Tamaribuchi and Thomas)

Robert Hunter  
General Manager

Staff Contact: Damon Micalizzi

**SUBJECT: UPDATE ON 2019 OC WATER SUMMIT**

**STAFF RECOMMENDATION**

---

Staff recommends the Board of Directors receive and file.

**COMMITTEE RECOMMENDATION**

---

Committee recommends (To be determined at Committee Meeting)

**REPORT**

---

The theme for the 12<sup>th</sup> Annual OC Water Summit is *Under the Microscope*. Sessions for the 2019 Summit tentatively include: an overview of the history of the Santa Ana River, a look at emerging contaminants (PFOA/PFOS) and potential health risks, new technologies in limiting water loss and agriculture.

NBC 4 Weathercaster Fritz Coleman, has expressed interest to serve as Emcee once again.

The OC Water Summit will be held at the Disneyland Grand Californian Hotel on May 31<sup>st</sup>, 2019.

The next Summit Committee Meeting is scheduled for Monday, October 29<sup>th</sup>.

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



**INFORMATION ITEM**

October 15, 2018

**TO:** Board of Directors

**FROM:** **Public Affairs Legislative Committee**  
(Directors Dick, Tamaribuchi and Thomas)

Robert Hunter  
General Manager

Staff Contact: Damon Micalizzi

**SUBJECT: October 11<sup>TH</sup> WATER POLICY DINNER**

**STAFF RECOMMENDATION**

---

Staff recommends the Board of Directors receive and file.

**COMMITTEE RECOMMENDATION**

---

Committee recommends (To be determined at Committee Meeting)

**REPORT**

---

On October 11, MWDOC hosted a Water Policy Dinner featuring Gloria D. Gray, newly elected Chairwoman of the Metropolitan Water District of Southern California. The event was held at the Westin South Coast Plaza in Costa Mesa.

At the time of this report, more than 175 people had registered to attend. This inaugural address to Orange County stakeholders from the new Metropolitan Chairwoman comes just two days after being elected at the October 9<sup>th</sup> Metropolitan Board Meeting.

Updated numbers will be provided at the meeting.

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

**Public Affairs Activities Report  
September 12, 2018 – October 09, 2018**

Item No. 7

<b>Member Agency Relations</b>	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> <li>• Created and distributed “Imagine a Day Without Water” Media Kit for Member Agency use on day of campaign - October 10</li> <li>• Created member agency specific bill inserts for Fall 2018 – highlighting WUE rebates</li> <li>• Are coordinating participation at Laguna Beach County Water District’s SmartScape 2018 (Ricki Raindrop appearance)</li> <li>• Provided a Public Affairs update to member agency representatives at the monthly Water Use Efficiency workgroup meeting</li> <li>• Coordinated with the Wyland Foundation and the City of Westminster to prepare materials for a brief presentation to City Council regarding the 2018 Wyland Mayors Challenge and MWDOC-Wyland OC Pocket Park award</li> <li>• Provided contact information to Huntington Beach for MET video clips</li> <li>• Prepared a draft OC Reliability Study background briefing paper using notes received from AGM Karl Seckel</li> </ul>
<b>Community Relations</b>	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> <li>• Created slide deck for Director Schneider to use at San Juan Capistrano Rotary Club speaking engagement</li> <li>• Created a slide deck for Director Schneider to use at the 2019 WEFTEC conference</li> <li>• Attended OC Coastkeeper’s Huntington Beach Coastal Cleanup event (Ricki Raindrop appearance)</li> </ul>
<b>Education</b>	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> <li>• Attended and participated in MET Education Coordinators Meeting</li> <li>• Provided education program contractors with MWDOC About Us slide for inclusion in school program presentations</li> <li>• Provided water related tips and facts to high school program social media contractor</li> <li>• Provided MWDOC’s “Where OC Gets Its Water” video to Inside the Outdoors</li> </ul>

	<ul style="list-style-type: none"> <li>• Provided water-saving tips developed for California Sprinkler Adjustment Notification System (CSANS) outreach efforts to Inside the Outdoors</li> <li>• Continued administrative support and coordination to fill the remaining Girl Scout Patch Program clinics</li> <li>• Met with high school program contractors to brainstorm the 2019 Voice4Water video contest</li> <li>• Met with Girl Scouts of Orange County to collaborate on Patch Program promotional materials</li> <li>• Created three STEM-based activities for Girl Scout Patch Program clinics</li> <li>• Notified member agencies and updated MWDOC website with current school program visit schedule</li> <li>• Met with OC Boy Scouts of America to provide program updates and recommendations for new fiscal year</li> <li>• Provided MET the Wyland Foundation contact information regarding their water education trailer and community murals, to pass along to MET member agency education coordinators</li> <li>• Provided MET a Scouts Program write up as reference for a potential Southern California Scouts program</li> </ul>
<b>Media Relations</b>	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> <li>• Worked with strategic digital communications contractors, HashtagPinpoint, to secure interviewees for Imagine a Day Without Water campaign videos</li> <li>• Submitted opinion piece to the southern California news group and contacted editorial board requesting a meeting</li> </ul>
<b>Special Projects</b>	<p>Public Affairs Staff</p> <ul style="list-style-type: none"> <li>• Created and sent four invites to all database contacts for the October 11 Water Policy Forum &amp; Dinner</li> <li>• Confirmed and coordinated with the Westin hotel to host Water Policy Forum &amp; Dinner</li> <li>• Developed groundwater aquifer image</li> <li>• Officially trademarked the use of “Ricki Raindrop”</li> <li>• Participated in MET Public Information Officers meeting</li> <li>• Are currently working on itineraries, trip logistics, guest and Director requirements for the following inspection trips: <ul style="list-style-type: none"> <li>○ October 12, Director Barbre Infrastructure</li> <li>○ October 19-20, Director McKenney CRA</li> <li>○ November 9-11, Director McKenney SWP/CV Ag</li> </ul> </li> <li>• Staffed the following inspection trips: <ul style="list-style-type: none"> <li>○ September 14-16, Director Barbre SWP/CV Ag</li> <li>○ September 28-30, Director Barbre Hoover/CRA</li> </ul> </li> <li>• Participated in WEROC Alert OC Training</li> <li>• Participated in CAPIO’s “The Dos and Don’ts of Crisis Communications” webinar</li> <li>• Attended a 2019 OC Water Summit Committee meeting</li> </ul>

	<ul style="list-style-type: none"> <li>• Attend OC Public Relations Society of America Protos Award Ceremony and accepted an Award of Excellence on behalf of the District and mwdoc.com for Website Development</li> <li>• Received notification that the Laguna Beach MWDOC-Wyland Pocket Park project was nominated by the Orange County Business Council for its Eighth Annual Turning Red Tape Into Red Carpet Awards (“Sustainable and Green Development” category)</li> <li>• Attended a meeting with Wyland Foundation and Saddleback College to review final plans for the MWDOC-Wyland Laguna Beach Pocket Park project</li> <li>• Working with Web Developer to launch an RFP subscription option on mwdoc.com</li> <li>• Produced and distributed a MWDOC eCurrents newsletter</li> </ul> <p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> <li>• Attended the OC LAFCO meeting where the City of San Juan Capistrano’s Focused Municipal Service Review on their water and wastewater facilities was reviewed and discussed.</li> <li>• Prepared the ISDOC Executive Committee Ballot and mailed to all regular ISDOC members.</li> <li>• Staffed the WACO Planning Committee meeting.</li> <li>• Staffed the ISDOC Executive Committee meeting.</li> <li>• Staffed the monthly WACO meeting featuring guest speaker Karl Seckel who reviewed the 2018 Water Reliability Study.</li> </ul>
<b>Legislative Affairs</b>	<ul style="list-style-type: none"> <li>• Governmental Affairs Staff:</li> <li>• Participated in the Southern California Water Committee Legislative Task Force meeting.</li> <li>• Prepared a veto letter for SB 998 (Dodd) – water shutoffs.</li> <li>• Prepared and updated the MWDOC Legislative and Regulatory Policy Principles adding staff recommendations and circulated to member agencies for feedback.</li> <li>• Monitored the Joint Legislative Budget Committee hearing on the extension of the State Water Project extension.</li> <li>• Worked with MWDOC’s federal advocate to set up a meeting with the Bureau of Reclamation in support of South Coast Water District’s grant application for their Doheny Desalination Project.</li> </ul>

	<ul style="list-style-type: none"> <li>• Attended the CSDA Conference in Indian Wells.</li> <li>• Attended a planning meeting with staff from Eastern Municipal Water District, Inland Empire Utilities Agency, and Western Municipal Water District to plan the DC luncheon during the ACWA conference in Washington DC in February 2019.</li> <li>• Worked with MWDOC's state legislative advocate to begin setting up meetings in Sacramento with key staff working on the non-compliant water systems.</li> </ul>
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