

MEETING OF THE
BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the
PUBLIC AFFAIRS AND LEGISLATION COMMITTEE
December 16, 2019, 8:30 a.m.
Conference Room 101

Committee:

Director Dick, Chair
Director Thomas
Director McVicker

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

Ex Officio Member: Director Barbre

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)
2. SOUTHERN CALIFORNIA WATER ISSUES CONGRESSIONAL DELEGATION BRIEFING LUNCHEON (DC)

ACTION ITEMS

3. MWDOC LEGISLATIVE AND REGULATORY POLICY PRINCIPLES ANNUAL UPDATE
4. EXTENSION OF LOCAL ADVOCACY CONTRACT WITH LEWIS CONSULTING GROUP
5. EXTENSION OF FEDERAL LEGISLATIVE ADVOCACY CONTRACT WITH BARKER LEAVITT, PC
6. EXTENSION OF STATE LEGISLATIVE ADVOCACY CONTRACT WITH BEST, BEST & KRIEGER
7. APPROVAL OF AMENDMENT TO MWDOC CONTRACT WITH STRATEGIC DIGITAL COMMUNICATIONS CONSULTING FIRM HASHTAG PINPOINT CORPORATION
8. PARTICIPATION IN THE CALIFORNIA WATER ENVIRONMENT ASSOCIATION (CWEA)

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.)

9. EDUCATION PROGRAM UPDATE
10. PUBLIC AND GOVERNMENT AFFAIRS ACTIVITIES REPORT

OTHER ITEMS

11. 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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James C. Barker
Ryan Leavitt

*Municipal Water District of Orange County, California
Washington Update
December 10, 2019*

***House Poised to Impeach President Trump;
December 20th Govt. Funding Deadline Rapidly Approaching***

Congress has entered a very historic period. Over the past several weeks the House Intelligence and Judiciary Committees have held hearings as part of an impeachment inquiry into allegations of misuse of power against President Trump. This morning during a press conference, Speaker Nancy Pelosi and the investigative committee chairmen and women formally announced two articles of impeachment against the President: abuse of power and obstruction of Congress. We expect that the Judiciary Committee will vote on these articles in the coming days and that the House will take the extraordinary step to vote to impeach the President before the Congress adjourns for the Christmas break. President Trump would only be the third U.S. president in history to be formally impeached by the House of Representatives. If, in fact, the House impeaches the President as expected, the Senate would begin an impeachment trial in early January. The trial could last many weeks.

In addition to grappling with an impending impeachment vote, the Congress is also racing against the clock to fund the Federal Government. Since our last report, just before the Thanksgiving break on November 21st, Congress passed a short-term stopgap spending bill to extend the funding deadline to December 20th.

Congress has not yet passed or sent any of the twelve appropriations bills to the President for his signature. Friday, December 6th was the deadline for the appropriations subcommittees to send a list of unresolved issues in the appropriations bills to the House and Senate Leadership. Appropriations Committee staff have been working around the clock and through the weekends to get these bills negotiated. The President is insisting that he will not sign any nondefense appropriations bills until border wall funding are resolved in the Homeland Security

appropriations bill. The Administration requested \$8.6 billion in FY2020 for the border wall project, as well as \$3.6 billion more to restore military base funding that was transferred to wall construction accounts. We know that behind the scenes of the Impeachment process there are intense negotiations to resolve the border funding impasse.

Although there is some optimism about the negotiations of the appropriations bills, the December 20 deadline is rapidly approaching. Many Members of Congress and senior staffers tell us they believe there is not enough time to pass each of the twelve of the appropriations bills without packaging them into one large “omnibus” spending bill or by packaging them into smaller “minibus” bills.

In addition to policy disagreements like border wall funding between the House and Senate, there has not been consensus about the funding levels in each of the spending bills. As was previously discussed, across all of the twelve appropriations bills, the Senate’s funding numbers are generally less than the House’s numbers—which means that the House is likely to have to “reduce” some of its numbers in an ultimate conference bill with the Senate. Although the funding levels for the two major water bills are largely considered as non-controversial at this time, it is not yet clear what the final spending figures will be.

Senate Appropriations Committee Chairman Richard Shelby said he expects a final spending deal in the “next few days.” The chart shows the comparison between the House and the Senate on the Energy and Water bill.

Energy & Water Appropriations Bill:

The Senate’s Energy & Water Approps bill funds the Bureau of Reclamation (Reclamation) and the Army Corps of Engineers (USACE) at a higher level than FY19 and slightly higher than the House’s bill. In the Energy & Water Appropriations bill, among other things, we are watching closely the language we championed relating to the \$8.3 Million Desal Grant for the South Coast Water District—which is currently in both the House and Senate bills.

Program *In Billions	FY19 Levels	President’s FY20 Budget	FY20 House Mark	FY20 Senate Mark
Energy & Water Appropriations Bill	\$44.64	\$38.059	\$46.4	\$48.866
Bureau of Reclamation	\$1.565	\$1.120	\$1.65	\$1.75
Army Corps of Engineers	\$6.998	\$4.964	\$7.36	\$7.75

Interior and Environment Appropriations Bill:

Program	FY19 Levels	President's FY20 Budget	FY20 House Mark	FY20 Senate Mark
Interior Appropriations	\$35.55 billion	\$30.04 billion	\$37.28 billion	\$35.8 billion
Clean/Drinking Water State Revolving Funds	\$2.765 billion	\$1.98 billion	\$3.11 billion	\$2.765 billion
WIFIA	\$68 million	\$25 million	\$50 million	\$73 million

In the Interior and Environment Appropriations Bill, the House's bill funds the Clean and Drinking Water funds slightly above the Senate and FY19 numbers; however, the Senate's bill funds the WIFIA program at higher levels than FY19 and the House's bill. In fact, the House-passed Interior Approps bill decreased funding for the WIFIA program by \$18 million. We are monitoring this situation and will keep you posted on developments. As mentioned above, Chairman Shelby expects a final deal on appropriations in the next few days.

PFAS:

The National Defense Authorization Act (NDAA) Conference—Good News to Report

Since our last report, the House and Senate Armed Services Committees have continued their negotiations in the conference committee to resolve the differences between the two versions of the defense authorization bill passed in each chamber this past summer. There were many areas of disagreement between the Senate and the House on the NDAA, including how to approach the issue of PFAS removal.

The House-passed defense bill required the EPA to designate all categories of PFAS as hazardous substances under the Superfund law, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), within a year. It also added PFAS to the toxic pollutants list under the Clean Water Act. These designations would have subjected water systems to the liability for the cleanup of PFAS in their systems.

The Senate-passed NDAA took a much milder approach to the PFAS issue directing the Environmental Protection Agency (EPA) to promulgate national primary drinking water regulations for PFAS. Additionally, it directed the Department of Defense (DOD) to ensure that PFAS is not used to assemble and or package food or meals procured by the DOD and directs the DOD Comptroller General to conduct a review of DOD's efforts to clean up PFAS contamination in and around military bases.

Early in the NDAA negotiations, Speaker Nancy Pelosi, joined by 68 other House Democrats, threatened the conference committee that if the House-passed PFAS provisions related to CERCLA/Superfund were not in the final version of the NDAA, they would not support it on the House Floor. The NDAA conference committee wrestled over many months to find a solution to the PFAS impasse between the House and Senate. Initially, negotiators sought to narrow the House's PFAS designations to just two PFAS (perfluorooctanesulfonic (PFOS) and perfluorooctanoic acid (PFOA)) under CERCLA instead of the entire class. But in the end, the Senate prevailed, and just before the Conference Deadline on Friday (December 6th), a final deal was reached on the defense bill. House Armed Services Committee Chairman Adam Smith agreed to remove the hardline language in the defense bill that would have designated certain PFAS to be regulated under CERCLA, which would have subjected water systems to be liable for PFAS cleanup. These developments are excellent news for MWDOC and water districts generally.

Although many of the original 68 House Democrats that originally vowed not to support the NDAA if it did not include the PFAS Superfund language continue to oppose it now, it is anticipated that the NDAA will be passed with the support of the Democratic House Leadership (despite their displeasure with the removal of the PFAS language). House Armed Service Committee Chairman Smith is optimistic that there will be the votes necessary to pass the defense bill as soon as this week—even without the strong PFAS language. If the House passes the bill, the Senate is expected to take up the measure next week.

In the unlikely event that the House fails to pass the NDAA conference report, Chairman Inhofe also recently introduced a “skinny” NDAA bill. The skinny bill removes all the controversial sections of the of the House and Senate-passed NDAA bills—including all the sections pertaining to PFAS. This is not Chairman Inhofe's first choice to finalize the NDAA, because it would remove many of his and the Trump Administration's other priorities from the bill as well. But if the House fails to pass the conference committee deal, Senator Inhofe could move forward with the skinny bill—even though it is not certain that it would pass the Senate or the House. Chairmen Inhofe and Smith hope to finalize the NDAA for FY2020 before the end of the year. We are hearing that the last legislative day of the year will coincide with the funding of the Federal Government, which is set to expire on December 20th.

House Energy & Commerce Committee's PFAS Package

In late November, the House Energy & Commerce (E&C) Committee passed a PFAS legislative package of 12 PFAS related bills. These 12 bills were grouped together and all added to Rep. Debbie Dingell's legislation (H.R. 535) that would designate all categories of PFAS as hazardous substances under the CERCLA Superfund law with no exemptions for

public drinking water or clean water utilities. This bill is cosponsored by two of Orange County's Members of Congress: Rep. Linda Sanchez and Rep. Gil Cisneros. Rep. Harley Rouda has also been very active on the PFAS issue and was a cosponsor of 4 of the bills that were included in the E&C Committee's PFAS package. The next step for this legislative package will be for it to be considered by the House of Representatives on the House Floor.

Following the removal of the hardline PFAS provisions in the NDAA, House Majority Leader Steny Hoyer announced that the House would vote on the E&C Committee's PFAS package of legislation in January. There is a strong possibility that this package will likely pass the House on a largely partisan basis. That said, considering that the GOP-controlled Senate was successfully able to pull these highly controversial policies out of the NDAA conference report, it is extremely unlikely that the House-passed PFAS package would ever see any consideration by the Senate during next year's session of Congress. It will likely be considered dead-on-arrival.

The Westlands Water District Pre Paying their outstanding debt for Reclamation Projects:

During the MWDOC PAL Meeting on November 18, 2019, Chairman Dick raised a question regarding an ongoing issue related to the Westlands Water District. Below is a summary and an analysis of the issue.

In 2016, Congress passed the Water Infrastructure Improvements for the Nation (WIIN) Act. In the law, Congress authorized the Bureau of Reclamation, an agency within the US Department of the Interior, to work with contractors interested in pre-paying their outstanding debt for Reclamation projects. The law, in addition to providing hundreds of millions of dollars for new water storage and desalination, also granted regulators more flexibility in moving water through the ecologically sensitive Sacramento-San Joaquin River Delta and allows for permanent water contracts the federal Central Valley Project possible.

The Westlands Water District and Bureau of Reclamation are proposing that Westlands pay off what it owes the federal government and thereby ensure water supplies without future contract renewals. As of September 30, 2018, Westlands' share of the Central Valley Project construction costs was about \$480.7 million.

CONCERNS RAISED WITH THE AGREEMENT

Some critics on Capitol Hill and in the environmental community are concerned that this has come together in a department led by Interior Secretary David Bernhardt—a former lawyer and lobbyist to Westlands up until November 2016. They contend that Sec. Bernhardt is assisting his former client with “a perpetual contract for water deliveries with increasing amounts despite a collapsing San Francisco Bay-Delta estuary, and water needs in other parts of the state during extended droughts from climate change.”^[1]

The proposal became open for public review on October 25, 2019. The Bureau of Reclamation has said that it will not finalize the contract until considering all comments received during the 60-day public comment period.

^[1] <https://www.eenews.net/greenwire/stories/1061496947/search?keyword=westlands>

Critics also contend that Bernhardt may have violated an ethics pledge that he signed on August 10, 2017, where he committed not to participate for two years in any “particular matter” on which he lobbied within the two years preceding his appointment at the Department of Interior. The Office of the Inspector General at the Department of Interior has “opened an investigation” into the alleged activities.

CHAIRMAN HUFFMAN’S STRONG CONCERNS

Rep. Jared Huffman is the Chairman the House Natural Resources Subcommittee on Water, Oceans, and Wildlife—which has oversight of the Bureau of Reclamation. Chairman Huffman was quoted in the LA Times on November 11, 2019 regarding the Westlands proposal, “what they’re doing is locking in on a seemingly permanent basis an inflated baseline for themselves at a time when we know they’re going to be irrigating less land in the future. It’s just hard to see how that’s in the public’s interest.”^[2] We spoke with Chairman Huffman’s personal and committee staff last month, and they confirmed that the Chairman has very strong concerns with the proposal.

The Chairman contends that the new contract wouldn’t include water reduction or provisions reassessing delivery amounts if Westlands retires land on its own without a drainage settlement. Huffman argues that this leaves Westlands in permanent control of a big chunk of water that federal law allows it to sell to other irrigation districts and cities... “they can just turn into a water bank and make a lot of money on this cheap public water.”

Additionally, we spoke with the Republican Subcommittee staff and they informed us that they are supportive of the Westlands proposal, and that they believe Westlands is following the letter of the law and the intent of the WIIN Act and feel that Chairman Huffman’s concerns are unfounded.

In the end, assuming the Department of the Interior conducts their public notice and comment obligation in accordance with the Administrative Procedure Act, there is very little recourse for Chairman Huffman in this matter.

Year-end Tax Extenders for Turf Removal Programs

In conversation’s with Rep. Jared Huffman’s staff (Rep. Huffman is a major champion of the turf removal IRS Fix in Congress), it is not clear if there will be an end-of-the-year extension of existing tax credit programs referred to as “tax extenders.” It is also not clear if the turf removal IRS Fix will be part of the larger tax extenders package—if a package were to come together before the end of the year. The current tax extenders were passed at the end of

^[2] <https://www.latimes.com/environment/story/2019-11-11/westlands-water-district-federal-water-contract>

2017 and are set to expire at the end of 2019. MWDOC has been working with the Huffman office on this issue and they are aware of our concerns—as well as the concerns of others.

Most people suspect that if tax extenders were to be passed by Congress this year, it would have to be included in a deal on appropriations. As mentioned above, the Senate and House Appropriations Committee Chairs are hopeful a deal on spending could be reached by the end of this week, (so that it could “pass” next week) but many challenges to a deal remain—border wall funding chief among them.

Additionally, the tax extenders/appropriations bills are competing for Floor time with the impeachment vote, final passage of the defense authorization bill, and potential consideration of the US-Mexico-Canada Trade Agreement (USMCA)—all before December 20th. There may not be enough time left during the next two weeks to pass this legislation before the Christmas break. We are watching the issue closely.

##

JCB/RWL 12/10/19



Memorandum

To: Municipal Water District of Orange County
From: Syrus Devers, Best Best & Krieger
Date: December 16, 2019
Re: Monthly State Political Report

Legislative Report

As is typical during the interim recess in a non-election year, the Capitol is rather quiet through December. The primary activity for BB&K staff during this time of year is visiting legislators in their district offices. With the ACWA conference taking up most of the first week of December and Christmas taking up the last week, BB&K hopes to squeeze in five member visits during the middle of the month with a few in Orange County.

Administrative Report

Contrary to the Legislature, the administration has been rather busy behind mostly closed doors. In order for the Governor to present his budget on January 10th, state agencies must have their budgets into the Governor's staff by early to mid-December.

The SWRCB has also been active. According to Board Chair Esquivel, a final draft of the Low Income Rate Assistance program (LIRA) created by SB 401 several years ago is now on the Governor's desk. Board members may recall that the administration quietly shelved the program for almost two years while pursuing the water tax. The main interest of most water districts is in being allowed to keep their own programs if they have one. It is unknown if the proposal will call for legislation.

In addition to LIRA, the Board has also finalized the SB 200 working group to being implementing the Safe and Affordable Drinking Water Fund. This is the recently established program to address disadvantaged and noncompliant drinking water system without imposing a new tax on water. The membership had not been made public at the time of this report but the group is expected to begin meeting early next year. Water districts will be very interested in making sure that the funds are spent effectively and that the problems actually get addressed.

The County of Orange Report

December 10, 2019
by Lewis Consulting Group

Election 2020 Field Set - They're Off and Running

The Friday, December 6th 5:00PM deadline for candidate filling has mercifully passed, bringing clarity to numerous competitive races leading up to November 2020.



Board of Supervisors - these two pivotal races determining the governance of Orange County couldn't be more different. One (the Third district) will be settled in March; the other (the First district) will most likely be settled in November.

1st District - Andrew Do, incumbent
Miguel A. Pulido, Santa Ana Mayor
Sergio Contreras, Westminster Councilmember
Kim Bernice Nguyen, Garden Grove Councilmember

3rd District - Donald P. Wagner, incumbent
Ashleigh Aitken, Consumer Advocate/Businesswoman

Congressional Races - the overriding question for November is whether or not Republicans can recapture any of the Congressional seats lost in the 2018 Orange County Democrat tsunami?

39th District - Gil Cisneros, incumbent
Young Kim, Small Business Owner

45th District - Katie Porter, incumbent
Greg Raths, Retired Marine Colonel
Don Sedgwick, Mayor/Small Businessman
Lisa Sparks, University Dean/Educator
Rhonda Furin, Retired Teacher
Christopher J. Gonzales, Businessman/Attorney
Peggy Huang, Deputy Attorney General

46th District - Lou Correa, incumbent
Will Johnson, Care-giver/driver
Pablo Mendiola, Financial Acquisitions Manager
Ed Rushman, IT Project Manager
James S. Waters, Retired Postal Worker

47th District - Alan Lowenthal, incumbent
John Briscoe, Oceanview School Board
Sou Moua, Stanton Planning Commissioner
Amy Phan West, Entrepreneur/Mother

48th District - Harley Rouda, incumbent
John Thomas Schuelsler, Finance CEO/Filmmaker
Michelle Steel, County Supervisor
Brian Burley, Business owner
James Brian Griffin, Real Estate Broker
Richard Mata, Retired Educator/Parent

49th District - Mike Levin, incumbent
Brian Maryott, Mayor/Financial Planner

State Senate - will the Democrats be able to mount a serious challenge to Senator John Moorlach?

29th District - Ling Ling Chang, incumbent
Joseph Cho, Journalist/Non-profit Founder
Josh Newman, Veterans Advocate
George Shen, Small Businessman

37th District - John M. W. Moorlach, incumbent
Katrina Foley, Mayor/Consumer Attorney
Dave Min, Irvine Law Professor

Assembly Races - other than possible stepping-stones to other offices, do these races matter? In the depths of the Watergate scandal, the number of Republicans in the 80 member Assembly Chamber plummeted to a multi-generational low of 23 seats. They were ignored and politically impotent. Flash forward to December 2019. An Assembly Republican member just left the party and registered Decline-to-State. With that defection, there are now 18 Republicans in the 80 member chamber. Political irrelevance may not be a harsh enough description of their plight.

55th District - Phillip Chen, incumbent
Andrew E. Rodriguez, Walnut Mayor

65th District - Sharon Quirk-Silva, incumbent
Cynthia Thacker, Small Businesswoman

68th District - Steven "Steve" Choi, incumbent
Eugene Fields, Non-profit Business owner/Educator
Melissa Fox, Irvine Councilwoman/Businesswoman
Benjamin Yu, Businessman/City Commissioner

69th District - Tom Daly, incumbent
Jon Paul White

72nd District - Tyler Diep, incumbent
Bijan Mohseni, Civil Rights Advocate
Diedre Nguyen, Cancer Scientist/Councilwoman
Janet Nguyen, Orange County Foundation Boardmember

73rd District - William "Bill" Brough, incumbent
Laurie Davies, Laguna Niguel Mayor/Businesswoman
Chris Duncan, Homeland Security Attorney
Scott Rhinehart, Business Services Director
Ed Sachs, Mission Viejo councilman/Businessman

74th District - Cottie Petrie-Norris, incumbent
Diane Dixon, Mayor/Orange County Businesswoman
Kelly Ernby, Deputy District Attorney

Assuming President Trump is the Republican Nominee for President - Who Will Be His Democrat Opponent?

California Democratic Primary

March 3 (416 Delegates)



[National](#) | [Iowa](#) | [New Hampshire](#) | [Nevada](#) | [South Carolina](#) | [California](#) | [Texas](#) | [Massachusetts](#) | [General Election Polls](#)

Polling Data														
Poll	Date	Warren	Biden	Sanders	Buttigieg	Harris	Yang	Bloomberg	Klobuchar	Gabbard	Booker	Steyer	Castro	Spread
RCP Average	10/15 - 11/27	21.5	21.3	20.8	9.0	8.3	4.0	2.5	1.8	1.7	1.5	1.5	0.7	Warren +0.2
Berkeley IGS	11/21 - 11/27	22	14	24	12	7	3	2	3	1	1	1	1	Sanders +2
SurveyUSA	11/20 - 11/22	13	28	18	8	10	5	3	1	2	3	3	1	Biden +10
PPIC	11/3 - 11/12	23	24	17	7	8	5	--	1	--	1	1	--	Biden +1
KQED/NPR	10/15 - 10/18	28	19	24	9	8	3	--	2	2	1	1	0	Warren +4
All California Democratic Primary Polling Data														

Key Ballot Initiatives

In addition to the candidate races in Orange County and across the state, enormous ballot initiative fights are headed for the November ballot. Television, radio and internet commercials sellers are licking their chops.

March election - \$15 billion Educational Bonds

November election - Rewrite of Proposition 13 / \$6-10 billion tax increase

Protect App based drivers

Legalize sports betting in Indian Casinos & racetracks

Increase medical malpractice award limits



December Meeting



Update

Due to the holiday season, the Board of Supervisors has scheduled Board meeting on consecutive weeks, December 10 & 17. Both of the meetings are after the PAL print deadline, so anything of note at the December 10th meeting will be presented orally to PAL.

PPIC Issues New Water Report

On the heels of last month's release of PPIC, Public Policy Institute of California's report of "Priorities for California's water", they have followed up with a new report titled ***"A Path Forward for California's Freshwater Ecosystems"***.

The 30 page report may be accessed at www.ppic.org. The report's summary concludes "California needs to change course in how it manages freshwater ecosystems to protect the many beneficial uses they provide. Ecosystem-based management offers a more comprehensive, flexible and adaptive approach and one that is compatible with existing laws."

The following are the reports' calls for reform.

Reform 1: Promote inclusive planning and governance.

Ecosystem-based management relies on collaborative planning and governance processes. These should:

- ◆ Identify the desired ecosystem condition. Based on extensive stakeholder and expert engagement, the desired ecosystem condition should be described along

with the multiple social, economic, and environmental benefits. This narrative is the vision for the effort and the basis for setting priorities.

- ◆ Establish metrics. Metrics and performance measures will clarify management objectives and help secure permits for actions.
- ◆ Provide strong scientific support. This is essential to guide plan implementation, test hypotheses, monitor performance, and resolve technical or scientific disputes.
- ◆ Set up transparent governance. Because ecosystem-based management requires extensive collaboration across agencies, new governance structures will be needed to clarify responsibilities and align actions. Where possible, these structures should include stakeholder and water user groups.
- ◆ Ensure reliable funding. Adequate funding must be identified for all phases of implementation, including investments, ongoing maintenance, science and monitoring, and administration.

Reform 2: Employ multiple ecosystem management tools.

Ecosystem-based management requires a broad, coordinated set of actions that go beyond traditional project- or agency-specific approaches. Key actions include:

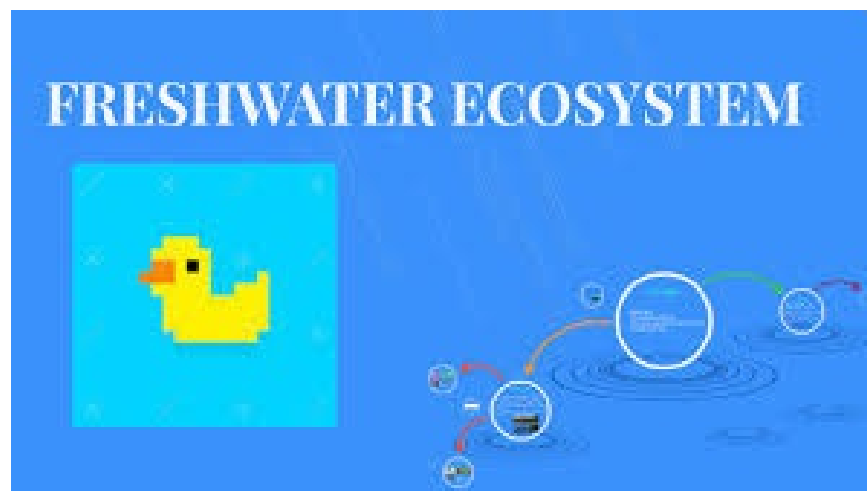
- ◆ Establish ecosystem water budgets. Ecosystem-based management is helped by having a predictable amount of water that can be managed flexibly. Ecosystem water budgets—similar to water rights for the environment—allow managers to allocate, trade, and store water to improve ecosystem condition. These budgets create certainty for water users and environmental managers alike, and can enhance cooperation.
- ◆ Employ functional flows. Ecosystem water budgets can be used to reintroduce seasonal flow variability—such as winter pulses, spring snowmelt, and summer low flows—to support important physical, chemical, and biological processes. To make the most efficient use of these “functional flows,” it will often be necessary to modify channels and their surrounding landscapes to reconnect flows to marshes, floodplains, and wetlands.
- ◆ Manage flow and quality together. Water quality characteristics—including temperature, salinity, nutrients, and other contaminants—change with variation in flow. There are many ways to improve water quality, including operating reservoirs to preserve cold water; improving treatment of wastewater; reducing runoff of salts, pesticides, fertilizers, and other contaminants; and re-establishing wetlands and riparian forests to receive and reduce contaminant runoff.
- ◆ Manage native and non-native species. California’s freshwater ecosystems support numerous nonnative plants and animals that are “invasive”—those that have altered conditions to the detriment of ecosystems and human uses. Management of invasive species in conjunction with other actions will be integral to achieving the desired ecosystem condition. Native species will also require indefinite and sustained management interventions, including catch regulations, hatcheries, species relocations, and assisted migrations to avoid extinctions and recover populations.
- ◆ Manage at the appropriate scale. Actions taken upstream—such as species management, land use change, water diversions, storage, or water quality management—affect ecosystems downstream. For this reason, the watershed is

often the optimal scale for planning and implementation. This allows for managing parts of the ecosystem for different objectives.

Reform 3: Encourage sustainable watershed management plans.

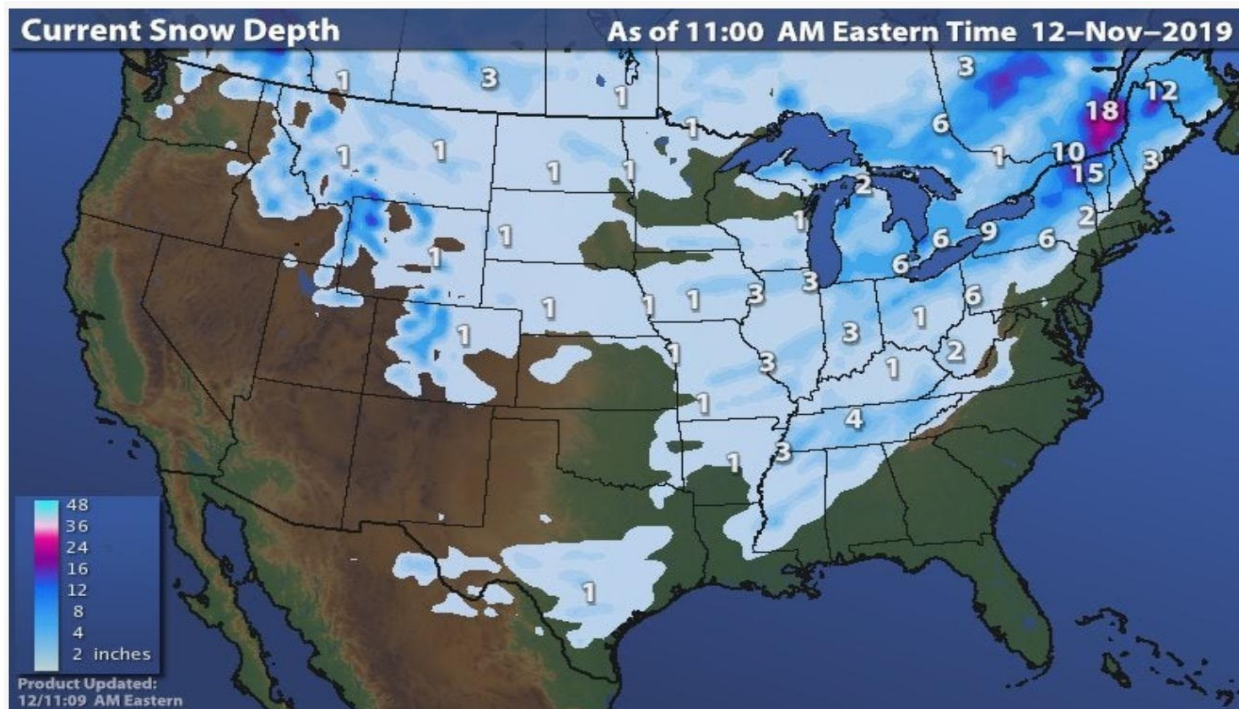
We recommend that California adopt the principles and practices of freshwater ecosystem-based management through development of sustainable watershed management plans. Such plans build on numerous efforts already underway in the state. The State Water Board, with its water quality and water right authorities, would take the lead in setting the criteria for and approving these plans. Every effort should be made to:

- ◆ Align agency actions. There are numerous planning and permitting agencies involved in water and species management, often with conflicting mandates. The plans should be used to align agency objectives in order to coordinate and streamline permitting and review.
- ◆ Promote comprehensive agreements. The plans should, where possible, be supported by binding comprehensive agreements between regulatory agencies, water users, and stakeholder communities.
- ◆ Set timelines and backstops. The board should set timelines for development and implementation of plans. It also should establish regulatory backstops if comprehensive agreements cannot be achieved.
- ◆ Update water quality control plans. If a plan meets the criteria set forth by the board, it should be adopted as the water quality control plan for a given watershed. Plans can be periodically updated to adapt to changing conditions and new information.
- ◆ Incentivize or mandate plans. The legislature should consider whether to incentivize or require the development of watershed plans. For the latter, the Sustainable Groundwater Management Act—with its self-organized groundwater sustainability agencies and required groundwater sustainability plans for priority basins—may serve as a model

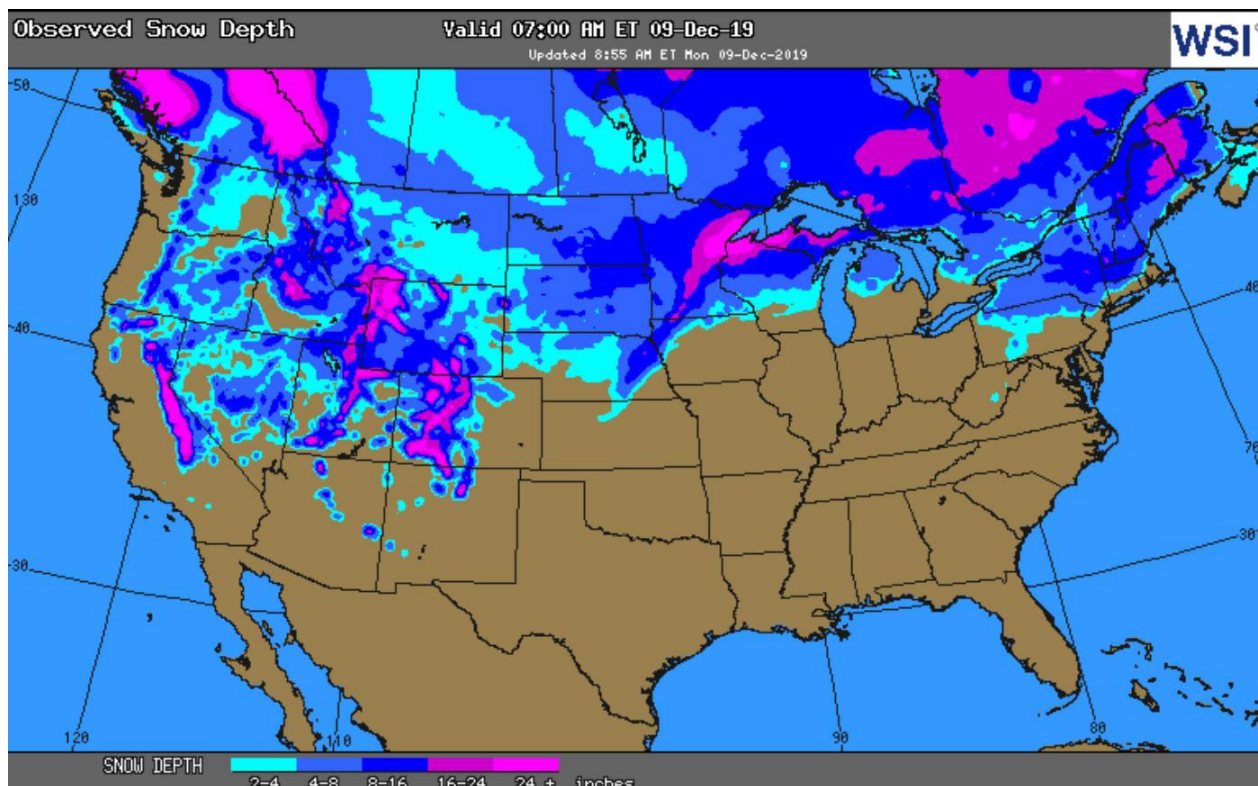


California Gets Its Christmas Present Early

NOVEMBER 12, 2019



DECEMBER 9, 2019



Legal and Regulatory

December 16, 2019

1. **Military Water Shortage:** A recent federal government report list over 100 military bases with potential water shortage issues. Vandenberg Air Force Base was the only base listed at risk in six assessments studied. Vandenberg is one of two bases in the US with interceptor missiles designed to counter foreign ballistic missile attacks. They also conduct regular missile and rocket launches which we see on occasion. Warmer climate and drought issues impact our bases just like the rest of us. Also their vulnerability to fires and other events is of concern. Each rocket launch uses between 60,000 and 100,000 gallons of water for heat, noise and vibration control. Officials from Vandenberg state they are not concerned about fulfilling their mission. Most of their water comes from Central Coast Water Authority in Buellton (State Water Project). Only a small amount comes from their four groundwater wells. Other bases in California that appeared on the list were Naval Weapons Station in Seal Beach, Naval Base Coronado in San Diego and Army Fort Irwin Training Center in the Mojave Desert.
2. **Plastic Kills Crabs:** Plastic debris in the Indian and Pacific Ocean are killing hermit crabs. The big plastic stuff like containers (not PFAS) is accumulating on the beaches of small islands (Cocos in the Indian Ocean and Henderson in the Pacific Ocean). They entice the small crabs to climb into them or they produce barriers to them from getting to the beaches. It is estimated to have killed over 500,000 on the two islands. As a result of the importance of these crabs to the marine food chain, scientists are concerned.
3. **East Water Wars:** While we have been accustomed to water wars in the west, the rest of the US has not. That, however, is now starting to change. Florida and Georgia are a good example of how this battle is spreading. The base causes are very similar to our area: urban growth, reduced or restricted water supplies, saltwater intrusion, changing weather patterns and natural water distribution. Increased water use for agriculture in Georgia has impacted downstream water use in Florida for oysters fishing. This in addition to increase city use has put them in a situation that we in California have been dealing with for many years. States in the south east are considering more restrictions and regulation on water use. States are suing each other for a determination of their rights. Welcome to the west's water wars.
4. **Feds and PFAS:** The PFAS battle is engaging the federal government. Conflicting studies are being put forward. Government agencies are battling. The Center for Disease Control (CDC) is pushing for its own study of the issue. At the same time the Office of Management and Budget (OMB) is pursuing the Pease study on the subject. Both sides want their study to be the determinative one. All studies take time which is one of the issues. States like New Hampshire have passed very aggressive legislation which has now been put on hold by the courts. Federal legislation for the study was passed but the CDC-OMB battle is continuing.

5. **San Diego Water War:** As previously reported, two water districts in San Diego County, Rainbow and Fallbrook, want to withdraw from the San Diego County Water Authority. The reason being better financial arrangements for their ratepayers. The Authority in their first attempt to block the move has requested the San Diego LAFCO to require a county wide vote on the detachment. Their argument is that the detachment would negatively impact the ability of the Authority to provide water to the entire county. If they are successful in this effort it would make it nearly impossible for the two districts to secede. Stay tuned.
6. **Hi Tech Farming:** Use of high tech has certainly raised agriculture from farming to livestock to new levels. In additions to the obvious saving for water use and management, big data is playing a major role in our future farmers. Sensors monitor water and chemical use and balance. Drones are used for water need and plant development. Apps monitor plant and animal condition. Smart tractors (many self driving) can manage seed and fertilizer amount and application. Big data can tie thousands of farmers together to share information. Lab services can examine crops while growing and when ready for market to identify the best and most profitable use for that product. A big step up from reliance of the Farmers Almanac>>
7. **Genes and Trees:** A UCLA study of the valley oak has produced information on the oak itself, fires and sustainability. Most trees including the valley oak have distinct characteristics which we can use in deciding which trees to plant after fires and in which areas. The valley oak which has a life span of up to 500 years originally got its start during the ice age. Thus it does much better in cooler climates. As a result of our warmer temperature, it may not be the wisest tree to replant in many of our burn areas. Studying the genetic traits of various trees can aid long term planning. Picking ones that are more drought tolerant and able to thrive in warmer temperatures is good planning.
8. **Fish Change:** UC Santa Cruz recently completed a study showing how fish, in this case the threespine stickleback, has adapted over time to changing environmental conditions. The stickleback has been studied over a period of 40 years and has shown dramatic development in it body form to adapt to a changing surrounding. The fish is found in estuaries in northern California and particularly in the Big Sur area. Forty years is a relatively short time when it comes to evolution but the stickleback has survived because it has been able to adapt fairly quickly.
9. **Dam Problems:** There are over 90,000 dams in the US. Most are privately owned and many are not in good shape. There are no national standards for dams. California has 1400 dams and has fairly comprehensive dam rules. In spite of that, we have 6 of the nations 1,688 dams which are in poor or unsatisfactory condition. That list included Oroville (before the recent rebuild), Kelly Hot Spring (Modoc), North Fork (Santa Clara), Misselbeck (Shasta County), Moccasin Lower (Tuolumne), Matilija (Ventura-slated for removal). Every year people are killed by dam failures although that number has been on the decline since the 1970s when state and federal governments stepped up regulation and enforcement. California has substantially increased its dam budget and staff since Oroville.
10. **Monterey Desal:** the battle over the proposed desal plant in Monterey County continues and heats up. We have previously reported the near unanimous support for this project in the surrounding area. One county supervisor and with 28 other local elected officials are now opposing the project. Part of the project from CalAm included slant wells in an aquifer in the Marina area. This aquifer contains saltwater and brackish water which would be

treated in the desal plant. The concern is the removal of these two may lead to surrounding fresh water entering the aquifer. The opposition opines that this would impact surrounding fresh water supply to low income areas. CalAm refutes that claim. The other major objection is the \$329 million cost of the project. Water rates are projected to increase on average from \$90 to \$136 per month. CalAm has limited options as the State Board has restricted their access to the Carmel River even in flood/excess flow conditions. Options are extremely limited for this water poor area.

11. **Morro Bay v Frog:** Morro Bay has been trying to replace its old wastewater treatment plant for some time. It has now been delayed again due to the red-legged frog. Even though none of these frogs have been spotted since 1996, the Department of Fish and Wildlife filed an objection stating the more mitigation efforts were needed to protect the frog. The frog was considered in the EIR but found not to be a factor.
12. **Camp Fire Contamination:** Chico State faculty and students are conducting one of the most comprehensive contamination studies in any fire area. The Paradise fire which destroyed more than 14,000 structures is in the center of a water shed. That watershed feeds in to three rivers which in turn flow through Chico and many surrounding communities. Chico State is working with University of North Carolina, Clemson, University of Colorado, University of Washington and the USGS. They are using all available technology and methods to determine the impact of major fires on water. The good news thus far is they have discovered nothing more than the initial benzene and related contaminants but the study will continue to exhaust all possibilities. One finding was that the carbon in the water absorbed many contaminants. They will explore that aspect also.



DISCUSSION ITEM

December 16, 2019

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

FROM: Robert Hunter, General Manager

Staff Contact: Heather Baez

**SUBJECT: SOUTHERN CALIFORNIA WATER ISSUES CONGRESSIONAL
DELEGATION BRIEFING LUNCHEON (D.C.)**

STAFF RECOMMENDATION

Staff recommends the Public Affairs and Legislation Committee receive and file the report.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

As customary, MWD OC co-hosts a luncheon during the ACWA conference in Washington D.C. and has once again partnered with regional neighbors, Eastern Municipal Water District, Inland Empire Utilities Agency, and Western Municipal Water District. The luncheon is scheduled for Wednesday, February 26th. Last year ACWA had "Group Leader Updates" during lunch for conference attendees at that time.

The ACWA Washington D.C. conference is scheduled for Tuesday, 02/25/2020 - Thursday, 02/27/2020 at the St. Regis Hotel. ACWA has not yet opened registration for the conference but it is expected to begin soon.

Budgeted (Y/N): Y	Budgeted amount: \$900, food & materials	Core __	Choice __
Action item amount: None		Line item: 31-7670	
Fiscal Impact (explain if unbudgeted):			

MWDOC's PARTICIPATION

As we did last year, MWDOC is co-hosting a Southern California Water Issues Congressional Delegation Briefing with Eastern Municipal Water District (EMWD), Inland Empire Utilities Agency (IEUA), and Western Municipal Water District (WMWD). The Gold Room in the Rayburn Building, where we have held the luncheon in many years, is booked for February 26, 2020 as are the other appropriately sized multi-purpose rooms available to reserve in the Rayburn, Longworth and Cannon House Office Buildings. Staff from both MWDOC and EMWD explored other options such as the Rayburn Foyer (already reserved), and using a committee room. Congressman Calvert's office inquired about the use of an Appropriations Committee Room, where he serves as a senior member, but the committee is not able to reserve a room for a luncheon this far in advance. Additionally, the committee could not guarantee that our event would not be bumped the day of should the room be needed for official purposes. If they did reserve a room for this purpose, the earliest would be a week or two in advance, and even then, we could still be bumped.

Given the above information, staff from both MWDOC and EMWD determined that a room in the Capitol Visitors Center (CVC) was our best available option. The CVC room request was submitted for the luncheon through Congressman Ken Calvert's office on November 6.

"Save the Date" cards were sent to Jim Barker, MWDOC's federal advocate to hand deliver to all congressional offices within the hosting agencies service area. Invitations will be delivered in January and will be followed up with email invites and personal phone calls through February.

Staff from MWDOC and the partnering agencies are meeting regularly to ensure we remain on schedule, coordinate outreach with our federal advocates, and all details are covered.



ACTION ITEM
December 18, 2019

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Dick, Thomas, and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: MWDOC LEGISLATIVE POLICY PRINCIPLES ANNUAL UPDATE

STAFF RECOMMENDATION

Staff recommends the Board of Directors review and adopt the updated Legislative and Regulatory Policy Principles for 2020.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

BACKGROUND

At the September Public Affairs and Legislation (PAL) Committee meeting, staff presented this item for information purposes, and requested feedback. In addition to soliciting input from the Board of Directors, staff also requested 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.

At the October PAL meeting, there was discussion of the preliminary updated policies, and additional input to staff was received from members of the Board as well as from MWDOC member agencies.

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

At the November PAL meeting the committee members discussed the updated policies including new additions relating to storage and imported water supply that had been added for review that month. Discussion ensued from both the committee and members of the public in attendance. The committee asked for new policies relating to maintenance of the State Water Project, inverse condemnation, and headwaters to be added to the existing draft. In addition, East Orange County Water District submitted three new policies for the Board's consideration. They are numbers 11-14 under Member Agency Recommended Additions.

All updates and feedback received have been incorporated to the attached document.

REPORT

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 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 focus of this month's discussion is for staff to receive input from the committee and update the policy principles to advance the Board's objective of establishing legislative and regulatory policy principles to help guide for both our federal and state legislative programs.

Changes to the 2020 Policy Principles are as follows:

NEW FOR 2020

Imported Water Supply

Added additional and updated text in four principles

Added new policy related to maintenance of infrastructure and subsidence

Added new policy related to headwaters

Local Water Resources

Added additional text to one policy principle

Water Use Efficiency

Updated the section title to reflect distribution system water loss

Added additional text to eight policy principles

Water Quality and Environmental Impacts

Added four new policies (two support, two oppose)

Added additional text to one other policy

Water Transfers

Added “streamlines the transfer approval process” to one section

Energy

Updated one policy to reflect that AB 32, the Global Warming Solutions Act of 2006 was updated with SB 100 in 2018

Fiscal Policy

Added “voluntarily” to clarify the section on Water Rate Assistance Programs

Governance

Added a new policy related to inverse condemnation

Water Storage

Added a new section to specifically highlight existing policies relating to water storage

Member Agency Recommended Additions

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

1) *Expediently implements programs and funding previously approved by voters and the Legislature.* (SMWD) Staff note: Fits under Imported Water Supply

2) *Encourages the State to foster investments in water reliability projects.* (SMWD) Staff note: Fits under Local Water Resources

3) *Eliminates state-mandated restrictions on water reuse by allowing local agencies beneficial use of such water without limitation. Whenever possible, such legislation, regulatory and administrative actions should encourage water use efficiency through guidelines, not requirements.* (SMWD) Staff note: Fits under Local Water Resources

4) *Recognizes that recycled water and potable reuse are important components of water use efficiency and drought resiliency.* (SMWD) Staff note: Fits under Local Water Resources

5) *Is science-based and peer-reviewed; take economic impact into consideration; respect existing water rights; include reasonable time for implementation; and, be subject to Legislative oversight and review biennially.* (SMWD) Staff note: Fits under Local Water Resources

6) *Authorizes, promotes, and/or provides incentives for the development of extraordinary emergency water supplies for use by local water agencies during times of drought or water shortages.* (IRWD) Staff note: Fits under Local Water Resources

7) *Properly recognizes water agencies as a key player in emergency response to wildfires and other natural disasters, where water service is needed or may be impacted.* (IRWD) Staff note: Fits under Emergency Response

8) *Support Proposition 13 as embodied in Article XIII A of the California Constitution, and oppose the “split roll” efforts that would increase property taxes on businesses.* (Mesa Water District) Staff note: Fits under Fiscal Policy

9) *For LAFCO-initiated reorganizations, support the existing protest thresholds per the Cortese-Knox-Hertzberg Act, & Oppose changes that would make it more difficult for citizens to protest a LAFCO-initiated reorganization.* (Mesa Water District) Staff note: Fits under Governance

10) *Support exempting special districts from Cumulative Voting and Ranked Choice Voting methods and Oppose attempts to make these methods an option or a mandate for special districts elections.* (Mesa Water District) Staff note: Fits under Governance

11) *Takes away local control and decision making processes from local water suppliers.* (EOCWD) Staff Note: Fits under Imported Water Supply, Oppose

12) *Is inclusive of transparent collaboration techniques for legislation and regulation regarding water use efficiency.* (EOCWD) Staff note: Fits under Local Water Resources

13) *State-funded groundwater basin contamination studies and associated economic or environmental impacts.* (EOCWD) Staff note: Fits under Water Quality and Environmental Impacts

14) *Supports or facilitates responsible programs, procedures, and methods that promote collaboration, transparency and open government.* (EOCWD) Staff note: Fits under Governance

Board Recommended Additions

1) *MWDOC will support the siting and construction of surface storage of at least 800,000 af in Southern California which is sited to receive either State Water Project (SWP) or Colorado River Aqueduct (CRA) supplies.* Staff note: Fits under Water Storage

2) *MWDOC will support Surface and Groundwater Storage Funding at the state and federal level, provided funding is bifurcated between the two.* Staff note: Fits under Water Storage

3) *MWDOC will support the completion of the State Water Project (SWP) through the construction of conveyance facilities. The capacity of the facilities must be between 9,000 and 15,000 CFS.* Staff note: Fits under Imported Water Supply

4) *MWDOC will support the completion of the Central Valley Project (CVP) which may include the construction of conveyance facilities in the Sacramento-San Joaquin Bay Delta.* Staff note: Fits under Imported Water Supply

5) *MWDOC will support the raising of Shasta Dam, which by adding 18.5', the increase in storage capacity will be 630,000 af.* Staff note: May fit under Imported Water Supply

BOARD OPTIONS

Option #1

- Adopt the Legislative and Regulatory Policy Principles as updated for 2020

Fiscal Impact: None

Business Analysis: The updated Legislative and Regulatory Policy Principles enable the Board, staff, and MWDOC's legislative advocates to work in Washington D.C. and Sacramento to further the District's goals and interests that benefit Orange County. Updating them yearly allows for the inclusion of new and/or additional issues that arise throughout the previous year.

Option #2

- Do not approve the Legislative and Regulatory Policy Principles as updated for 2020

Fiscal Impact: None

Business Analysis: MWDOC's Board, staff, and legislative advocates would continue to operate under the approved Legislative and Regulatory Policy Principles adopted in 2019, potentially hampering their ability to advocate on certain issues.

STAFF RECOMMENDATION

Option #1

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

Updated changes for November are denoted in **red**

Updated changes for December are underlined

NOTE: All items will be properly numbered once the written policies have been Board approved

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

OVERALL POLICY

Legislation and regulations addressing water resource management issues should be guided by local and regional water resource officials with knowledge and experience in addressing opportunities, threats and needs for success within the water industry. (SMWD)

IMPORTED WATER SUPPLY

It is MWDOC's policy to support legislation, ~~and regulations and administrative actions~~ that: (SMWD)

1) Balances California's competing water needs and results in to provide a reliable supply of high- quality water for Orange County. (EOCWD)

2) Facilitates the implementation of *a Sacramento-San Joaquin Delta Improvement program similar to the California Delta Conveyance Project WaterFix and California EcoRestore initiative, the that addresses 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: (SMWD)

- 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 through the Delta;
- 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 *Delta Conveyance project California WaterFix and EcoRestore initiative*; (Staff)

- g) Encourages regular infrastructure maintenance and upkeep of the levees to counter the effects of subsidence. (Board)

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 and their customers, while improving the reliability and quality of the water supply.~~ (SMWD) (Moved to Water Storage section)

5) Authorizes, and appropriates, ~~and expeditiously distributes~~ the federal share of funding ~~for to improve the Delta Conveyance project California WaterFix and EcoRestore initiative.~~ (Staff)

6) Authorizes, ~~and appropriates, and expeditiously implements~~ the ongoing state share of funding ~~for to improve the Delta Conveyance project or similarly effective measures California WaterFix and EcoRestore initiative.~~ (SMWD)

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 Federal Department of Agriculture and Interior. (EOCWD)

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 *Delta Conveyance project California WaterFix* and *EcoRestore initiative*. (Staff)

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.

- 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.
- 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, *where the capture avoids impact to other water users*, 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. (Staff)
- 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. (Moved to Water Storage section)~~
- ~~12) Support administrative/legislative action and funding to add surface and/or groundwater storage statewide.—(Moved to Water Storage section)~~
- ~~13) Support administrative/legislative action and funding to add South of Delta above ground and ground water storage that is able to receive supplies from the State Water Project and Colorado River Aqueduct.—(Moved to Water Storage section)~~
- ~~14) Support “beneficiaries pay” for water storage that ensure full cost recovery.—(Moved to Water Storage section)~~
- 15) Support the inclusion of environmental infrastructure projects the Army Corps of Engineers must consider in its Report to Congress.
- 16) Allows Investor Owned Utilities to invest in redundancy and reliability projects.

17) Provides funding for seawater and brackish groundwater desalination studies and facilities.

18) Streamlines permitting of desalination facilities.

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

1) Restricts a local governmental agency's ability to develop their local water resources in a manner that is cost-effective, environmentally sensitive, and protective of public health. (EOCWD)

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.

7) Would disincentivize or impede water agencies from making investments to maximize the potential for recycled water, potable reuse, desalination and other drought-resilient local water supplies.

WATER STORAGE (staff)

1) Provides conveyance and storage facilities that are cost-effective for MWDOC, ~~and its member agencies and their customers~~, while improving the reliability and quality of the water supply. (SMWD) (Previously in Imported Water Supply)

2) Support the evaluation of reservoirs to provide an enhancement in water supplies. (Previously in Local Water Resources)

3) Support administrative/legislative action and funding to add surface and/or groundwater storage statewide. (Previously in Local Water Resources)

4) Support administrative/legislative action and funding to add South of Delta above ground and ground water storage that is able to receive supplies from the State Water Project and Colorado River Aqueduct. (Previously in Local Water Resources)

5) Support "beneficiaries pay" for water storage that ensure full cost recovery. (Previously in Local Water Resources)

WATER USE EFFICIENCY AND DISTRIBUTION SYSTEM WATER LOSS (staff)

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 *fosters local and regional collaboration to develop and implement* options for compliance in achieving statewide water reduction goals. (SMWD)
- 3) Seeks to cost-effectively improve water efficiency standards and policies for water-using devices.
- 4) Provides *grants and low-interest loans* ~~loans and grants~~ to fund incentives for water conserving devices or practices. (staff)
- 5) Legislatively sets water efficiency standards provided the standards are *developed with local and regional input*, reasonable, cost effective for Orange County agencies, *and customers*, 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. (SMWD)
- 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.
- 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 *and energy* efficiency partnerships with the energy ~~efficiency~~ sector. (Staff)
- 10) Recognizes *and protects* past investments *of agencies and customers* in water use efficiency measures, especially from the demand hardening perspective. (SMWD)
- 11) Recognizes community growth and development when developing comparative standards for water use efficiency year-over-year.
- 12) Provides *federal and state* 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. (Staff)
- 13) Creates a process for development and implementation of *locally activated* emergency drought declarations and regulations that recognizes variations among communities, regions, and counties with respect to their abilities to withstand the impacts, *water supply conditions*, 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.
- 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 residential, commercial, industrial and institutional customers that would negatively impact or limit the potential for economic growth. (EOCWD)
- 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, *water supply conditions*, and effects of drought. (Staff)

WATER QUALITY AND ENVIRONMENTAL IMPACTS

It is MWDOC'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) *A science-based regulatory process that has been established under the Safe Drinking Water Act is the best approach for any consideration and development of drinking water*

regulations to address any contaminant or family of contaminants, including per- and polyfluoroalkyl (PFAS). (Staff)

5) The investment in the development of analytical methods to more reliably and accurately measure various contaminants, including PFAS, in drinking water. (Staff)

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).

6) Provides liability protections to public water districts, and related wholesale water providers, seeking to consolidate *with or serve as the administrator for* troubled water systems that cannot consistently demonstrate that they are able to provide safe, clean and reliable water supplies to their customers. (Staff)

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.

4) Legislation or regulation that would mandate an unscientifically supported federal or state maximum contaminant level, or mandating an artificial deadline for promulgating a maximum contaminant level for drinking water. (Staff)

5) Legislation, regulation or other policy that would hold drinking water and wastewater facilities liable for PFAS contamination caused by third parties; or that does not clearly state that the party directly responsible for the PFAS pollution is solely liable for the costs associated with the contamination cleanup. (Staff)

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

It is MWDOC's policy to oppose legislation or regulation 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) Encourages transfers, *or streamlines the transfer approval process*, which augment existing water supplies, especially in dry years. (Staff)

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 projects, including but not limited to infrastructure projects.
- 3) Considers local investments made in infrastructure, programs, mitigation and restoration in determining appropriate cost shares for water infrastructure, and project investments.
- 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.

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.
- 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) and SB 100).
Staff
- 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.
- 2) Allows member agencies to *voluntarily* offer localized Water Rate Assistance Programs that comply with Proposition 218 of California's Constitution and/or are funded either voluntarily or via non-restricted/non-water-rates revenues. (Staff)

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 *or its member agencies'* ability to impose or change *cost-of-service-based* water rates, fees, or assessments., *or requires them to submit their rates or charges to any state agency for approval.* (IRWD)
- 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.

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.
- 6) Supports water utility capability to notify customers of emergency protective measures through reverse notification systems.

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.
- 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.

MEMBER AGENCY RECOMMENDED ADDITIONS (NEW POLICIES)

- 1) *Expedientiously implements programs and funding previously approved by voters and the Legislature. (SMWD) Staff note: Fits under Imported Water Supply*
- 2) *Encourages the State to foster investments in water quality, storage, and/or reliability projects. (SMWD) Staff note: Fits under Local Water Resources*
- 3) *Eliminates state-mandated restrictions on any sources of recycled water, including desalinated water and water reuse by allowing local agencies beneficial use of such water without limitation. Whenever possible, such legislation, regulatory and administrative actions should encourage water use efficiency through goals and guidelines, not requirements. (SMWD) Staff note: Fits under Local Water Resources*
- 4) *Recognizes that desalinated water, recycled water, and potable reuse are important components of water use efficiency and drought resiliency. (SMWD) Staff note: Fits under Local Water Resources*
- 5) *Is science-based and peer-reviewed; take economic feasibility and impact into*

consideration; respect existing water rights; include reasonable time for implementation and compliance; and, be subject to Legislative oversight and review biennially. (SMWD) Staff note: Fits under Local Water Resources

6) *Authorizes, promotes, and/or provides incentives for the development of extraordinary emergency water supplies for voluntary use by local water agencies during times of drought or water shortages. (IRWD) Staff note: Fits under Local Water Resources*

7) *Properly recognizes water agencies' as-a-key-player role in emergency response to wildfires and other natural disasters, where water service is needed or may be impacted, because water and wastewater services are essential public utilities that ensure public health and safety. (IRWD) Staff note: Fits under Emergency Response*

8) *Support Proposition 13 as embodied in Article XIII A of the California Constitution, and oppose the "split roll" efforts that would increase property taxes on businesses. (Mesa Water District) Staff note: Fits under Fiscal Policy*

9) *For LAFCO-initiated reorganizations, support the existing protest thresholds per the Cortese-Knox-Hertzberg Act, & Oppose changes that would make it more difficult for citizens to protest a LAFCO-initiated reorganization. (Mesa Water District) Staff note: Fits under Governance*

10) *Support exempting special districts from Cumulative and Ranked Choice Voting methods and Oppose attempts to make this method an option or a mandate for special districts elections. (Mesa Water District) Staff note: Fits under Governance*

11) Takes away local control and decision making processes from local water suppliers. (EOCWD) Staff Note: Fits under Imported Water Supply, Oppose

12) Is inclusive of transparent collaboration techniques for legislation and regulation regarding water use efficiency. (EOCWD) Staff note: Fits under Local Water Resources

13) State-funded groundwater basin contamination studies and associated economic or environmental impacts. (EOCWD) Staff note: Fits under Water Quality and Environmental Impacts

14) Supports or facilitates responsible programs, procedures, and methods that promote collaboration, transparency and open government. (EOCWD) Staff note: Fits under Governance

BOARD RECOMMENDED ADDITIONS (NEW POLICIES)

1) *MWDOC will support the siting and construction of cost effective surface storage of at least 800,000 af in Southern California which is sited to receive either State Water Project (SWP) or Colorado River Aqueduct (CRA) supplies. Staff note: Fits under Water Storage*

2) MWDOC will support Surface and Groundwater Storage Funding at the state and federal level, provided funding is bifurcated between the two. Staff note: Fits under Water Storage

3) MWDOC will support the completion of the State Water Project (SWP) through the construction of conveyance facilities. The capacity of the facilities must be between 9,000 and 15,000 CFS. Staff note: Fits under Imported Water Supply

4) MWDOC will support the completion of the Central Valley Project (CVP) which may include the construction of conveyance facilities in the Sacramento-San Joaquin Bay Delta and the raising of Shasta Dam. Staff note: Fits under Imported Water Supply

~~5) MWDOC will support the raising of Shasta Dam, which by adding 18.5', the increase in storage capacity will be 630,000 af. Staff note: May fit under Imported Water Supply~~
(Combined with #4 above)

6) Changes in how inverse condemnation liability is determined for water service providers in order to limit water agency liability for impacts of wildfire. Staff note: Fits under Fiscal Policy



ACTION ITEM
December 18, 2019

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Dick, Thomas, and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: EXTENSION OF LOCAL ADVOCACY CONTRACT WITH LEWIS CONSULTING GROUP

STAFF RECOMMENDATION

Staff recommends the Board of Directors extend the local advocacy contract Lewis and Associates for 2020.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

REPORT

Lewis Consulting Group has provided local advocacy services to the Municipal Water District of Orange County since 2003. This contract was sent out for competitive bid in 2016 for a one-year contract beginning in 2017, with the option to renew annually for four

Budgeted (Y/N): Y	Budgeted amount: 42,000 Calendar year expenditure, time and materials.	Core X	Choice __
Action item amount: \$42,000. Hourly fee billed at \$250/hour with an annual cap not to exceed \$42,000. \$21,000 for FY 2019/2020 and \$21,000 for FY 2020/2021.		Line item: 31-7040	
Fiscal Impact (explain if unbudgeted):			

additional years. This is year four of the new contract and will go out for bid again in fall of 2021. A highlight of 2019 and proposed scope of services, provided by Mr. Lewis, is included for your review, input and approval.

Please note, Legislative Advocacy contracts are on a calendar year basis, not fiscal year, so as not to interrupt services during a legislative session.

SCOPE OF WORK

The following has been provided by Mr. Lewis:

2020 promises to be a most exciting and challenging year for Orange County as we navigate the political currents arising from this year's heated Presidential election. At stake in Orange County are a number of competitive legislative and congressional districts. Locally, two or perhaps three Board of Supervisor districts will be our focus of interest.

Just like 2018, 2019 was largely devoid of controversial countywide water issues. Our last major issue we needed to engage in was the 2017 ingress and egress fee hikes the Orange County Flood Control wanted to impose. Hopefully 2020 will be another year in which we don't need to fight another onerous proposal.

This year, despite health obstacles for the first half of the year, I maintained an excellent attendance record at the Board of Supervisors and LAFCO meetings. I continue to maintain excellent contacts and relationships with the Board offices. I also have a solid relationship with LAFCO members, which over the years, has borne fruit to where we now have a kinder and gentler MSR process.

The production of our Lewis Consulting Orange County PAL report is a labor of love, as I enjoy prioritizing and crystalizing major county issues of the day.

As always, I stand ready to help accommodate MWDOC Board members at any time they believe it would be beneficial to meet with Orange County office holders.

I continue to be grateful and honored to be part of the MWDOC team and look forward to continuing this relationship in 2020.

BOARD OPTIONS

Option #1

- Renew Lewis Consulting Group's contract for one additional year.

Fiscal Impact: \$42,000

Business Analysis: Lewis Consulting Group provides local advocacy services for MWDOC throughout the county and at OC LAFCO. They maintain relationships on our behalf with the Board of Supervisors, OC LAFCO Commissioners and key staff. They

also ensure that we are kept up-to-date and informed on countywide issues of importance to MWDOC and our member agencies.

Option #2

- Do not renew the contract with Lewis Consulting Group

Fiscal Impact: \$42,000 would be added to the general fund

Business Analysis: MWDOC would not have local representation to advocate on issues of importance to MWDOC and its member agencies.

STAFF RECOMMENDATION

Option #1



ACTION ITEM
December 18, 2019

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Dick, Thomas and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: EXTENSION OF FEDERAL LEGISLATIVE ADVOCACY CONTRACT WITH BARKER LEAVITT, PC

STAFF RECOMMENDATION

Staff recommends the Board of Directors extend the federal advocacy contract with Barker Leavitt, PC for 2020.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

REPORT

Barker Leavitt, formerly known as James C. Barker, PC has provided federal legislative advocacy services to the Municipal Water District of Orange County since 2003. This contract was sent out for competitive bid in 2015 for a one-year contract beginning in 2016, with the option to renew annually for four additional years. This is the final year of the new

Budgeted (Y/N): Y	Budgeted amount: \$96,000 Calendar year expenditure, plus expenses	Core X	Choice ____
Action item amount: \$96,000; \$48,000 for FY 2019/2020 + expenses and \$48,000 for FY 2020/2021 + expenses		Line item: 31-7040	
Fiscal Impact (explain if unbudgeted):			

contract. A proposed scope of services, provided by Barker Leavitt, PC is included for your review, input and approval.

Please note, Legislative Advocacy contracts are on a calendar year basis, not fiscal year, so as not to interrupt services during a legislative session.

SCOPE OF WORK

The following has been provided by Mr. Barker:

Throughout 2019, Mr. Barker monitored the Trump Administration's key positions as they related to California Water Issues; the Trump Budget and proposed Infrastructure Program; the implementation and activities of the federal funding program called WIFIA; the Wildfire Disaster Declarations in California and subsequent requests for federal funding for forestry management programs, flooding issues associated with heavy rains in California, and, obtaining Congressional support for the California "Waterfix" project—the only district that produced a bi-partisan letter in support of the project during the history of the project. Throughout the year, Mr. Barker also assisted MWDOC Directors and Staff organizing key meetings with the new Members of Congress from the Orange County Delegation and key staffers on a variety of California water related issues. He also monitored and advocated for changes in federal legislation dealing with the critical PFAS issue.

Barker PC has also monitored the ongoing implementation of the California Drought Relief Act, including many of its competitive grant programs. Mr. Barker also advanced Appropriations Language requests, specifically the \$8.3 Million Bureau of Reclamation Grant for the Doheny Beach Desal Project in both the House and Senate spending bills. Both House and Senate bills contain the critical language for the SCWD to receive this \$8.3 Million. The requests were part of the Energy and Water Appropriations Bill and pertained to funding out of the 2016 WIIN Act and the desal section was one of the sections that MWDOC and Barker PC had included in the bill. The firm has also tracked and advocated for other federal spending in key water accounts.

Mr. Barker continued to provide briefings, materials and information to Congressional Members, personal and committee staffers in both the House and the Senate on behalf of MWDOC.

Mr. Barker also participated extensively with California and other western water groups and associations in Washington, DC on a variety of key water issues affecting water districts. Barker, PC also monitors the activities of the committees of jurisdiction of water issues in the West: the House Natural Resources Committee, the House Transportation and Infrastructure Committee, the Senate Energy Committee and the Senate Environment and Public Works Committee, the House and Senate Appropriations Committees, the House Ways and Means Committee and the Senate Finance Committee.

In 2020, Barker Leavitt, PC will continue to advocate for federal funding for the critical State Revolving Loan Funds and the WIFIA Federal Loan program which MWDOC member agencies can use to borrow funds at a below "market" interest rate. MWDOC was instrumental in helping pass the WIFIA Loan Program and to make several features (desalination projects, reimbursement, the use of municipal bond financing and the additional use of the State Revolving Loan Funds—all permissible with WIFIA Loans). Mr. Barker is also monitoring the reauthorization of the WIIN Act, which provides various types of water infrastructure competitive grant funding programs.

Mr. Barker has been instrumental in raising the profile of MWDOC in Washington, DC where MWDOC is recognized as one of the leaders in the California Water Community.

In summary, Barker Leavitt, PC will:

- Continue to actively engage and advocate for federal funding for the Army Corps of Engineers, the Bureau of Reclamation, the EPA, and WIFIA Programs.
- Work to ensure the \$8.3 Million grant for the South Coast Water District Doheny Beach Desal Project is listed in the Energy and Water Appropriations Bill and that the Bureau of Reclamation releases the grant funds in a timely way in 2020. This also involve coordinating with the SCWD.
- Advocate for the passage of the federal reauthorization of the 2016 WIIN Act which has many water programs of interest for our Member Districts (i.e. the Bureau of Reclamation Desal Grant Program and other programs).
- Advocate for the federal funding for the State Revolving Loan Program –which provides low interest loans to California water districts.
- Monitor upcoming legislation and regulations dealing with PFAS issues.
- Advocate for changes in the IRS Code with respect to turf removal programs.
- Monitor and report on proposed legislation that affects MWDOC.
- Work with other organizations in Washington, DC to advance MWDOC priorities and help coordinate with other water entities as they seek to influence water issues in Washington.

BOARD OPTIONS

Option #1

- Renew Barker Leavitt, PC's contract for one additional year.

Fiscal Impact: \$96,000

Business Analysis: Barker Leavitt, PC provides advocacy services for MWDOC in Washington D.C. They maintain relationships on our behalf with members of our congressional delegation, key committees, and regulatory agencies. They also ensure that we are kept up-to-date and informed on federal issues of importance to MWDOC and our member agencies.

Option #2

- Do not renew the contract with Barker Leavitt, PC

Fiscal Impact: \$96,000 would be added to the general fund

Business Analysis: MWDOC would not have representation in Washington D.C. to advocate on federal issues of importance to MWDOC and its member agencies.

STAFF RECOMMENDATION

Option #1



ACTION ITEM
December 18, 2019

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Dick, Thomas and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

**SUBJECT: EXTENSION OF STATE LEGISLATIVE ADVOCACY CONTRACT WITH
BEST, BEST & KRIEGER**

STAFF RECOMMENDATION

Staff recommends the Board of Directors extend the state advocacy contract with Best, Best & Krieger for 2020.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

REPORT

Best, Best & Krieger has provided state legislative advocacy services to the Municipal Water District of Orange County since 2016. This contract was sent out for competitive bid in 2015 for a one-year contract beginning in 2016, with the option to renew annually for four additional years. 2020 is the final year of the new contract, and it will go out to bid in the fall

Budgeted (Y/N): Y	Budgeted amount: \$96,000 Calendar year expenditure, plus expenses	Core X	Choice __
Action item amount: \$96,000; \$48,000 for FY 2019/2020 + expenses and \$48,000 for FY 2020/2021 + expenses		Line item: 31-7040	
Fiscal Impact (explain if unbudgeted): n/a			

of 2020. A proposed scope of services, provided by Best, Best & Krieger (BB&K) on a separate memo, is included for your review, input and approval.

Please note, Legislative Advocacy contracts are on a calendar year basis, not fiscal year, so as not to interrupt services during a legislative session.

BOARD OPTIONS

Option #1

- Renew Best, Best & Krieger's contract for one additional year.

Fiscal Impact: \$96,000

Business Analysis: Best, Best & Krieger provides advocacy services for MWDOC in Sacramento. They maintain relationships on our behalf with members of our legislative delegation, key committees, and regulatory agencies. They also ensure that we are kept up-to-date and informed on state issues of importance to MWDOC and our member agencies.

Option #2

- Do not renew the contract with Best, Best & Krieger's

Fiscal Impact: \$96,000 would be added to the general fund

Business Analysis: MWDOC would not have representation in Sacramento to advocate at the legislative and regulatory level on state issues of importance to MWDOC and its member agencies.

STAFF RECOMMENDATION

Option #1

Attachment: BB&K Scope of Work for 2019 Memo

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Syrus Devers
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MEMO

TO: Municipal Water District of Orange County

FROM: Best Best & Krieger LLP

DATE: December 16, 2019

RE: Request for contract extension and strategic planning for 2020

Introduction

BB&K has been honored to represent MWDOC over the past year and respectfully requests the opportunity to continue in this role for 2020 under the same terms. BB&K has represented MWDOC before the Legislature and the administration, and worked to improve MWDOC's profile within the water industry. As explained below, 2019 was a successful year for MWDOC in terms of recognition and achieving results in Sacramento.

Highlights of 2019

Improved MWDOC's standing in Sacramento: This is a priority every year and BB&K believes its main purpose is to continue to raise MWDOC's profile and influence in the Legislature and with state agencies and boards. A significant number of new members joined the Orange County delegation in 2019 and MWDOC and/or BB&K successfully met with every new member, and these efforts will continue through December until members and staff become unavailable during the Christmas holiday.



Support of the WaterFix: Although WaterFix has now become the Delta Conveyance Project, which does represent a setback, that does not mean MWDOC and BB&K didn't have to fight several pieces of legislation to delay or stop the Delta tunnels. As in previous years, every bill to impact the tunnels was blocked and MWDOC was a central figure in those efforts.

Lead opponent of Public Goods Charge on Water: No doubt the biggest win of the year was finally putting the water tax to bed. This has been an issue every year since MWDOC hired BB&K to handle its governmental affairs. There are rumors of continuing efforts on the part of certain advocacy groups to pursue a public goods charge on water, but with the success of the Safe and Affordable Drinking Water Fund (SB 200) BB&K does not foresee these efforts gaining traction in the Legislature.

Planning for 2020

Wildfire and Public Safety Power Shutoff ("PSPS") impacts to water districts: BB&K anticipates this being the dominant water issue in 2020. The connection between wildfires and PSPS arose late in the session this year, but issues concerning insurance premiums, liability for property damage, and grant funding may be brought up in legislation. This is in addition to the legislation already being pursued on backup generators and costs imposed on water districts for PSPS. A key legislative staffer described the list of PSPS related bills he had already heard about as being "as long as his arm".

Polyfluoroalkyl substances/ Perfluorooctanoic acid (PFAS/PFOA): While unforeseen at the start of the year, PFAS emerged as a major issue at both the state and federal level midway through 2019. With the recent release of the movie Dark Waters, a movie about DuPont contaminating local water supplies with PFOA, federal action on regulating PFAS/PFOA under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or "Superfund"), as well as anticipated state action that may or may not seek to set Maximum Contaminate Levels (MCLs) or response levels in 2020, this will be a major focus throughout the year at the administrative level, and may find its way into additional legislation.

Implementation of the Safe and Affordable Drinking Water Fund: Defeating the water tax was just the beginning. Disadvantaged and noncompliant water districts will always be a politically popular issue, and rightfully so. To ensure the issue is addressed in the long term, the program must be implemented effectively and to that end a working group has been formed by the administration. MWDOC and BB&K will actively engage in that process to ensure the funds will be spent effectively.



Advocate for the Delta Conveyance Project: It may be somewhat overstated to say we are starting over, but that is how it feels. As legal counsel to the State Water Contractors, BB&K is well poised to take a lead role in advocacy for moving the project forward and in working to ensure a single tunnel will be adequate to meet the water security needs of Southern California.

Conclusion

As in 2019, BB&K will continue to regularly attend the PAL Committee meetings and respond to requests from Board members at any time. While we are proud of the service we offered, we are confident that our performance will improve in 2020 and we look forward to a continuing productive relationship with MWDOC.

Thank you.

Syrus Devers
Director of Governmental Affairs
Best Best & Krieger LLP



ACTION ITEM
December 18, 2019

TO: Board of Directors

FROM: **Public Affairs & Legislation Committee**
(Directors Dick, Thomas, McVicker)

Robert Hunter
General Manager

Staff Contact: Joe Berg
Damon Micalizzi

**SUBJECT: APPROVAL OF AMENDMENT TO MWDOC CONTRACT WITH
STRATEGIC DIGITAL COMMUNICATIONS CONSULTING FIRM
HASHTAG PINPOINT CORPORATION**

STAFF RECOMMENDATION

Staff recommends the Board of Directors authorize amending the current contract with Hashtag Pinpoint Corp. for an additional \$40,000, utilizing grant funds from Metropolitan, for the production of up to 15 How-To Videos promoting Water Use Efficiency.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

Water Use Efficiency (WUE) seeks to utilize approved grant funding from Metropolitan to develop a variety of How-To Videos to both educate consumers and promote conservation and efficient water use. With MWDOC's already established, robust, and award winning social media presence, WUE is working with Public Affairs to utilize the existing relationship with consultant Hashtag Pinpoint Corp. to create additional, valuable resources for Member Agencies via MWDOC's Video Library.

DETAILED REPORT

With MWDOC now an established, reputable, and recognized industry leader in producing award winning digital content through their current contract with Hashtag Pinpoint Corp., it makes sense to take advantage of these successes and utilize the existing relationship to maximize outreach efforts. Hashtag Pinpoint Corp. was previously selected through a

Budgeted (Y/N): Y	Budgeted amount:	Core <u>X</u>	Choice <u> </u>
Action item amount: \$40,000	Line item:		
Fiscal Impact (explain if unbudgeted): None			

competitive selection process in 2018. With that, Staff recommends amending the existing contract with Hashtag Pinpoint, Corp. for an additional \$40,000 to produce up to 15 How-To Videos for Water Use Efficiency. All videos will be developed with MWDOC branding and will be posted on our website for access by consumers. Ideas for How-To Videos include, but are not limited to:

- How to test your toilet for a leak and repair a leaky flapper?
- How to remove your turf grass?
- How to read your water meter?
- How to use your water meter to check for leaks?
- How to test your home pressure regulator?
- How to tune up your irrigation system?
- How to convert your spray irrigation system to drip?

The proposed funding comes from MWDOC's allocation of the Metropolitan Funded-Member Agency Administered program. WUE staff received Metropolitan's approval of our funding request of \$40,000 on December 4, 2019.

BOARD OPTIONS

Option #1 Staff recommends the Board of Directors authorize the General Manager to amend the professional services agreement with Hashtag Pinpoint Corp. to produce video content promoting Water Use Efficiency and Water Conservation at a cost not to exceed \$40,000.

Fiscal Impact: The proposed How-To Videos will be funded through Metropolitan Member Agency Administered (MAA) Program funds.

Business Analysis: Allows MWDOC to take advantage of available grant funds to amplify existing successful digital media outreach with more educational content, providing evergreen regional value.

Option #2 No Action

Fiscal Impact: N/A

Business Analysis: N/A

STAFF RECOMMENDATION

Option #1



ACTION ITEM
December 18, 2019

TO: Board of Directors

FROM: **Public Affairs & Legislation Committee**
(Directors Dick, Thomas, McVicker)

Robert J. Hunter
General Manager

SUBJECT: **PARTICIPATION IN THE CALIFORNIA WATER ENVIRONMENT ASSOCIATION (CWEA)**

RECOMMENDATION

It is recommended that the Board of Directors: review, discuss, and consider authorizing Director Yoo Schneider's candidacy for the CWEA Board of Directors as Vice President of the South (to be President in the third year of a four year term).

COMMITTEE RECOMMENDATION

The Administration & Finance Committee reviewed this item on December 11th and did not take action. Because Director Yoo Schneider was not present at the A&F Committee, Chairman Dick agreed to hold further discussion by the PAL Committee. This write up has been revised since the A&F Committee.

SUMMARY

Director Yoo Schneider has asked for the Board's support in her candidacy for the California Water Environment Association (CWEA) Vice President of the South (to be President in the third year of a four year term).

Per the website, CWEA is a not-for-profit public benefit association of 10,000-plus water quality professionals who work for public agencies and collection systems, engineering firms, and equipment and service suppliers. CWEA members are responsible for cleaning California's water and returning it safely to the environment. CWEA educates and certifies water quality professionals, disseminates technical information, and promotes sound policies to benefit society through protection and enhancement of our water environment.

Budgeted (Y/N): No	Budgeted amount: \$1800	Core <u> X </u>	Choice <u> </u>
Action item amount:	Line item: 70-8810		
Fiscal Impact (explain if unbudgeted): Not applicable			

CWEA is also a member association of the Water Environment Federation (WEF). Per its website, WEF is a not-for-profit technical and educational organization of 35,000 individual members and 75 affiliated Member Associations representing water quality professionals around the world. Since 1928, WEF and its members have protected public health and the environment. As a global water sector leader, our mission is to connect water professionals; enrich the expertise of water professionals; increase the awareness of the impact and value of water; and provide a platform for water sector innovation.

WEF and its global network of members and Member Associations (MAs) provide water quality professionals around the world with the latest in water quality education, training, and business opportunities. WEF's diverse membership includes scientists, engineers, regulators, academics, utility managers, plant operators, and other professionals. WEF uses this collective knowledge to further a shared goal of improving water quality around the world.

Participation and leadership within CWEA provides MWDOC with access to resources and the ability to provide input and guidance on statewide water issues. CWEA's 2020 Strategic Plan includes the following goals:

Goal 1: Our Impact to the Public

1. Developing interest in the water profession
2. Increasing the awareness of the finite water supply
3. Increasing sustainable practices in the water sector
4. Increasing public support for initiatives that promote quality supply and availability.

Goal 2: Our Impact for Water Professionals

1. Increase the number and effectiveness of instructors and training materials
2. Increase the number of training events and locations
3. Increase certificants' understanding of the certification path and exam

Goal 3: Our Impact for Agencies and Firms

1. Increasing understanding of agency and firms' mission-critical needs
2. Increasing agency and firms' support of CWEA membership
3. Increase the value of certification and membership

Goal 4: Our Impact for Regulators

1. Increasing awareness of implementation costs on regulated community
2. Highlighting the sound science behind the regulations
3. More meaningful and understandable communication of science
4. Reducing negative public perceptions and pressures that result in the development of reactionary regulations
5. Increase the technical resources available to regulators

Goal 5: Our Impact for Sustainable Water Resources

1. Increasing public understanding of the value of long-term integrated water planning
2. Increase the funding for water resources

Many of CWEA's strategic goals align with MWDOC's mission and vision, and a leadership role within CWEA would allow MWDOC to lead and partner with many other stakeholders to help shape the future of water in California and in Orange County in a number of ways.

Director Yoo Schneider's authorized participation would include payment of travel (transportation and hotel, etc.) to various Board meetings which are held five times per year at various locations within the state, as well as regular and common business expenses and compensation. MWDOC support of Director Yoo Schneider's involvement does not include her individual membership fees to WEF and CWEA, which are covered by Director Yoo Schneider herself.

The CWEA Board meets four times a calendar year, once each in June (tentatively scheduled to be in Oakland or Los Angeles in 2020), October (in Oakland in 2020), and January (in San Diego in 2020), and once in April/May (held concurrently with the CWEA Annual Conference in Reno, NV, in 2020), with the Executive Committee meeting the evening prior to or morning of each meeting.

The CWEA Director's term is four years, starting as Vice President of the South and serving as President in the third year, and as the immediate Past-President in the fourth year. The term would commence April 2020, with elections held at the CWEA Annual Conference in April 2020.

Option #1

- Provide a letter of support and authorize Director Yoo Schneider's participation on the CWEA Board of Directors as Vice President of the South.

Fiscal Impact: The fiscal impact for FY 2019-2020 would include travel to San Diego for the January 2020 meeting; travel to Reno, NV, for the April 2020 meeting; and travel to either Los Angeles or Oakland for the June 2020 meeting. All of the costs are travel-related, and there is no cost to the district in terms of membership or sponsorship. Travel cost impacts may decrease based on the location of the June 2020 meeting. The total cost for FY 2019-2020 should be no more than \$1,800.

Business Analysis: Helps further MWDOC's involvement and impact on current water issues that influence the future of Orange County's water.

Option #2

- Do not provide a letter of support and do not authorize Director Yoo Schneider's participation on the CWEA Board of Directors as Vice President of the South.

Fiscal Impact: None.

STAFF RECOMMENDATION

Option #1



INFORMATION ITEM
December 16, 2019

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

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)

SUMMARY

Contractors for the Municipal Water District of Orange County's (MWDOC or District) Water Education School Programs—Shows That Teach, Discovery Cube Orange County, and Bolsa Chica Conservancy—continue to schedule school visits for the 2019/2020 school year. As visits are booked, MWDOC School Program contractors update the shared Google Calendar so that MWDOC Board of Directors and participating member agencies can view school program visits as soon as they are confirmed. For convenience, included in this report is a two (2) month preview of scheduled visits. Please note that the shared Google Calendar is updated frequently, and will always have the most accurate information. Visits are subject to change due to school and teacher availability.

Additionally, per the request of Director Dick at the November 2019 Public Affairs and Legislation Committee Meeting, the MWDOC Water Education School Program K-12 flyer has been attached to this report.

Budgeted (Y/N): Y	Budgeted amount: \$437,561	Core	Choice X
Action item amount:	Line item: 63-7040		
Fiscal Impact (explain if unbudgeted):			

DETAILED REPORT

SCHOOL PROGRAM GOALS AND OBJECTIVES

To administer a water-focused education program that offers Orange County students in grades K-12 an opportunity to connect with, and learn from, their local ecosystems. Program contractors for all grade levels will use a [Next Generation Science Standards \(NGSS\) three-dimensional learning model](#) to guide students to solve environmental problems affecting their local communities, and enhance their ability to become responsible environmental stewards. Students will also be able to identify California water supply sources, and will learn more about how to apply water efficient practices at home and at school.

- **Elementary School Program (K-2) Objective:** Students will understand the relationship between natural and human social systems and how humans affect, depend on, and benefit from natural resources, like water. Healthy ecosystems are critical to sustain all life.
- **Elementary School Program (3-6) Objective:** Students will understand the connection between humans and natural systems and how human activities and decisions can alter the water cycle, habitats, and the overall health of ecosystems. Healthy ecosystems are essential to all life.
- **Middle School Program (7-8) Objective:** Students will learn that the quality, quantity, and reliability of water is directly and indirectly influenced by human activity and the health of natural systems. Students will understand the challenges in delivering a safe and reliable source of drinking water to Orange County.
- **High School Program (9-12) Objective:** Students will understand that the health and care of natural systems are essential to all life and to the functioning of our economies and cultures. Students will learn how to make informed decisions that can affect and drive changes in opinions, policies, and laws as well as be introduced to career pathways in the water industry.

SHOWS THAT TEACH – ELEMENTARY SCHOOL (K-2)

In November 2019, Shows That Teach completed eight (8) school visits reaching more than 1,700 students across the county in grades K-2. To date, nearly 4,400 students have participated in the MWDOC Elementary School Program (grades K-2), and just over 3,950 students have been booked to receive the program for the 2019/2020 school year so far.

“The content was engaging, reinforced, and the kids loved it!” – Principal, Trinity Lutheran School

“Kids enjoyed the songs and came back with an understanding of the content. Loved that there was lots of opportunity for helpers, and lots of opportunities to move around. We liked it a lot!”
– Kindergarten teacher, Excelsior Elementary

“Lively, informative, engaging” – Second grade teacher, Excelsior Elementary

DISCOVERY CUBE OC – ELEMENTARY (3-6) AND MIDDLE SCHOOL (7-8)

Through Discovery Cube Orange County (DCOC), the MWDOC Elementary School Program (grades 3-6) reached more than 1,000 students in November 2019 from eight (8) elementary schools across the county. More than 3,900 students have participated in the MWDOC Elementary School Program (grades 3-6), and just over 10,300 students have been booked to receive the program for the remainder of the 2019/2020 school year so far.

Through this program, students are tested on their water awareness with a keypad device before an assembly begins and at the conclusion of the assembly to measure concept understanding and retention. The following keypad response data demonstrates the average increase in student understanding after attending the November 2019 Elementary School Program assemblies:

- **Third Grade:** Students are tested on local climate and the ability of plants and organisms to survive in a particular climate. Students demonstrated a **6.27%** average increase in understanding from the pre- to post-test. (**53.48%** scoring correctly on the pre-test and **59.75%** on the post-test).
- **Fourth Grade:** Students are tested on the local ecosystem, water sources, and water use efficiency. Students demonstrated a **34.41%** average increase in understanding from the pre- to post-test. (**41.78%** scoring correctly on the pre-test and **76.19%** on the post-test).
- **Fifth Grade:** Students are tested on how the water cycle cleans and recycles freshwater supply and water use efficiency. Students demonstrated a **31.32%** average increase in understanding from the pre- to post-test. (**37.87%** scoring correctly on the pre-test and **69.19%** on the 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 **14.71%** average increase in understanding from the pre- to post-test. (**50.04%** scoring correctly on the pre-test and **64.75%** on the post-test).

“The voting feature is such a hit with my class. It was nice seeing our 4th graders know so many of your questions. It was a great review of what I taught them last year. Thank you!”

– Fourth grade teacher, Christ Lutheran Elementary

“The students felt good about reviewing what they knew and learning new information.”

– Fourth grade teacher, Christ Lutheran Elementary

To date, DCOC has booked nearly 1,150 students to receive the MWDOC Middle School Program (grades 7-8) for the 2019/2020 school year. The participating middle schools are located in the City of Brea, El Toro Water District, and City of Fountain Valley service areas. This is the first time since the school program’s inception that MWDOC has offered a middle school program.

BOLSA CHICA CONSERVANCY – HIGH SCHOOL (9-12)

In November 2019, the Bolsa Chica Conservancy completed the third session of the MWDOC High School Program (grades 9-12) at Edison High School. To date, all 3 sessions have been completed at Santa Ana High School, Mission Viejo High School, and Edison High School. Additionally, El Toro High School has been booked to receive the program in December 2019, and San Clemente High School, Tesoro High School, Tustin High School, and Dana Hills High School have all expressed interest in the program.

“The program was good for my students as they had the opportunity to learn about local water issues in Orange County, and why water use efficiency is important to our community.”

– AP Environmental Science teacher, Edison High School

RICKY RAINDROP SCHOOL PROGRAM VISITS

Keeping in line with the MWDOC Strategic Communications Program and Plan to consistently monitor, evaluate, and amend all programs and activities, MWDOC Public Affairs (PA) staff reviewed the Ricky Raindrop school program visits after a full month of special appearances. Based on feedback received from staff, school program contractors, and participating teachers, it was determined that the Ricky Raindrop school visits were providing more of a distraction than added value to the elementary school programs. As soon as Ricky was introduced, students became inattentive, putting additional stress on teachers to manage class behavior. Also, to accommodate the additional program inclusion, school program contractors had to rearrange and shorten their lesson plans. With only 45 minutes to conduct a lesson, every minute is needed to ensure that time spent in the classroom is focused and productive.

While Ricky will no longer make physical visits to elementary schools participating in the MWDOC School Programs, the Ricky Raindrop education booklets will still be distributed after elementary school assemblies. Ricky will also continue to make appearances at community events across Orange County, and actively participate in the annual MWDOC Water Awareness Poster Contest.

CALLING ALL ORANGE COUNTY SCHOOL TEACHERS!



Free Water Education Program For Grades K-12

Offered by the Municipal Water District of Orange County and participating Orange County water providers.

"Many of the Next Generation Science Standards are introduced, which is helpful for our science teachers."
– 5th grade teacher, Revere Elementary

"The students were engaged the whole time. I would definitely have them back again."
– 1st grade teacher, Christ Lutheran Elementary

"I truly hope we can do this again next year with more of my classes."
– Honors Biology teacher, Mission Viejo High School






















Participation Benefits:

- ✓ Students learn about Orange County water under one of the most successful, environmental-based education programs in southern California
- ✓ MWDOC K-12 school programs establish a deeper understanding of local water supply sources, the value of Orange County water, and the importance of using water wisely
- ✓ Students become better equipped for the responsibility of lifelong environmental and community stewardship, and develop the skills necessary to find reasonable solutions to these problems
- ✓ All MWDOC school programs support California Next Generation Science Standards and other applicable standards established by the State



VISIT [MWDOC.COM/SCHOOLPROGRAMS](https://www.mwdoc.com/schoolprograms) AND FILL OUT AN INTEREST FORM TO BE CONTACTED ABOUT YOUR SCHOOL'S ELIGIBILITY!

Sun	Mon	Tue	Wed	Thu	Fri	Sat
29	30	31	1	2	3	4
5	6	7	8	9	10	11
	3-6 MESA WATER	K-2 ETWD Grace K-2 MNWD Laguna			3-6 ETWD Grace 3-6 MESA WATER 7-8 ETWD Grace	
12	13	14	15	16	17	18
	K-2 MNWD Bergeson	K-2 ANAHEIM K-2 MNWD Wood K-2 SANTA ANA K-2 SANTA ANA		K-2 ANAHEIM 3-6 SANTA ANA	3-6 LA PALMA Los 3-6 MNWD Laguna	
19	20	21	22	23	24	25
26	27	28	29	30	31	1
	3-6 HUNTINGTON 3-6 MESA WATER 3-6 MESA WATER				3-6 HUNTINGTON K-2 MNWD Oak K-2 SMWD Bathgate	

6	JAN, MON		All day	3-6 MESA WATER Davis Elem
7	JAN, TUE		All day	K-2 ETWD Grace Christian School
			All day	K-2 MNWD Laguna Niguel Elem
10	JAN, FRI		All day	3-6 ETWD Grace Christian
			All day	3-6 MESA WATER Rea Elem
			All day	7-8 ETWD Grace Christian
13	JAN, MON		All day	K-2 MNWD Bergeson Elem
14	JAN, TUE		All day	K-2 ANAHEIM Orange Grove Elem
			All day	K-2 MNWD Wood Canyon Elem
			All day	K-2 SANTA ANA Davis Elem
			All day	K-2 SANTA ANA Monte Vista Elem
16	JAN, THU		All day	K-2 ANAHEIM Crescent Elem
			All day	3-6 SANTA ANA Davis Elem
17	JAN, FRI		All day	3-6 LA PALMA Los Coyotes Elem
			All day	3-6 MNWD Laguna Niguel Elem
27	JAN, MON		All day	3-6 HUNTINGTON BEACH St. Bonaventure
			All day	3-6 MESA WATER Kaiser Elem
			All day	3-6 MESA WATER Victoria Elem
31	JAN, FRI		All day	3-6 HUNTINGTON BEACH Clegg Elem
			All day	K-2 MNWD Oak Grove Elem
			All day	K-2 SMWD Bathgate Elem

Sun	Mon	Tue	Wed	Thu	Fri	Sat
26 3-6 HUNTINGTON 3-6 MESA WATER 3-6 MESA WATER	27	28	29	30 3-6 HUNTINGTON K-2 MNWD Oak K-2 SMWD Bathgate	31	1
2	3 3-6 TUSTIN Loma	4 3-6 ANAHEIM K-2 MNWD Avila	5	6 3-6 GARDEN GROVE 3-6 WESTMINSTER K-2 ORANGE Holy	7 3-6 FULLERTON 3-6 SANTA ANA	8
9	10 3-6 ETWD Del Cerro	11 3-6 BUENA PARK	12	13	14	15
16	17	18 3-6 SCWD Dana (R.)	19	20 3-6 TUSTIN	21 3-6 ORANGE 3-6 SAN JUAN 3-6 WESTMINSTER	22
23	24 3-6 SANTA ANA	25 3-6 FOUNTAIN	26	27	28	29

4	FEB, TUE	● All day	3-6 TUSTIN Loma Vista Elem
5	FEB, WED	● All day ● All day	3-6 ANAHEIM Lincoln Elem K-2 MNWD Avila Elem
6	FEB, THU	● All day ● All day ● All day	3-6 GARDEN GROVE Clinton-Mendenhall Elem 3-6 WESTMINSTER Hayden Elem K-2 ORANGE Holy Family Cathedral Sch
7	FEB, FRI	● All day ● All day	3-6 FULLERTON Commonwealth Elem 3-6 SANTA ANA Monte Vista Elem
10	FEB, MON	● All day	3-6 ETWD Del Cerro Elem
11	FEB, TUE	● All day	3-6 BUENA PARK Dysinger Elem
19	FEB, WED	● All day	3-6 SCWD Dana (R.H) Elem
20	FEB, THU	● All day	3-6 TUSTIN Heideman Elem
21	FEB, FRI	● All day ● All day ● All day	3-6 ORANGE California Elem 3-6 SAN JUAN CAPISTRANO Kinoshita Elem 3-6 WESTMINSTER Wilmore Elem
25	FEB, TUE	● All day	3-6 SANTA ANA Sepulveda Elem
26	FEB, WED	● All day	3-6 FOUNTAIN VALLEY Courreges Elem

Public & Governmental Affairs Activities Report

November 12, 2019 – December 10, 2019

Member Agency Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Hosted Public Affairs Workgroup skills-building workshop - <i>Maximize Your Yes: The Art and Craft of Persuasive Speaking</i> presented by Marion MacKenzie Pyle, President of Legacy Media Lab • Attended Association of California Water Agencies (ACWA) Fall Conference • Created Resolutions honoring the retirements of: <ul style="list-style-type: none"> ○ Metropolitan Water District's Brad Hiltcher ○ Fountain Valley's Mark Lewis <p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Provided an update at the member agency manager's meeting on the policy principles and solicited additional input • Shared AWWA's advisory on the new movie <i>Dark Waters</i> centering on DuPoint and PFAS in West Virginia • Sent calendar invite for the next member agency legislative meeting on January 7
Community Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Continued to coordinate registration and logistics for the remaining Girl Scouts Patch Program clinics <ul style="list-style-type: none"> ○ January 11 – El Toro Water District ○ April 25 – South Coast Water District • Developed and sent Girl Scouts Patch Program feedback survey to participants of the November 9 clinic at Bolsa Chica Conservancy • Participated in Career Corner and hosted an interactive activity at the Girl Scouts of Orange County annual Science Technology Engineering Mathematics (STEM) Expo • Wrote, produced, and directed two new promotional videos: <ul style="list-style-type: none"> ○ Xtreme Water Makeover Contest Winner ○ Community Events featuring Ricky Raindrop
Education	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Conducted Ricky Raindrop classroom visits at: <ul style="list-style-type: none"> ○ Red Hill Elementary ○ Oak Elementary School ○ RH Dana Point Elementary School • Developed five (5) promotional School Program flyers – one (1) general, and four (4) for each of the programs offered • Shared school program flyers with Moulton Niguel Water District • Coordinated school program visit to Malcom Elementary School • Provided information to City of San Clemente regarding school program commitments • Created a Grab-and-Go Water Lesson resource for Orange County K-12 teachers • Provided observer feedback survey to Mesa Water regarding the MWDOC Elementary School Program (grades 3-6)

	<ul style="list-style-type: none"> • Worked with Bolsa Chica Conservancy to provide information to South Coast Water District regarding MWDOC High School Program (grades 9-12)
Special Projects	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Designed and printed Water Use Efficiency winter bill inserts • Revised and printed Turf Removal signs and stakes for Water Use Efficiency • Designed Spray to Drip Program flyer for Water Use Efficiency • Assisted with Request For Proposal (RFP) updates on website • Participated in regularly scheduled OC Water Summit Committee Meetings/Staff Meetings and Lunch with the Event Co-Chairs • Sent invitations to potential speakers for Summit • Staffed Director McKenney November 15-17 Hoover Dam and Colorado River Aqueduct Southern California Infrastructure Tour Co-Hosted with Association of California Cities (ACC-OC) • Staffed Director Barbre's December 6 Southern California Infrastructure Tour Co-Hosted with ACC-OC • Participated in part one of Phase One training for MWDOC's Environmental Literacy Initiative Orange County roll out • Hosted an information table and provided nearly 100 attendees a presentation alongside Metropolitan Water District and at the Bioneers Biomimicry Design Challenges Workshop for teachers • Participated in training session for Monsido, Inc. an all-in-one platform that scans and delivers insights to enhance the website users experience and ensures compliance with accessibility requirements • Completed five (5) Crisis Communications Certificate Program workshop sessions with Public Relations Society of America (PRSA) • Participated on a conference call with the Wyland Foundation to discuss a new pilot program <i>Fresh Water Hope Spots</i> • Participated in a webinar with Facebook on effectively using social media in crisis or disaster situations <p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Staffed the WACO Planning meeting • Staffed the ISDOC Executive Committee meeting • Per their request, sent additional documents to OC LAFCO pertaining to MWDOC's upcoming Municipal Service Review

Legislative Affairs	<p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Participated in the California Municipal Utilities Association's (CMUA) annual strategic outlook meeting for 2020 at East Bay MUD • Was appointed to CSDA's Legislative Committee • Was appointed to CMUA's Regulatory and Legislative Committees • Circulated policy principles to our member agencies for final input • Attended ACWA's Fall Conference in San Diego where MWDOC was the recipient of two legislative outreach awards – "Most Active Small Agency" and "Top Outreach Agency in ACWA's Region 10"
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