

MEETING OF THE
BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the
PUBLIC AFFAIRS AND LEGISLATION COMMITTEE
March 16, 2020, 8:30 a.m.
Conference Room 101

Committee:

Director Yoo Schneider, Chair
Director Barbre
Director McVicker

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

Ex Officio Member: Director Tamaribuchi

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>.

PRESENTATION ITEM

1. PRESENTATION BY JOEY SOTO (title from Heather)

DISCUSSION ITEMS

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

3. RECAP OF SOUTHERN CALIFORNIA WATER ISSUES CONGRESSIONAL DELEGATION BRIEFING LUNCHEON
4. 2020 OC WATER SUMMIT

ACTION ITEMS

5. SUPPORT FOR CANDIDATE(S) CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) CALL FOR NOMINATIONS: SEAT B – SOUTHERN NETWORK
6. CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) CALL FOR NOMINATIONS: SEAT C – SOUTHERN NETWORK
7. LAFCO DUES REAPPORTIONMENT
8. AB 2093 (GLORIA) – PUBLIC RECORDS RETENTION
9. AB 2178 (LEVINE) – EMERGENCY SERVICES: DE-ENERGIZATION DEFINITION
10. AB 2182 (RUBIO) – EMERGENCY BACKUP GENERATORS, WATER AND WASTEWATER FACILITIES: EXEMPTION
11. AB 2246 (MAYES) – SURFACE MINING RECLAMATION ACT OF 1975: METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
12. AB 2560 (QUIRK) – WATER QUALITY: NOTIFICATION AND RESPONSE LEVELS: PROCEDURES
13. ACR 179 (VOEPEL) – SPECIAL DISTRICTS WEEK
14. SB 996 (PORTANTINO) – STATE WATER RESOURCES CONTROL BOARD: CONSTITUENTS OF EMERGING CONCERN PROGRAM
15. SB 1099 (DODD) – EMERGENCY BACKUP GENERATORS: CRITICAL FACILITIES: EXEMPTION
16. PARTICIPATION IN CALIFORNIA WATER ENERGY EDUCATION ALLIANCE LEADERSHIP ROUNDTABLE (WEEA)
17. CONSIDER CANCELLATION OF APRIL 2, 2020 ELECTED OFFICIALS FORUM DUE TO CONCERNS WITH THE CORONAVIRUS

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.)

18. SCHOOL PROGRAM UPDATE

19. PUBLIC AND GOVERNMENT AFFAIRS ACTIVITIES REPORT

OTHER ITEMS

20. 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.



DISCUSSION ITEM

March 16, 2020

TO: Public Affairs and Legislation Committee
(Directors Yoo Schneider, Barbre, and McVicker)

FROM: Robert Hunter, General Manager

Staff Contact: Heather Baez

**SUBJECT: PRESENTATION BY JOEY SOTO OF SOTO RESOURCES, REGARDING
MWDOC'S GRANTS TRACKING, REPORTING AND ACQUISITION
PROGRAM**

STAFF RECOMMENDATION

Staff recommends the Public Affairs and Legislation Committee review and discuss the information presented.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

BACKGROUND

In March 2018, the Board of Directors authorized a contract with Soto Resources to provide grant assistance to MWDOC and its member agencies that includes: tracking, writing (upon request) and acquisition.

SUMMARY

At the request of the Executive Committee, staff has invited Joey Soto of Soto Resources to provide an update and review of 2019 on her work on behalf of MWDOC and its member agencies.

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

This presentation includes a brief overview of the grants tracking and acquisition program, regular efforts by Soto Resources, grants inquiries, information provided to MWDOC and its member agencies, grant applications, and awards.

Attachment: Soto Resources Presentation

MEMBER AGENCY GRANT ASSISTANCE PROGRAM UPDATE 2020



MARCH 16, 2020

PRESENTED BY

JOEY SOTO, FUNDING CONSULTANT



GRANT ASSISTANCE PROGRAM OVERVIEW

PROGRAM INITIATED IN 2018

1. GRANT RESEARCH REPORT
(COMPLETED IN JULY 2018)
2. ONGOING FUNDING REPORTING,
GO/NO-GO EVALUATION, AND
COORDINATION
3. GRANT APPLICATION WRITING OR
REVIEW (UNDER SEPARATE
CONTRACT WITH REQUESTING
AGENCY)

MONTHLY UPDATES AND REPORTING

- UPDATE PROJECT LIST
- RESEARCH FUNDING PER PROJECT LIST
- UPDATE/ADD FUNDING OPPS. TO LISTS
- MATCH PROJECTS WITH FUNDING OPPS.
- SUMMARY TABLE OF UPCOMING DEADLINES
- FUNDING ALERT NOTICES
- EMAILS/CALLS WITH MEMBER AGENCIES
- CONTACT WITH FUNDING AGENCIES
- GO/NO-GO EVALUATIONS

Summary of Funding Applications/Events with Upcoming Deadlines	
Agency & Program Name	Due Date
Metropolitan Water District of Southern California – Innovative Conservation Program	RFP Release: March 17, 2020 Webinar: March 24, 2020 Applications Due: TBD
CA Natural Resources Agency – Prop 68 Urban Flood Protection Grant	Solicitation Released: January 27, 2020 Applications Due: March 25, 2020
California Department of Housing and Community Development - CDBG Program	NOFA Released: January 21, 2020 Applications Due: April 15, 2020
California SWRCB – CWSRF Program and DWSRF Intended Use Plans (IUPs)	WEBCAST: April 29, 2020 10 am – Noon
California Financing Coordinating Committee Funding Fair	Local Location: Orange County Water District Board Room. Funding Fair Date: May 15, 2020
California State Water Resources Control Board - Storm Water Management Grant Program (Prop 1)	Solicitation Released: Anticipated in March 2020. Applications Due: June 2020
US Bureau of Reclamation WaterSMART Grants - Water and Energy Efficiency Grants for FY 2020 & 2021	Solicitation Released: August 5, 2019 (2 grant years). Applications Due: September 30, 2020

GRANT PROGRAM STATS

(Jan 2019 – Mar 2020)

- 8 AGENCIES & 36 PROJECTS ADDED TO PROJECT LIST
- 10 AGENCIES INQUIRED ABOUT 15 FUNDING PROGRAMS
- FUNDING COMMUNICATION REACHED 1,000 EMAILS
- 25 GO/NO-GO EVALUATIONS COMPLETED
- 12 FUNDING APPLICATIONS PURSUED WITH SOTO RESOURCES (INCL. 1 IN PROGRESS)
- 4 GRANTS AWARDED; 1 LOAN SELECTED
- 3 GRANTS PENDING RESULTS
- 3 GRANTS NOT AWARDED

TOTAL GRANT PROGRAM RESULTS (JUL 2018 – MAR 2020)

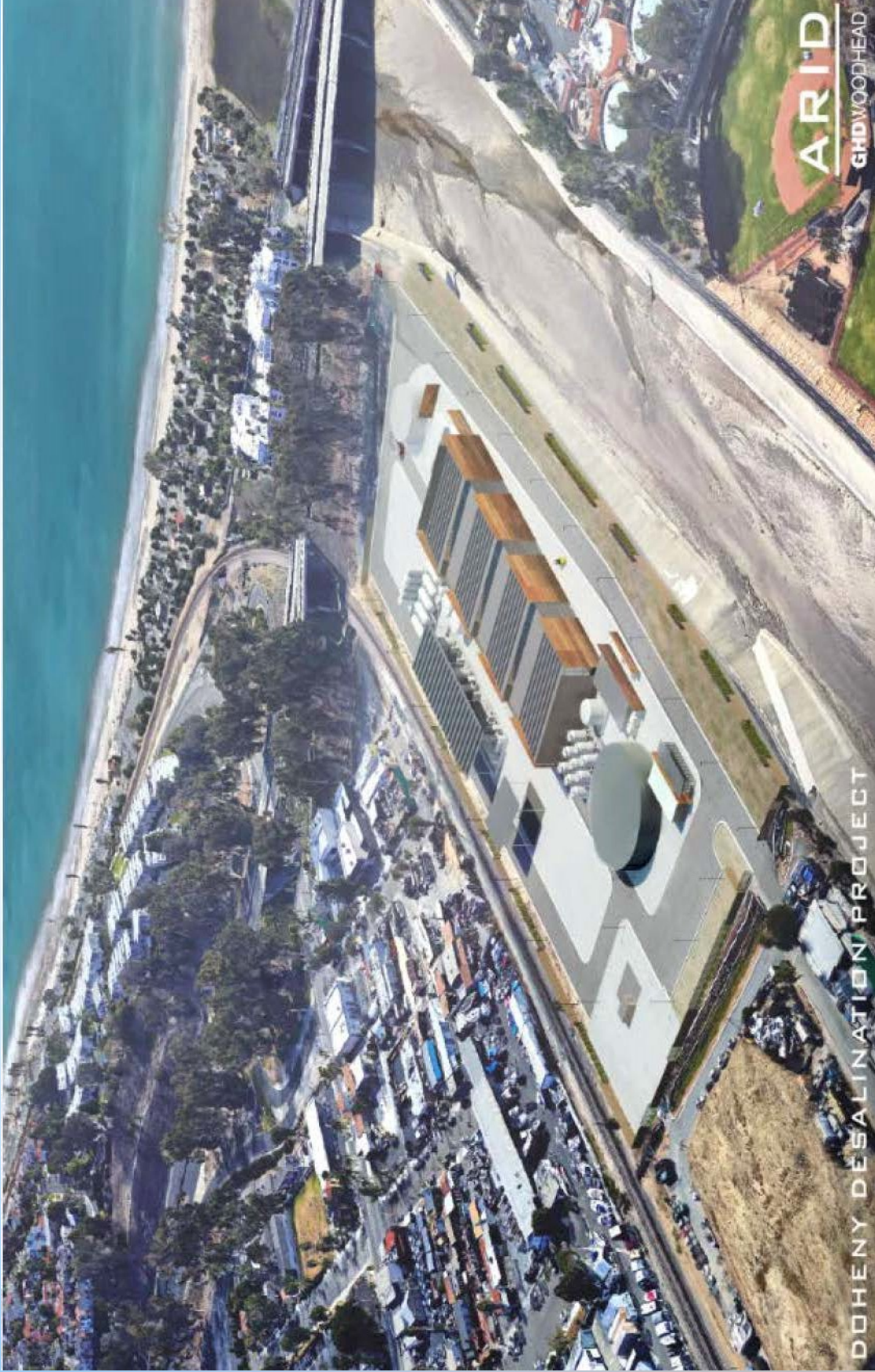
- 20 AGENCIES WITH 112 PROJECTS ON PROJECT LIST
- 110 FUNDING PROGRAMS IN MONTHLY REPORT
- ~\$11.1 MILLION TOTAL FUNDING AWARDED FOR 4

GRANTS

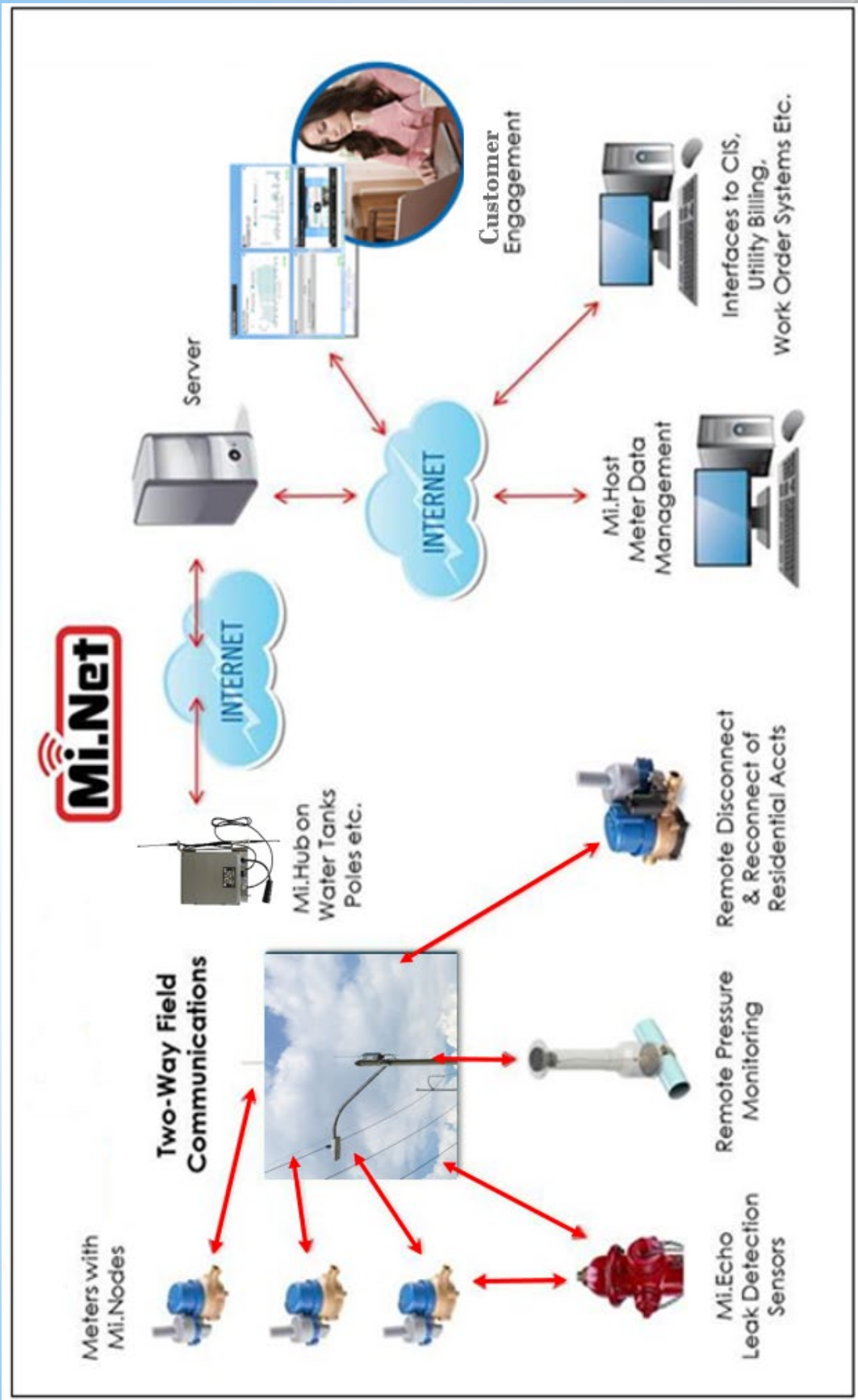
- ~\$110 MILLION TOTAL LOAN FUNDING SELECTION
ANNOUNCED
- ~\$28.5 MILLION TOTAL GRANT FUNDING RESULTS
PENDING



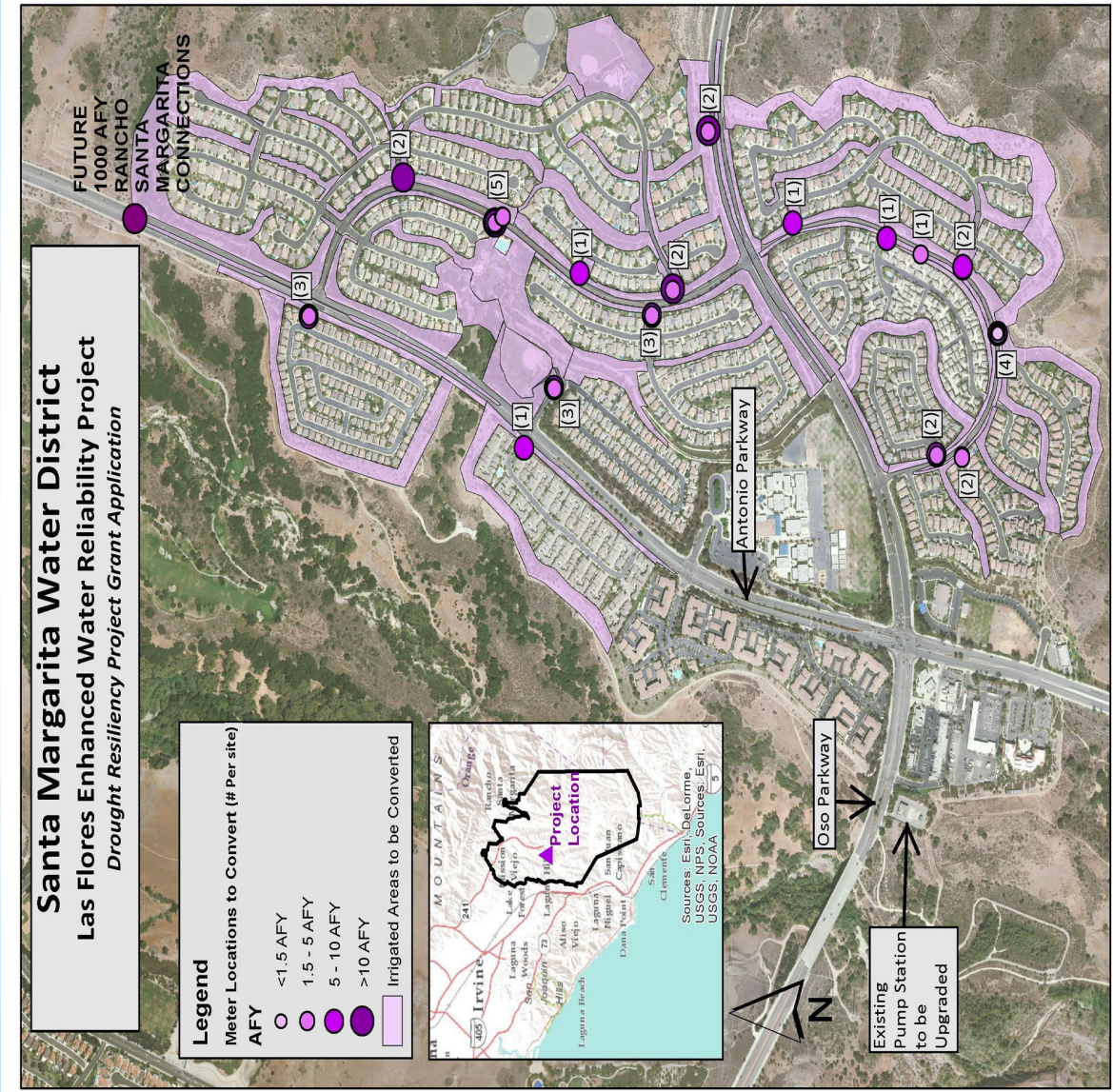
SCWD DOHENY DESALINATION PROJECT
\$8.3M SECURED, \$11.6M PENDING FEDERAL FUNDING
\$107M LOAN APPLICATION IN PROGRESS



CITY OF NEWPORT BEACH AMI PROJECT \$1.5M FEDERAL FUNDING



SMWD LAS FLORES RECYCLED WATER PROJECT \$500K STATE FUNDING AND \$750K FEDERAL FUNDING



THANK YOU!

**Barker
Leavitt**
ATTORNEYS AT LAW
1050 THOMAS JEFFERSON STREET, NW
FIFTH FLOOR
WASHINGTON, DC 20007
(202) 293-4064
www.barkerleavitt.com

James C. Barker
Ryan Leavitt

*Municipal Water District of Orange County, California
Washington Update
March 10, 2020*

Coronavirus Roils Washington and the Financial Markets; Congress Considering Economic Stimulus Measures and Potentially an Extended Congressional Recess Period

Coronavirus continues to be the top news story around the country—especially here in Washington, DC. Last week at least five Members of Congress/Senators as well as some Executive Branch Officials came into contact with a person infected with the coronavirus at a major political conference in DC. As a result, those Congressmen and Senators are now under a self-imposed quarantine for two weeks. In our conversations with various Congressional offices, we are hearing that many of the major trade associations and national industry groups have begun cancelling their Washington, DC conferences and annual fly-ins to meet with Federal Government officials this year.

Concerning incidents like what took place at the above mentioned conference this year have pushed some Members of Congress to suggest to Congressional Leadership that the Congress should go on an extended recess period for the remainder of March. Congress is already scheduled to take a one-week break the week of March 16-20.

As a result of coronavirus concerns around the globe and in the U.S., global financial markets have been in turmoil and the U.S. stock markets have experienced double-digit losses since February. Uncertainty among investors of the economic impacts of coronavirus have stoked fears of a global recession. The hospitality and travel sectors have already been hit extremely hard.

In response, the White House and Congress are working on a potential economic stimulus package, that could include some infrastructure components, to try and jumpstart the U.S. economy. Although, early on, there have already been some disagreements between the House Speaker and the President on the scope of the package and the mechanisms to pay for it. Middle-income class tax cuts and subsidies for the airline industry are a few of the proposals that have already been floated.

Water districts would not be immune from the negative impacts of a recession in the U.S. economy. With recession naturally follows the inevitable decreases in federal, state, and local tax revenue. With fewer tax revenue, we would expect increased pressure to reduce government spending at all levels. Those reductions in government spending could take the form of cutting spending on federal and state water funding programs.

House and Senate Appropriations Committees Schedule Hearings on the FY2021 Spending Bills

On March 10, 2020, the House Energy & Water Appropriations Subcommittee held a hearing on the President's U.S. Army Corps of Engineers (USACE) and Bureau of Reclamation (BOR) Budget Requests. And on March 25, 2020, Members of House of Representatives will be invited to testify before the Energy & Water Subcommittee to share their own appropriations priorities.

In late February, on behalf of MWDOC, we submitted an appropriation request to all of the Orange County House Members and both CA Senators. The request was language to be added to the FY21 Energy & Water Appropriations bill that would benefit projects like the Doheny Beach Desalination Project that have already gone through the process to be awarded desalination grants under the WIIN Act and that have already had their projects subsequently approved by Congress in an appropriations bill. MWDOC's requested language would remove the requirement that future grant awards for those previously approved projects have to once again be approved by Congress in future spending bills. If this language is adopted, it could significantly shorten the time between when the grant is awarded by the BOR and when the grant funds are actually dispersed to the water agency that was awarded the grant.

We are continuing to advocate for full funding of important water programs and agencies like the BOR, USACE, Clean/Drinking Water State Revolving Funds, and the WIFIA program. All of these programs were given large cuts in the President's FY21 Budget Proposal. See the chart below.

Programs	FY19 Levels	FY20 Levels	President's FY20 Budget	President's FY21 Budget
Bureau of Reclamation	\$1.565 billion	\$1.68 billion	\$1.120 billion	\$1.1 billion
Army Corps of Engineers	\$6.998 billion	\$7.65 billion	\$4.964 billion	\$6 billion
Clean/Drinking Water State Revolving Funds	\$2.76 billion	\$2.77 billion	\$1.98 billion	\$1.98 billion
WIFIA	\$68 million	\$55 million	\$25 million	\$25 million

PFAS Update:

Since our last report, we delivered the letters signed by MWDOC Board President Tamaribuchi (electronically and hard copies) to all of Orange County's Members of Congress and both CA Senators that expresses concerns about PFAS legislation that could negatively impact MWDOC and its member agencies. Specifically, concerns about listing PFAS as hazardous substances under the Superfund Law CERCLA—at least without an exemption for public water systems.

In late February, the Environmental Protection Agency (EPA) proposed a “regulatory determination” which is the first step to administratively set a mandatory drinking water limit for the PFAS chemicals PFOA and PFOS. Under the Safe Drinking Water Act, the EPA must first propose and finalize a rule determining that a chemical warrants a drinking water limit before it can propose and finalize an actual limit.

Additionally, some Members of Congress and staff have reported to us that they believe there will be another effort in the 2020 National Defense Authorization Act (NDAA), or annual defense spending bill, to again attempt to include some PFAS related legislation. The expectation is that the 2020 NDAA will be considered by the House around May of this year. We will continue to monitor this issue and provide periodic updates.

H.R. 3723 (Rep. Mike Levin), the *Desalination Development Act*:

On Wednesday, March 11, 2020, Rep. Mike Levin's bill (H.R. 3723) is set to be voted on by the House Natural Resources Committee. If it is passed by the House Natural Resources Committee, the next step would be for it to be considered by the full House of Representatives.

This legislation would raise the funding authorization in the Water Infrastructure Improvements for the Nation (WIIN) Act for desalination projects to \$260 million over the next five years. Levin's objective in introducing this bill is to support projects like South Coast Water District's Doheny Ocean Desalination Project.

It is worth noting that on behalf of MWDOC, we provided some technical assistance and proposed language to Rep. Levin's staff on this legislative effort. We also assisted them in preparing for the debate of the bill for the Committee's upcoming consideration of the legislation.

FOLLOW UP: Southern California Water Luncheon and Briefing to be held in Washington, DC on February 26, 2020:

We are happy to report that the annual water lunch and briefing in Washington, DC this year was a success. MWDOC's PAL Committee Chair Megan Schneider did an excellent job running the program during the event and introducing all of the speakers and presenters. We were pleased that three Members of Congress (Reps. Levin, Calvert, and Lowenthal) attended and gave remarks to the group. Additionally, we had staff representing almost a dozen other Congressional offices in attendance: Reps. Porter, Chu, Correa, Rouda, Schiff, Davis, Napolitano, Cisneros, Takano, Grijalva, and majority and minority senior staff of the House Natural Resources Subcommittee on Water.

JCB/RWL 3/10/20

Memorandum

To: Municipal Water District of Orange County
From: Syrus Devers, Best Best & Krieger
Date: March 16, 2020
Re: Monthly State Political Report

Legislative Report

All the bills are in and the Legislature is operating at full speed. The first large policy committee hearings are being set for the first week of April. Fiscal bills have until April 24th to clear committee while non fiscal bills get an additional week. As expected, the two major water policy issues concern PFAS and wildfires.

PFAS Legislation

Although the major focus on PFAS is happening at the federal level, a number of related bills have been introduced at the state level. Leading the way is the MWD sponsored bill SB 996 (Portantino) which seeks to head off haphazard regulation through legislation, with PFAS being the most relevant example. There are so many contaminants of emerging concern, or “CECs,” that the SWRCB is overwhelmed with addressing them one at a time. SB 996 would establish a scientific advisory panel to help the SWRCB sort through them and focus on the most significant ones and (hopefully) guide the process toward rational control measures that are based on sound science.

Another ambition PFAS inspired bill is AB 2560 (Quirk), which would require the SWRCB to comply with notice and comment requirements before establishing or revising notification and response levels for contaminants in drinking water. This is needed because the customer notification requirements for response levels make them *de facto* maximum contaminant levels, but the SWRCB may see it differently. The administration views response levels as non-regulatory and will likely oppose notice and comment requirements.

Two other bills in this group include SB 1044 (Allen) that would require manufactures and sellers of PFAS containing firefighting equipment to provide notice to the buyer, and SB 1056 that would force the SWRCB to certify methodologies for testing for PFAS, as well as certifying California labs.

Wildfire Legislation

The total list of bills in the Legislature dealing with wildfire liability probably exceeds 20, but the two leading bills that concern water suppliers are AB 2182 (Rubio), which is sponsored by ACWA, and SB 1099 (Dodd), which is sponsored by CMUA. Both bills address the same issue of emergency backup generators that water districts use to ensure a continuous water supply during a power outage. Air Quality Management Districts (AQMD) take different approaches to allowable runtimes and testing protocols, but emergency generators have taken on a new significance in the face of wildfires and power shutoffs becoming the new normal, and the air regulations are not keeping up. One AQMD, for example, limits generators to 200 hours per year and allows 20 hours for testing. When the electrical grid is damaged by a wildfire, however, power may not be restored to a water district facility for months.

The issue with testing limitations based on maximum allowed time is that accepted national standards call for testing to be performance based, not a set number of hours. In the past water districts lived with the 20 hour test limits but the new reality of wildfires and power shutoffs means that “good enough” is no longer good enough. Operators of emergency generators that support critical public services now need to have absolute certainty that a generator will perform as expected.

Both bills address the issue by exempting emergency generator operations during emergencies, including planned power shutoffs, but AB 2182 seeks to exempt generators from AQMD control during emergencies, while SB 1099 takes a less confrontational approach by requiring AQMDs to adopt appropriate rules.

Administrative Report

The SWRCB has taken two major actions in the last month:

Low-Income Rate Assistance Program (LIRA) – The report on the Low-Income Rate Assistance (LIRA) that was required by AB 401 (Dodd-2015) was released without fanfare. The report lays out three levels of assistance based on the cost of 6 CCF of water. It calls for the program to be funded by personal income tax and a tax on bottled water. Implementing the tax increases through legislation would be challenging. Left unaddressed is what would happen to water districts that already have programs that offer a higher level of assistance.

Economic Feasibility Analysis for Maximum Contaminant Levels (MCLs)– SWRCB published a white paper on the parameters of an economic feasibility analysis for Hexavalent Chromium 6. Although specific to Chrome 6, the white paper purports to be a template for the economic feasibility analysis for all MCLs going forward. For this reason BB&K is actively engaging with the SWRCB.

The County of Orange Report

March 10, 2020
by Lewis Consulting Group



Don Wagner Re-Elected / Clarity for November Ballot

It appears that after all the votes have been counted, about 47% of Orange County voters will have cast their ballot in the March Primary. Despite the heavily contested Democratic Presidential Primary, turnout fell slightly short of the 49% turnout in June 2016.

In the Presidential race, Bernie Sanders ran slightly higher in Orange County than the state as a whole, garnering 35% of the vote locally.

Here is the list of candidates who will advance to the November 2020 runoff:

Orange County Supervisor - 1st District

Andrew Do 44% vs Sergio Contreres 21%

One of the biggest surprises of the election was that failure of long-time Santa Ana Mayor Miguel Pulido to make the run-off.

Orange County Supervisor - 3rd District

In the winner take all primary, Don Wagner emerged victorious with 53% over Ashleigh Aitken 47%, and will remain County Supervisor for the next 4 ½ years

38th Congressional District

Linda Sanchez 72% vs Michael Tolar 28%

Linda Sanchez should handily win the mostly L.A. County seat.

39th Congressional District

Young Kim 52% vs. Gil Cisneros 43%

A very strong showing for Young Kim in the effort to move the 39th C.D. back into the Republican column.

45th Congressional District

Katie Porter 50% vs Greg Rath 18%

A mild surprise for many as Greg Rath out polled Don Sedgwick, Peggy Huang and Lisa Sparks.

46th Congressional District

Lou Correa 57% vs James Waters 29%

Should be an easy November for Lou Correa.

47th Congressional District

Allen Lowenthal 39% vs John Briscoe 22%

Incumbent Lowenthal will be heavily favored in the mostly L.A. County district.

48th Congressional District

Harly Rouda 46% vs Michelle Steel 36%

The race will be a November barn-burner.

49th Congressional District

Bryan Maryott 54% vs Mike Levin 46%

Despite the O.C. results, Levin will be heavily favored in this mostly San Diego County district.

29th State Senate District

Ling Ling Chang 49% vs Josh Newman 34%

A strong Orange County showing for Ling Ling Chang in this hotly contested re-match.

37th State Senate District

John Moorlach 48% vs Dave Min 27%

A warning light on for the Moorlach re-election effort, as the two Democrats slightly out polled him.

55th State Assembly District

Philip Chen 62% vs Andrew Rodriguez 38%

Chen will be heavily favored for re-election.

65th State Assembly District

Sharon Quirk-Silva 56% vs Cynthia Thacker 44%

Quirk-Silva will be heavily favored.

68th State Assembly District

Steven Choi 45% vs Melissa Fox 33%

Assemblyman Choi will have a fight on his hands

69th State Assembly District

Tom Daly 72% vs Jon Paul White 28%

Easy sailing for Tom Daly's re-election.

72nd State Assembly District * *[too close to call]*

Janet Nguyen 34% vs Tyler Diep 25.31% OR Diedre Nguyen 25.02%

After a Republican blood bath in the Primary, Janet Nguyen should be favored.

73rd State Assembly District

Laurie Davies 28% vs Scott Rhinehart 23%

Davies will be favored after the voters sent Assemblyman Bill Brough packing.

74th State Assembly District

Connie Petrie-Norris 51% vs Diane Dixon 26%

This will be an evenly matched November slug-fest.



The March 11th LAFCO meeting was held after our print deadline, so other items of interest will be briefed at PAL.

On the Agenda . . .

Item 7A - 2nd Quarter Comprehensive Report

Contained in this item are active and anticipated project applications, 4th cycle MSR and Sphere of Influence update, South Orange County update, administrative outreach, extended relocation and outreach and a fiscal year 2019-2020 budget overview.

Item 8A - Proposed Budget and Fee Schedule

Proposed expenditures are \$1,310,930. The lion's share of that will be funded by County, Cities and Special Districts apportionments totaling \$1,169,500. That total is supplemented by drawing down \$123,430 from unused equity and \$18,000 from interest income. The apportionments will increase 4%.

Item 11 - Executive Officer Report

Update on:

- Annexation of San Juan Capistrano water and waste water utility to Santa Margarita Water District
- OC LAFCO Communication Plan
- 2020 Cal LAFCO Workshop
- 17th Street Tustin annexation Outreach
- South County Unincorporated Program
- California Property Tax Managers

New PPIC Survey

Here are selected questions and results from the Public Polity of California's latest poll. The poll of 1,700 California adults was conducted February 7-17 and a sample of this size yields a margin of error of +/- 3.4%.

1. Overall, do you approve or disapprove of the way that Gavin Newsom is handling his job as governor of California?

53% approve
33% disapprove
4% don't know

2. Overall, do you approve or disapprove of the way that the California Legislature is handling its job?

51% approve
37% disapprove
11% don't know

4A. Are you registered as a Democrat, a Republican, another party, or are you registered as a decline-to-state or independent voter?

- 44% Democrat
- 24% Republican
- 6% another party (specify)
- 26% independent

5F. Do you think of yourself as closer to the Republican Party or Democratic Party?

- 25% Republican Party
- 52% Democratic Party
- 18% neither
- 6% don't know

8. Which of these statements is closest to your views about President Donald Trump?

- 26% I like Donald Trump and I like his policies
- 3% I like Donald Trump but I dislike his policies
- 11% I dislike Donald Trump but I like his policies
- 59% I dislike Donald Trump and I dislike his policies
- 1% don't know

16. How much of a problem is housing affordability in your part of California? Is it a big problem, somewhat of a problem, or not a problem?

- 63% big problem
- 25% somewhat of a problem
- 11% not a problem
- 1% don't know

17. Does the cost of your housing make you and your family seriously consider moving away from the part of California you live in now, or not? (if yes, ask: "Does it make you consider moving elsewhere in California, or outside of the state?")

- 44% yes
- 10% yes, elsewhere in California
- 32% yes, outside the state
- 2% yes, other
- 56% no
- don't know

19. A potential constitutional amendment on the November ballot would mandate that cities, counties, and the state provide enough housing or shelter beds to put every homeless person under a roof. If the election were held today, would you vote yes or no on this constitutional amendment?

- 63% yes
- 32% no
- 5% don't know

20. Governor Newsom decided to scale back the high-speed rail project and complete the construction underway for a highspeed rail from Bakersfield to Merced while continuing to plan and seek funds for extending the high-speed rail system to other

parts of the state. Do you think that Governor Newsom's plan is a good idea or a bad idea?

- 49% good idea
- 41% bad idea
- 2% don't want/need high speed rail at all
- 8% don't know

21. Governor Newsom decided to scale back the Delta project and build one tunnel—instead of two—in the Sacramento-San Joaquin Delta to move water from northern California for agricultural, environmental, and urban uses in central and southern California. Do you think that Governor Newsom's plan is a good idea or a bad idea?

- 58% good idea
- 28% bad idea
- 1% don't want/need any tunnels
- 13% don't know

22. How much of a problem are violence and street crime in your local community today—a big problem, somewhat of a problem, or not much of a problem?

- 24% big problem
- 36% somewhat of a problem
- 38% not much of a problem
- 1% don't know

34. Would you consider yourself to be politically:

- 16% very liberal
- 19% somewhat liberal
- 27% middle-of-the-road
- 22% somewhat conservative
- 13% very conservative
- 2% don't know



So I Prefer My Crow with Just a Pinch of Salt

Last month's botched Presidential predictions: "It appears for now the contest has been winnowed down to Sanders, Buttigieg and the yet untested Michael Bloomberg."

"In the contest for the more mainstream liberal wing of the party, Mayor Pete Buttigieg's late surge has all but crushed the hopes of those supporting former Vice President Joe Biden."

"Democrat proportional delegate allocation has almost assured a "brokered" convention."

Lessons to be learned - 1) Never make a prediction prior to all candidates participating in a nationally televised debate.
2) Take a deep breath before making any more predictions.



Update

COVID-19

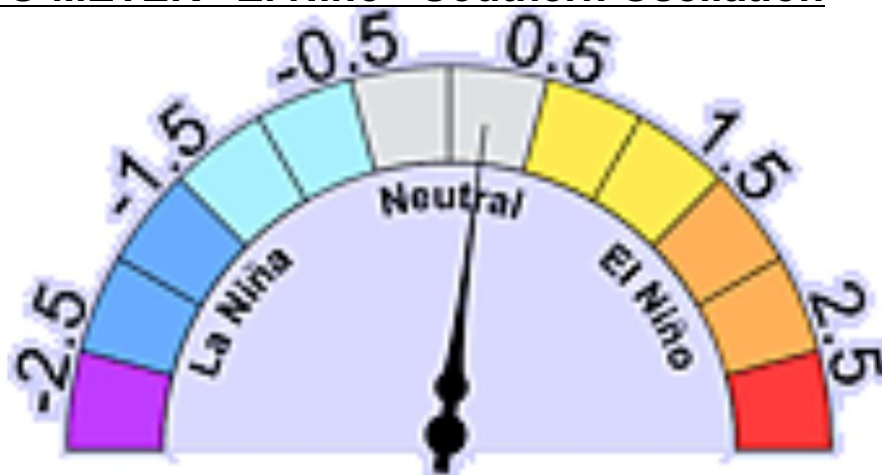
At the March 10th meeting of the board of Supervisors, County leadership was briefed on the status of the COVID-19 virus in the County. Dr. Nicole Quick reported that as of March 9, 2020, there were 133 confirmed cases in California but only five in our county. One of the five has been released from quarantine, while the other four remain sequestered. None of the five cases were a result of “community spread” Dr. Quick, Orange County’s Health Officer assessed that the risk of mass contagion in Orange County is low but she remains most concerned with adults over 60 years of age or those with underlying health problems. If things get worse, the emergency system in Orange County won’t be triggered until an emergency proclamation is made by any city or by the county. Extraordinary actions like school closures would be handled on a case by case basis.

The County also received an update from County Airport Director Barry Rondinella who briefed numerous new steps for cleaning and sterilizing at the airport.

Saying Good-bye to Shane Silsby

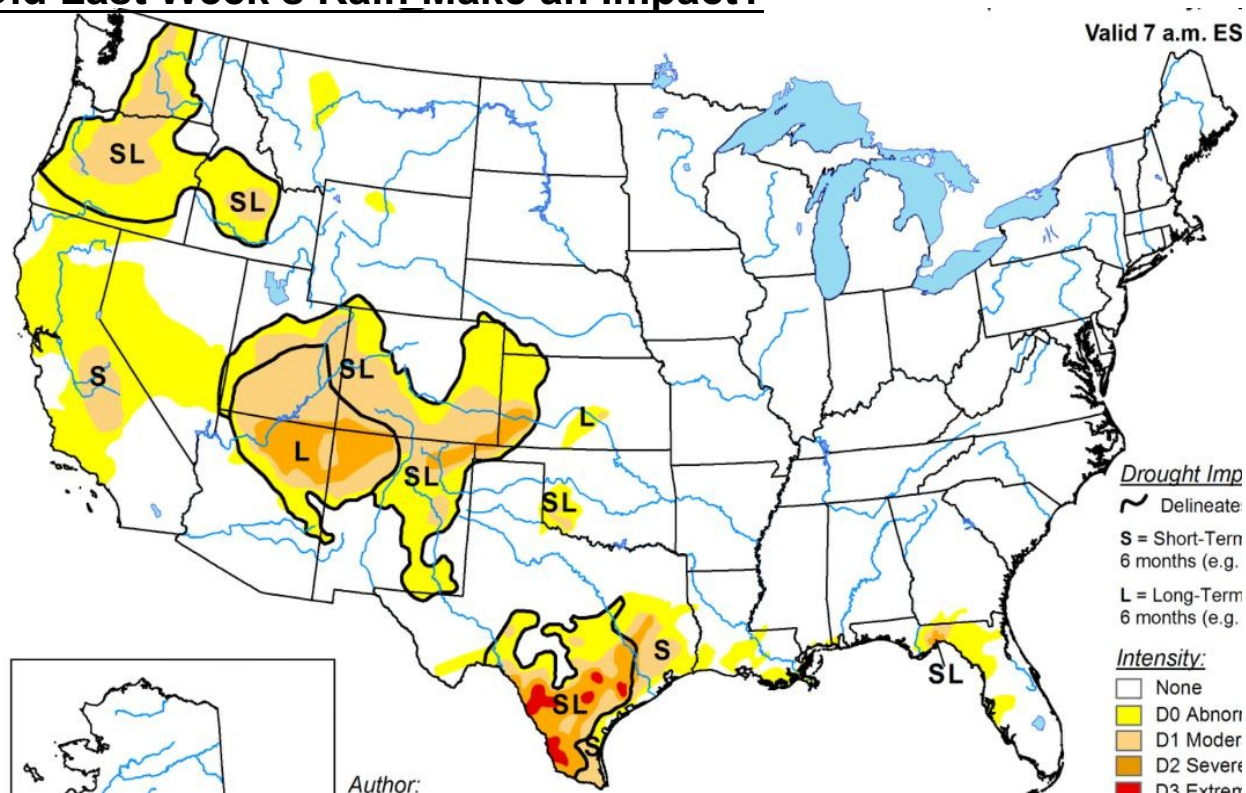
For six and half years Shane Silsby has served as Director of Orange County Public Works. During his tenure Silsby has won national acclaim for the job he has done in modernizing many facets of County government and adopting the latest technology along the way. March 9 was his last day on the job as he assumes a position at AECOM becoming their western states director overseeing thirty offices from Colorado to Hawaii.

ENSO METER El Niño - Southern Oscillation

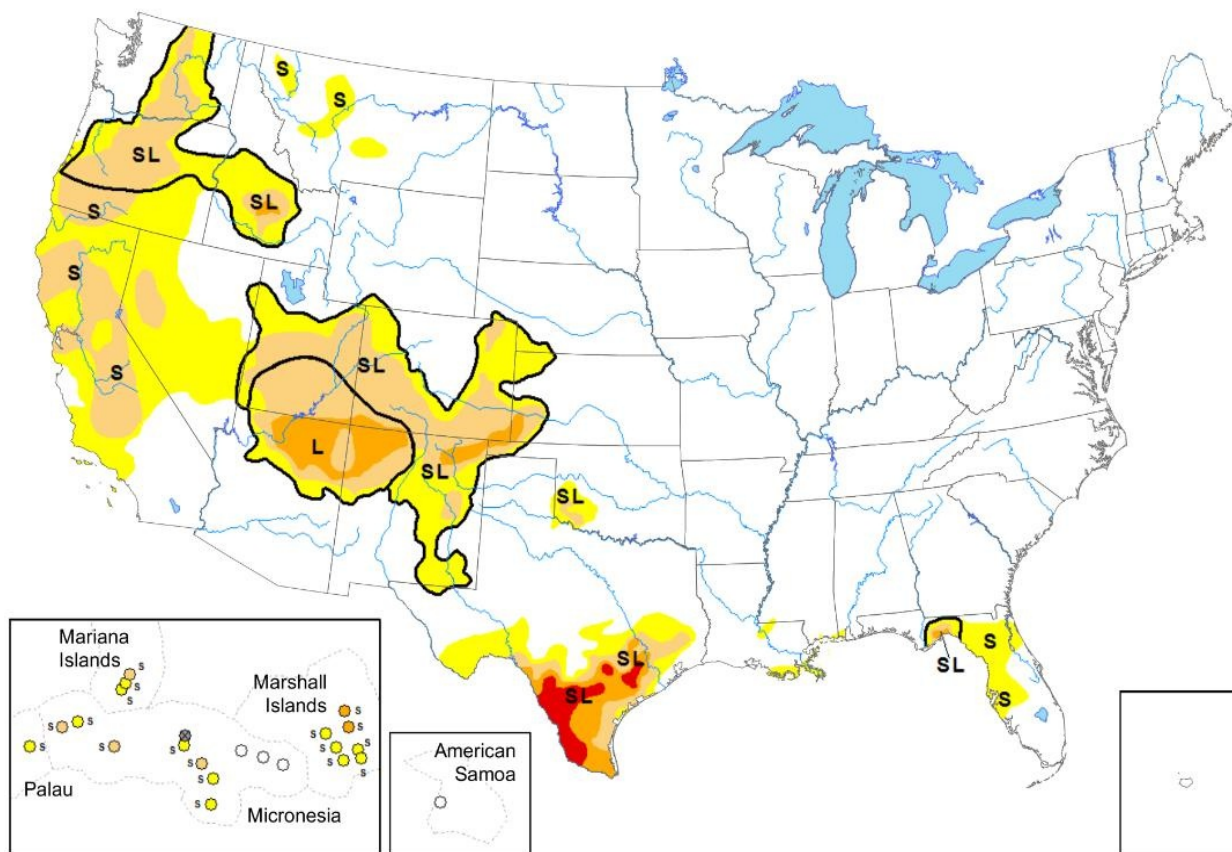


After flirting with very weak El Niño conditions, we are solidly back in neutral territory . . . neither El Niño or La Niña.

Did Last Week's Rain Make an Impact?



FEBRUARY 18, 2020



MARCH 5, 2020

Legal and Regulatory

March 16, 2020

1. **Ice Impact on Atmospheric Rivers:** Scripps has been studying the impact of melting ice in the Arctic on weather patterns. Melting ice causes many events including disruption of wind and weather patterns in the Central Pacific. This impacts atmospheric rivers and heavy rain that hit northern California. These conditions also are responsible for balmy winter weather here and record cold in the Midwest. Arctic ice has been reducing for at least twenty years while ocean surface temperature has been rising. Many folks think this condition will not extend to the equator but Scripps thinks it will.
2. **PFAS Cure:** This article from Environmental Science explains treatment systems that may help fix the PFAS situation. This report has more terms and processes that I have never heard of and can not pronounce than I have recently encountered. Non-equilibrium, reverse vortex gliding arc plasma discharges along with nitrogen and oxygen have shown good success in removing all PFAS compounds. Experiments are being conducted with various percentages of those elements being used.
3. **Lake Hodges Mystery Machine:** Lake Hodges Reservoir near Escondido has placed a mysterious looking machine in 70 feet of water to inject oxygen into the water. The Speece Cone looks like an upside down cone with pipes coming out of it to improve the water quality. Hodges gets a lot of runoff which produce nutrients for algae growth. The oxygen injection will handle this situation. This reservoir provides water for the city of San Diego and two adjoining water districts.
4. **Tijuana Clean Up:** Recent legislation signed by the President will help clean up the sewage situation produced in Mexico and delivered to California beaches. Treatment plants problems and system improvements will be implemented by the \$300 million allocation called for in the bill. Democrats, Republicans, Border Patrol, environmentalists and Mayor Falconer all weighed in to achieve this result. The pending Mexico trade deal also helped.
5. **Sewerball:** Sewerball is storm and wastewater manager's version of the Oakland Athletics Moneyball. Oakland used data to decide which players would help them win a pennant. Water managers in California and across the US are using more and more data to help manage storm and wastewater conditions and operation. Installation of sensors, above and below ground, have helped reduced spills, overflows, maintenance issues, cleaning and many more. Closer monitoring of weather conditions and storms connected with agency AI systems improves services and reduces problems.

6. **AI and Infrastructure:** Artificial Intelligence is being used more in every aspect of our lives including water world. A startup company in Redwood City, California called Fracta Inc has developed a system to locate the weakest spots in water infrastructure.. The system uses AI to examine soil conditions, pipe installation, pipe materials, rates of decay, population density and other factors to anticipate where the next break will occur and fix it before it happens. Fracta has contracts with 23 states, San Francisco, Oakland and many other municipalities around the world. Using this technology, Tokyo has one of the lowest leakage rates in the world at 3.5%.
7. **Fires Caused by Humans:** Last year, 2019, could have been one of the worst years for wildfires but it turned out to be one of the other lowest since 2011, 270,00 acres. Contrast 2018 which was the States worst at 1.8 million acres with severe human and property devastation. Examining the causes of these fires is illuminating. In 2018 for example, one half of all the fires were caused by power line or electrical problems. The other half was from human causes, sparks from equipment, camp fires and arson. Only 117,000 acres were burned due to lighting. Historically in California about 85% of all fires are human caused. Ranked in order of magnitude the three leading culprits are equipment, power lines and arson. One of the main reasons for less damage last year was the utilities aggressive policy of power blackouts. This policy was controversial but effective.
8. **Wildfires Increase Snowpack:** Brigham Young University recently studied the impact of wildfires on snowpack and flooding. Their findings were dramatic. In areas which have experienced severe wildfires, the resulting snowpack can increase up to 85%. This also increases the possible flood conditions when that snow starts to melt. The reason for this result is that when trees are present their branches accumulate snow and they themselves absorb moisture during a storm. Much of the snow does not reach the ground but is held by the branches. That snow is either absorbed or allowed to melt under normal conditions. The other result was the increase in water content of the snow. In high burn areas the snowpack contains a higher percents of water, up to 15%, than in forested areas.
9. **Wine-Marijuana War Continues:** We have previously discussed the increase of weed growing in wine areas like Napa and Sonoma. This has produced increased battle between the wine growers and the weed farmers. However, the wine voice is not uniform. Some of the big winemakers like Francis Ford Coppola and the Mondavi family are joining up with weed growers to expand their market and anticipate what future trends may be. The arguments against the weed expansion are many. The odor or olfactory impact is big since a large part of wine tasting is wine smelling. Also the weed smell is starting to infiltrate local schools and other businesses with the weed smell being in the air too much of the time. Another argument is the culture or brand of the area. Wine purists want to maintain the aura of the wine country, not the marijuana country. A big reason for water world is water usage. On acre of marijuana uses 1.1 million gallons of water per year, one acre of wine grapes uses 65,000 to 160,000 gallons. Many wine counties are facing ballot initiatives to allow weed growth. The county of Santa Barbara has been very liberal in allowing weed expansion and is reaping serious criticism as a result.
10. **Vegan Fish:** UCI is studying fish that eat plants as compared to most fish which eat other fish. This is important since our changing environment, particularly in the ocean, sees declines and increases in the ratio

of plant and animal life. The *Cebidichthys violaceus*, commonly known as the monkeyface prickleback, has to be one of the ugliest fish in the ocean. It has a digestive tract similar to humans which allows it eat and thrive on plants. This vegan fish eats certain types of algae in tide pools. It has developed a digestive specialization that allows it to eat plants. UCI is looking for other fish with similar characteristics. The prickleback grows to be 3 feet long and weighs about 6 pounds. It can also survive on land being able to breathe both in water and on land. It is considered a delicacy in some places and is supposed to taste good. (No word if it tastes like chicken) This type of fish can be important for sustainable aquaculture as plant based diets cost less and are more environmentally acceptable.

11. **Water Border Wars:** Historically, many countries, states and cities have determined their borders by the course of a river, lake, ocean or watershed. In the present day that is normally not the case except in unusual circumstances. However, there is a restaurant in Italy that is being challenged by the old law. The Rifugio Guide del Cervino has been operating for almost 40 years in Italy as an Italian restaurant. For the past 15-20 years the glaciers around the restaurant have been changing the landscape of the surrounding Alpine mountains. One of those mountains is the Matterhorn. In the past this part of the boundary between Italy and Switzerland has been determined by the glacial ridge or watershed. Italy and Austria have used glacial ridges to determine borders, while France has said no to this convention. Now Italy is reconsidering this precedent also. Mr Trucco, the owner of the restaurant, is now being confronted by Swiss authorities to apply for Swiss building permits and bring his building up to Swiss codes. The Swiss codes are substantially different than Italy's. It should be noted that Rifugio serves only Italian food and no Swiss dishes.
12. **San Diego Recycling Plant Stalled:** San Diego's \$5 billion recycling plan, which will become a large and important part of their water infrastructure, is being held up in court. The question is whether a project labor agreement is required for the project. There is uncertainty as to its application based on various contract provisions. The legislature has tried to settle the case by passing a law saying the PLA is required. However that is being challenged as being contrary to existing contract provisions and the California constitution. This delay is estimated to hold up the project for many years and also greatly increasing the cost of the final project.
13. **Santa Clara Dam Shut Down:** Federal dam regulators have ordered the Anderson Reservoir, the largest in Santa Clara County, to be shut down by October 1, 2020. The dam does not meet earthquake requirements. If it failed it would bring a 35' wall of water on Morgan Hill and surrounding communities. The cost estimate to replace the old dam is over \$550 million. The owner, Santa Clara Valley Water District, is also having problems getting necessary permits from the myriad of agencies with jurisdiction. Authorities say the risk of failure would create more economic and human damage than the potential loss of the Oroville Dam.

Municipal Water District of Orange County Item No. 1e

PAL Committee, 3/16/2020

Prepared by Best Best & Krieger LLP

A. Priority Support/Oppose

Measure	Author	Topic	Status	Brief Summary	Position	Priority	Notes 1
AB 2093	Gloria D	Public records: writing transmitted by electronic mail: retention.	3/10/2020- Action From JUD.: Do pass.To APPR..	Would, unless a longer retention period is required by statute or regulation, or established by the Secretary of State pursuant to the State Records Management Act, require a public agency, for purposes of the California Public Records Act, to retain and preserve for at least 2 years every public record, as defined, that is transmitted by electronic mail.	Out for Analysis	A. Priority Support/ Oppose	
AB 2182	Rubio, Blanca D	Emergency backup generators: water and wastewater facilities: exemption.	3/2/2020- Referred to Coms. on U. & E. and NAT. RES.	Would exempt the operation of an alternative power source, as defined, to provide power to a critical facility, as defined, from any local, regional, or state regulation regarding the operation of that source. The bill would authorize providers of essential public services, in lieu of compliance with applicable legal requirements, to comply with the maintenance and testing procedure set forth in the National Fire Protection Association Standard for Emergency and Standby Power System, NFPA 110, for alternative power sources designated by the providers for the support of critical facilities.	Out for Analysis	A. Priority Support/ Oppose	
AB 2296	Quirk D	State Water Resources Control Board: local primacy delegation: funding stabilization program.	2/24/2020- Referred to Com. on E.S. & T.M.	Would authorize the State Water Resources Control Board to delegate partial responsibility for the California Safe Drinking Water Act's administration and enforcement by means of a local primacy delegation agreement. The bill would authorize the state board, for counties that have not been delegated primary responsibility as of January 1, 2021, to offer an opportunity for the county to apply for partial or primary responsibility if the state board determines that it needs assistance in performing administrative and enforcement activities, as specified. The bill would authorize the state board to approve the application for delegation if the state board determines that the local health officer is able to sufficiently perform the administrative and enforcement activities and would specify that a local primacy agency has all of the authority over designated public water systems as is granted to the state board by the act.	Out for Analysis	A. Priority Support/ Oppose	
AB 2560	Quirk D	Water quality: notification and response levels: procedures.	2/20/2020- From printer. May be	The California Safe Drinking Water Act requires the State Water Resources Control Board to adopt drinking water standards for contaminants in drinking water based upon	Out for Analysis	A. Priority Support/ Oppose	

			heard in committee March 21.	specified criteria and requires any person who owns a public water system to ensure that the system, among other things, complies with those drinking water standards. The act requires a public water system to provide prescribed notices within 30 days after it is first informed of a confirmed detection of a contaminant found in drinking water delivered by the public water system for human consumption that is in excess of a maximum contaminant level, a notification level, or a response level established by the state board. This bill would require the state board to comply with specified public notice and comment and peer review procedures, as prescribed, when establishing or revising notification or response levels.			
SB 45	Allen D	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.	1/30/2020- In Assembly. Read first time. Held at Desk.	Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.	Out for Analysis	A. Priority Support/ Oppose	
SB 996	Portantino D	State Water Resources Control Board: Constituents of Emerging Concern Program.	3/5/2020- Referred to Com. on EQ.	Would require the State Water Resources Control Board to establish by an unspecified date and then maintain an ongoing, dedicated program called the Constituents of Emerging Concern Program to support and conduct research to develop information and, if necessary, provide recommendations to the state board on constituents of emerging concern in drinking water that may pose risks to public health. The bill would require the state board to establish the Stakeholder Advisory Group and the Science Advisory Panel, both as prescribed, to assist in the gathering and development of information for the program, among other functions. The bill would require the program to provide opportunities for public participation, including conducting stakeholder meetings and workshops to solicit relevant information and feedback for development and implementation of the program.	Out for Analysis	A. Priority Support/ Oppose	
SB 1099	Dodd D	Emergency backup generators: critical facilities: exemption.	2/27/2020- Referred to Com. on EQ.	Would, consistent with federal law, require air districts to adopt a rule, or revise its existing rules, to allow critical facilities with a permitted emergency backup generator to use that emergency backup generator during a deenergization event or other loss of power, and to test and maintain that emergency backup generator, as specified, without having that usage, testing, or maintenance count toward that emergency backup generator's time limitation on actual usage and routine testing and maintenance. The bill would prohibit air districts from	Out for Analysis	A. Priority Support/ Oppose	

imposing a fee on the issuance or renewal of a permit issued for those critical facility emergency backup generators.

B. Watch

Measure	Author	Topic	Status	Brief Summary	Position	Priority	Notes 1
AB 1957	Gallagher R	Paradise Irrigation District: water pipeline: design-build process.	2/18/2020- Re-referred to Com. on L. GOV.	Current law authorizes, until January 1, 2025, local agencies, as defined, to use the design-build project delivery process, as specified, for specified public works. This bill would authorize the Paradise Irrigation District to utilize the design-build project delivery process to assign contracts for the construction of a water conveyance pipeline from the Town of Paradise to the City of Chico.	Watch	B. Watch	
AB 2095	Cooper D	Water theft: enhanced penalties.	2/24/2020- Re-referred to Com. on L. GOV.	Current law authorizes the legislative body of a city or a county to make, by ordinance, any violation of an ordinance subject to an administrative fine or penalty and limits the maximum fine or penalty amounts for infractions, to \$100 for the first violation, \$200 for a 2nd violation of the same ordinance within one year of the first violation, and \$500 for each additional violation of the same ordinance within one year of the first violation. This bill would authorize the legislative body of a city or a county to make, by ordinance, any violation of an ordinance regarding water theft, as defined, subject to an administrative fine or penalty in excess of the limitations above, as specified.	Out for Analysis	B. Watch	
AB 2148	Quirk D	Climate change: adaptation: regional climate adaptation planning groups: regional climate adaptation plans.	3/9/2020- Re-referred to Com. on NAT. RES.	Current law establishes the Integrated Climate Adaptation and Resiliency Program, administered by the Office of Planning and Research, to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as specified. This bill would require the Strategic Growth Council, by July 1, 2021, to establish guidelines for the formation of regional climate adaptation planning groups. The bill would require the council, by July 1, 2022, to develop criteria for the development of regional climate adaptation plans.	Out for Analysis	B. Watch	
AB 2322	Friedman D	Small water suppliers and rural communities: drought and water shortage planning: repeal.	2/15/2020- From printer. May be heard in committee March 16.	Current law makes legislative findings and declarations regarding drought planning for small water suppliers and rural communities, and requires the Department of Water Resources, in consultation with the State Water Resources Control Board and other relevant state and local agencies and stakeholders, to use available data to identify, no later than January 1, 2020, small water suppliers and rural communities that may be at risk of drought and water shortage vulnerability and notify counties and groundwater sustainability agencies of those suppliers or communities. Current law	Watch	B. Watch	

				requires the department, in consultation with the state board, to propose to the Governor and the Legislature, by January 1, 2020, recommendations and guidance relating to the development and implementation of countywide drought and water shortage contingency plans to address the planning needs of small water suppliers and rural communities, as provided. This bill would repeal these provisions.			
AB 2324	Friedman D	Urban water use.	2/15/2020- From printer. May be heard in committee March 16.	Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, to conduct necessary studies and investigations, as prescribed, and make a recommendation to the Legislature, by January 1, 2020, on the feasibility of developing and enacting water loss reporting requirements for urban wholesale water suppliers. This bill would repeal these provisions.	Watch	B. Watch	
AB 3256	Garcia, Eduardo D	Climate risks: bond measure.	2/24/2020- Read first time.	The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide direct primary election, authorizes the issuance of bonds in the amount of \$4,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. This bill would state the intent of the Legislature to enact a bond measure that would address climate risks to the State of California.	Out for Analysis	B. Watch	
SB 797	Wilk R	Water resources: permit to appropriate: application procedure.	3/3/2020- Set for hearing March 24.	Current law requires the State Water Resources Control Board to issue and deliver a notice of an application as soon as practicable after the receipt of an application for a permit to appropriate water that conforms to the law. Current law allows interested persons to file a written protest with regard to an application to appropriate water and requires the protestant to set forth the objections to the application. Current law declares that no hearing is necessary to issue a permit in connection with an unopposed application, or if the undisputed facts support the issuance of the permit and there is no disputed issue of material fact, unless the board elects to hold a hearing. This bill, if the board has not rendered a final determination on an application for a permit to appropriate water within 30 years from the date the application was filed, would require the board to issue a new notice and provide an opportunity for protests before rendering a final determination, with specified exceptions.	Out for Analysis	B. Watch	
SB 971	Hertzberg D	Small water supplier and countywide water shortage	3/3/2020- Set for hearing March 24.	Would require a small water supplier, as defined, with 1,000 to 2,999 service connections, inclusive, to prepare and adopt a small water supplier water shortage	Out for Analysis	B. Watch	

		contingency planning.		contingency plan that consists of specified elements. The bill would require a small water supplier with 15 to 999 service connections, inclusive, to take specified actions related to water shortage planning and response. The bill would require small water suppliers to provide to the public, and to report, the plan and specified water shortage planning information, as prescribed.			
SB 1011	Dahle R	Water quality: waste discharge requirements: fees: report.	2/27/2020- Referred to Com. on RLS.	The Porter-Cologne Water Quality Control Act, with certain exceptions, requires a waste discharger to file a report of waste discharge with a California regional water quality control board and to pay an annual fee established by the State Water Resources Control Board (state board). The act requires the state board to report to the Governor and the Legislature on the expenditure of those annual fees on or before January 1 of each year. This bill would make a nonsubstantive change to these provisions.	Out for Analysis	B. Watch	
SB 1044	Allen D	Firefighting equipment and foam: PFAS chemicals.	2/27/2020- Referred to Coms. on EQ., G.O., and JUD.	Would, commencing January 1, 2022, require any person, including a manufacturer, as defined, that sells firefighter personal protective equipment to any person or public entity to provide a written notice to the purchaser at the time of sale if the firefighter personal protective equipment contains perfluoroalkyl and polyfluoroalkyl substances (PFAS), and would provide that a violation of this requirement is punishable by a specified civil penalty. The bill would require the seller and the purchaser to retain the notice on file for at least 3 years and to furnish the notice and associated sales documentation to the State Fire Marshal within 60 days upon request, as provided.	Out for Analysis	B. Watch	
SB 1056	Portantino D	Drinking water: testing: perfluoroalkyl and polyfluoroalkyl substances.	2/27/2020- Referred to Com. on EQ.	Would require the State Water Resources Control Board, on or before January 1, 2022, to certify a methodology or methodologies for testing drinking water, groundwater, and surface water for perfluoroalkyl and polyfluoroalkyl substances, as provided, and to accredit qualified laboratories in California to analyze perfluoroalkyl and polyfluoroalkyl substances pursuant to the adopted methodology or methodologies.	Out for Analysis	B. Watch	

Total Measures: 18

Total Tracking Forms: 18

The Metropolitan Water District of Southern California
State Legislative Matrix
March 9, 2020

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 1071 Limon (D) Sponsor: California Climate and Agricultural Network	Amended 1/6/2020 Senate	Climate change: agriculture: Agricultural Climate Adaptation Tools Program: grants Establishes a pilot program in the Central Valley, Central Coast and desert regions of the state where grant funding is available for the purposes of developing planning tools for adapting to climate change within the agricultural sector.	SUPPORT Based upon Board Action on 7/9/2019	The bill was amended to mirror language from AB 409 (Limon), which Metropolitan supported. The Board has formally adopted policies supporting research related to the effects of climate change on water supply and water quality. This measure provides funding and guidance to support resilient agricultural practices.
AB 1580 Levine (D) Sponsor: Author	Amended 7/1/2019 Senate Appropriations Committee - Suspense File	Major infrastructure construction projects: oversight committees Requires a state agency undertaking a publicly-funded infrastructure project of \$1 billion or more to form an oversight committee and develop a risk management plan to minimize cost overruns.	OPPOSE Based upon Board- adopted 2019 State Legislative Priorities and Principles	To the extent the bill is aimed at proposed Delta conveyance, it is duplicative of the Delta Conveyance Design and Construction Authority (DCA). At the direction of the Department of Water Resources, the DCA is tasked to provide oversight and risk management in order to protect the ratepayers who will pay for and benefit from the project.

Item No. 1f

The Metropolitan Water District of Southern California
State Legislative Matrix
March 9, 2020

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 2246 Mayes (I) Sponsor: Metropolitan	Introduced 2/13/2020	Surface Mining and Reclamation Act of 1975: exemption: Metropolitan Water District of Southern California Amends the Surface Mining and Reclamation Act of 1975 (SMARA) to grant Metropolitan an exemption for emergency excavations or grading on its land to repair, maintain, or replace pipelines, infrastructure, or related transmission systems used to distribute water in Los Angeles, Orange, Riverside, San Bernardino, San Diego and Ventura counties.	SPONSOR	Maintaining critical water infrastructure requires coordinated regulatory compliance. Metropolitan is proposing legislation to grant it special status under SMARA, so it can consistently administer and enforce SMARA compliance for the purpose of responding to emergencies, repairing, maintaining or replacing any pipelines, infrastructure, or related transmission systems used to distribute water in Southern California.
SB 45 Allen (D) Sponsor: Author	Amended 1/23/2020 Assembly	Wildfire, Drought, and Flood Protection Bond Act of 2020 Places a wildfire and water bond totaling \$5.51 billion on the November 2020 ballot for voter approval.	SUPPORT AND AMEND Based upon Board action on 6/11/19	Would provide funding to restore areas damaged by wildfires, mitigate future wildfires, create healthy forests and watersheds, protect water supplies and water quality, and protect and restore rivers, streams and lakes. Metropolitan is seeking amendments to ensure adequate funding for safe drinking water needs, restoration projects that would benefit Voluntary Agreements for managing the Bay-Delta and the tributaries, and for recycled water projects.

The Metropolitan Water District of Southern California
State Legislative Matrix
March 9, 2020

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 69 Wiener (D) Sponsors: California Coastkeeper Alliance and Pacific Coast Federation of Fishermen's Associations	Amended 7/11/2019 Assembly Appropriations Committee – Suspense File	Ocean Resiliency Act of 2019 Seeks to bolster the resilience of the state's marine and coastal environments to climate change and improve conditions for salmon and other commercially valuable species.	WATCH Based upon Board-adopted 2019 State Legislative Priorities and Principles	Would replace existing forestry, fishery and water quality regulatory processes with different approaches to improve conditions for fish upstream of the Delta and in the ocean along the California coast. The bill as amended on June 25, 2019 addresses concerns of Metropolitan and the State Water Contractors.
SB 204 Dodd (D) Sponsor: Delta Counties Caucus	Amended 5/17/2019 Assembly Water, Parks and Wildlife	State Water Project: contracts Revises the notification requirements for pending State Water Project (SWP) contract negotiations and contract amendments. Explicitly requires the California Water Commission to review and report on the progress of the design, construction, and operation of any new Delta conveyance facility as a part of its annual review of the SWP.	WATCH Based upon Board-adopted 2019 State Legislative Priorities and Policies	The bill as amended on May 17, 2019 adheres to the author's stated purpose and deletes objectionable provisions related to the Delta Conveyance joint powers authorities. Bill provides for further transparency on any future amendments to State Water Project contracts as described in Water Code Section 147.6 (c) and construction of future Delta conveyance improvements.

The Metropolitan Water District of Southern California
State Legislative Matrix
March 9, 2020

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 414 Caballero (D) Sponsor: Eastern Municipal Water District and California Municipal Utilities Association (CMUA)	Amended 6/25/2019 Assembly Appropriations Committee – Suspense File	Small System Water Authority Act of 2019 Authorizes the State Water Resources Control Board (SWRCB) to merge small, non-noncompliant public water systems into a regional water authority that will directly benefit from increased economies of scale and access to public financing.	SUPPORT Based upon past support for AB 2050 (Caballero) from 2017/18	Sets deadline for small water systems to comply with safe drinking water standards or consolidate into a regional authority managed by a SWRCB-appointed contractor until water system achieves self-sufficiency, complies with drinking water standards, and can reliably provide access to safe drinking water.
SB 559 Hurtado (D) Sponsor: Friant Water Authority	Amended 7/3/2019 Assembly Appropriations Committee- Suspense File	Department of Water Resources: grant: Friant-Kern Canal Seeks to address problems of land subsidence on the federally-owned Friant Kern Canal.	SUPPORT IF AMENDED Based upon Board-adopted 2019 State Legislative Priorities and Principles	Addresses land subsidence in the Central Valley but only focuses on impacts to the Friant-Kern Canal. Metropolitan is seeking amendments to include the need to address subsidence problems on the California Aqueduct to ensure reliable water supply for Southern California.

The Metropolitan Water District of Southern California
State Legislative Matrix
March 9, 2020

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 996 Portantino (D) Sponsor: Metropolitan	Introduced 2/13/2020	State Water Resources Control Board: Constituents of Emerging Concern Program Seeks to create a statewide program to identify and evaluate Constituents of Emerging Concern (CECs) in drinking water sources.	CO-SPONSOR	Metropolitan and the California Municipal Utilities Association are co-sponsoring legislation in response to growing public concern about CECs in drinking water. The bill would establish a CEC Drinking Water Program at the State Water Resources Control Board. The program would set up a consistent and science-based approach for assessing the public health and drinking water consequences of CECs, with the intent to improve and expedite future regulatory determinations.
SB 1044 Allen (D) Sponsor: California Professional Firefighters and Natural Resources Defense Council	Introduced 2/18/2020	Firefighting equipment and foam: PFAS chemicals Requires any seller, including a manufacturer, of firefighting personal protective equipment to provide written notice to the purchaser at the time of sale if the equipment contains PFAS. In addition, the bill prohibits the discharge of state class B firefighting foam that contains intentionally added PFAS.	SUPPORT Based upon Board approved 2020 State Legislative Priorities and Principles	Metropolitan and member agencies benefit from this bill because banning the use of PFAS-laden firefighting foam would protect source waters. Firefighting foams, especially those used for training purposes (e.g., at airports and military bases), have been identified as sources of PFAS contamination in groundwater supplies.

The Metropolitan Water District of Southern California
State Legislative Matrix
March 9, 2020

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 1099 Dodd (D) Co-Sponsors: California Municipal Utilities Association and Las Virgenes Municipal Water District	Introduced: 2/19/2020	Emergency backup generators: critical facilities: exemption. Directs air districts to adopt or revise an existing rule that will allow critical facilities with permitted emergency back-up generators that are used as prescribed, to not have those uses count against required operational limitations.	SUPPORT and SEEK AMENDMENTS Based upon Board adopted 2020 State Legislative Priorities and Principles	The bill would provide flexibility in running emergency back-up generators. This is essential for water agencies confronted with a loss of power loss as a means to maintain water service and water quality for the community.



DISCUSSION ITEM

March 16, 2020

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

FROM: Robert Hunter, General Manager

Staff Contact: Heather Baez
Melissa Baum-Haley

**SUBJECT: SOUTHERN CALIFORNIA WATER ISSUES CONGRESSIONAL
DELEGATION BRIEFING LUNCHEON**

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)

REPORT

Congressional Briefing

On Wednesday, February 26, MWDOC co-hosted a luncheon during the ACWA conference in Washington D.C., partnering with regional neighbors Eastern Municipal Water District (EMWD), Inland Empire Utilities Agency (IEUA), and Western Municipal Water District (WMWD). The luncheon had roughly 60 attendees from the sponsoring and member agencies, members of congress and their staff. It was emceed by MWDOC Director Yoo Schneider.

Budgeted (Y/N): Y	Budgeted amount: \$1,000 food and materials	Core X	Choice __
Action item amount: None		Line item: 31-7670	
Fiscal Impact (explain if unbudgeted):			

MWDOC's representatives at the luncheon were MWDOC Director Yoo Schneider, MWDOC-MET Director McKenney, Rob Hunter, Melissa Baum-Haley and MWDOC's Washington D.C. advocates, Jim Barker and Ryan Leavitt.

Members of Congress who attended and spoke include: Congressman Ken Calvert, Congressman Mike Levin, and Congressman Alan Lowenthal; along with their staff. Staff from the following offices also attended: Congresswoman Katie Porter, Congresswoman Judy Chu, Congressman Lou Correa, Congressman Gil Cisneros, Congressman Harley Rouda, and Congressman Mark Takano, as well as Congresswoman Grace Napolitano, Congresswoman Susan Davis, and Congressman Adam Schiff. Additionally, staff from the House Natural Resources Water Subcommittee also attended.

Presentations

The following agencies also made presentations to the group:

- Municipal Water District of Orange County – Hon. Megan Yoo Schnieder, Director
- Eastern Municipal Water District – Hon. Phil Paule, Director
- Inland Empire Utilities Agency – Hon. Jasmine Hall, Director
- Western Municipal Water District – Sarah Macdonald, Dir. of Strategic Communications
- Irvine Ranch Water District – Hon. Mary Aileen Matheis, Director
- Santa Margarita Water District – Hon. Chuck Gibson, Director
- Orange County Water District – Alicia Dunkin, Legislative Affairs Liaison
- East Orange County Water District – Hon. Doug Davert, Director
- South Coast Water District – Hon. Bill Green, Director
- Elsinore Valley Municipal Water District – Hon. Phil Williams, Director

Expenses

For the 2020 luncheon, the preliminary direct expenses are only needed for catering services and are estimated to be \$743.25. The cost of the luncheon is included in the Governmental Affairs budget.





DISCUSSION ITEM

March 16, 2020

TO: Public Affairs & Legislation Committee
(Directors Yoo Schneider, Barbre & McVicker)

FROM: Robert Hunter, General Manager
Staff Contact: Damon Micalizzi

SUBJECT: 2020 OC Water Summit Update

STAFF RECOMMENDATION

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

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

REPORT

Staff continues to solicit sponsorships and confirm speakers for the 13th Annual OC Water Summit titled **20/20 Water: Breaking News**. Sessions include panel discussions on Climate Change, PFAS, Emergency Management and the Bay Delta. State Senate Majority Leader Bob Hertzberg, has been invited to serve as the event's keynote speaker.

Meanwhile, given the uncertainty and rapidly changing circumstances of COVID-19, questions are being posed about whether the event should be postponed or possibly cancelled. At the time of this report being filed, Orange County Water District is considering cancelling their annual Water Education Festival as University of California Irvine is curtailing the use of its campus for events of more than 100 people due to COVID -19 concerns.

The 2020 OC Water Summit is scheduled to be held at the Disney Grand Californian Hotel on May 31, 2020.

The OC Water Summit Committee meeting dates are:

- Monday, March 30, 2020 8:30 am
- Monday, April 27, 2020, 8:30 am

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



ACTION ITEM
March 18, 2020

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Yoo Schneider, Barbre and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

**SUBJECT: CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) 2020-2022
BOARD OF DIRECTORS – SOUTHERN NETWORK REGION, SEAT B**

STAFF RECOMMENDATION

Staff recommends the Board of Directors:

- Discuss the candidates who have applied for the CSDA Board of Directors, Southern Network, Seat B
- Determine which candidate(s), if any, to support for the vacant seat
- Send a letter to the CSDA Board of Directors stating support for MWDOC's preferred candidate(s), if so determined

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

BACKGROUND

Last month, the PAL Committee discussed the CSDA Board of Directors, Call for Candidates for the Southern Network, Seat B. While it was determined that no member of the MWDOC Board was interested in running for the seat, there was an expressed interest in supporting a candidate. The Committee directed staff to return the following month with a full list of candidates running for the seat to review and determine support for one.

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

The deadline for receiving nomination applications was March 6, 2020.

The following candidates have applied for the vacancy:

- Dennis D. LaMoreaux, Palmdale Water District
- Ronald Coats, East Valley Water District
- Cheryl Brothers, Orange County Vector Control
- Don Bartz, Phelan Pinon Hills Community Services District
- Kelly Rivers, Orange County Cemetery District
- Michael Mack, Rainbow Municipal Water District
- Jennifer DeMeo, Fallbrook Public Utility District
- Richard Hall, Mojave Water Agency
- Denise Jackman, Three Valleys Municipal Water District
- Dennis Coleman, Valley Sanitary District
- Greg Mills, Serrano Water District
- June Hayes, San Bernardino Valley Municipal Water District
- Mark Gracyk, Helix Water District

CSDA Southern Network Board Members will conduct interviews of candidates that submit nominations March 9-13, 2020, and will submit a Board appointment recommendation for consideration by the full CSDA Board on March 27, 2020. The newly appointed Board Member for the Southern Network Seat B will take office April 1, 2020.

BOARD OPTIONS

Option #1

- Discuss and determine which candidate(s) to support for the CSDA Board of Directors, Seat B
- Send a letter to the CSDA Board of Directors stating support for the MWDOC Board recommended candidate(s)

Fiscal Impact: None

Business Analysis: CSDA provides a strong voice for special districts in Sacramento and throughout California. Having a director from Orange Count serving on their Board of Directors would provide the region with a direct voice for special districts.

Option #2

- Take no action

Fiscal Impact: None

Business Analysis: None

STAFF RECOMMENDATION

Option #1



ACTION ITEM

March 18, 2020

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Yoo Schneider, Barbre, and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

**SUBJECT: CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) 2021-2023
BOARD OF DIRECTORS CALL FOR NOMINATIONS – SOUTHERN
NETWORK REGION, SEAT C**

STAFF RECOMMENDATION

Staff recommends the Board of Directors discuss and determine if a member of the MWDOC Board of Directors would like to be nominated and run for the CSDA Board of Directors Southern Network, Seat C.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

An 18-member Board of Directors elected from its six geographical networks governs CSDA. Each of the six networks (Northern, Sierra, Bay Area, Central, Coastal and Southern) have three seats on the board with staggered three-year terms. Candidates must be affiliated with an independent special district that is a CSDA Regular Member in good standing located within the geographic network they seek to represent.

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

CSDA is conducting a Call for Nominations for Seat C. The Southern Network Seat C is currently represented by the Honorable Arlene Schafer of the Costa Mesa Sanitary District. She intends to run for reelection.

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, education and resources. The Board of Directors is crucial to the operation of the association and to the representation of the common interests of all California's special districts before the Legislature and the state administration.

Commitment and Expectations:

- Attend all Board meetings, held every other month at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento.

(CSDA reimburses Directors for their related expenses for Board and committee meetings as outlined in Board policy).

- Attend CSDA's two annual events: Special Districts Legislative Days (held in the spring) and the CSDA Annual Conference (held in the fall).
- Complete all four modules of CSDA's Special District Leadership Academy within two years.

(CSDA does not reimburse for expenses for the two conferences or the Academy classes even if a Board or committee meeting is held in conjunction with the events).

Nomination Procedure:

Any Regular Member in good standing is eligible to nominate one person, a board member or managerial employee (as defined by that district's Board of Directors) for election to the CSDA Board of Directors. A copy of the member district's resolution or minute action along with the Nomination Form and Candidate Information Sheet must accompany the nomination.

Deadline for receiving nomination applications is March 26, 2020.

Nominations and supporting documentation will be accepted by mail and email. Nominees will receive a Candidate's Packet in the mail. The packet will include campaign guidelines.

BOARD OPTIONS

Option #1

- Discuss and determine if a member of the MWDOC Board would like to run for the CSDA Board, Southern Network, Seat C.

Fiscal Impact: Travel costs associated with attending the CSDA Board meetings in Sacramento

Business Analysis: CSDA provides a strong voice for special districts in Sacramento and throughout California. Serving on their Board of Directors would provide MWDOC with a direct voice for special districts in our region. However, the incumbent is from Orange County, and can provide that as well.

Option #2

- Take no action

Fiscal Impact: None

Business Analysis: MWDOC would not have an opportunity to have a Board member on the CSDA Board.

STAFF RECOMMENDATION

Option #1

Attached:

CSDA Nomination Form
CSDA Candidate Information Sheet



**California Special
Districts Association**

Districts Stronger Together

DATE: January 27, 2020

TO: CSDA Voting Member Presidents and General Managers

FROM: CSDA Elections and Bylaws Committee

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

The Elections and Bylaws Committee is looking for Independent Special District Board Members or their General Managers who are interested in leading the direction of the California Special Districts Association for the 2021 - 2023 term.

The leadership of CSDA is elected from its six geographical networks. Each of the six networks has three seats on the Board with staggered 3-year terms. Candidates must be affiliated with an independent special district that is a CSDA Regular Member in good standing and located within the geographic network that they seek to represent.
(See attached CSDA Network Map)

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

Commitment and Expectations:

- Attend all Board meetings, usually 4-5 meetings annually, at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento.
(CSDA reimburses Directors for their related expenses for Board and committee meetings as outlined in Board policy).
- Attend, at minimum, the following CSDA annual events: Special Districts Legislative Days - held in the spring, and the CSDA Annual Conference - held in the fall.
*(CSDA does **not** reimburse expenses for the two conferences even if a Board or committee meeting is held in conjunction with the event, however does comp registration for the two events)*
- Complete all four modules of CSDA's Special District Leadership Academy within 2 years of being elected.
*(CSDA does **not** reimburse expenses for the Academy classes even if a Board or committee meeting is held in conjunction with the event).*

- Complete Annual Chief Executive Officer Evaluation.

Nomination Procedures: Any Regular Member in good standing is eligible to nominate one person, a board member or managerial employee (as defined by that district's Board of Directors), for election to the CSDA Board of Directors. **A copy of the member district's resolution or minute action and Candidate Information Sheet must accompany the nomination. The deadline for receiving nominations is March 26, 2020. Nominations and supporting documentation may be mailed, faxed, or emailed.**

Mail: 1112 I Street, Suite 200, Sacramento, CA 95814
 Fax: 916.442.7889
 E-mail: amberp@csda.net

Once received, nominees will receive a candidate's letter in the mail. The letter will serve as confirmation that CSDA has received the nomination and will also include campaign guidelines.

CSDA will begin electronic voting on May 25, 2020. All votes must be received through the system no later than 5:00 p.m. July 10, 2020. The successful candidates will be notified no later than July 14, 2020. All selected Board Members will be introduced at the Annual Conference in Palm Desert, CA in August 2020.

Expiring Terms

(See enclosed map for Network breakdown)

Northern Network Seat C-Fred Ryness, Director, Burney Water District*
Sierra Network Seat C-Pete Kampa, GM, Saddle Creek Community Services District*
Bay Area Network Seat C-Stanley Caldwell, Director, Mt. View Sanitary District*
Central Network Seat C-Sandi Miller, GM, Selma Cemetery District*
Coastal Network Seat C-Vincent Ferrante, Director, Moss Landing Harbor District*
Southern Network Seat C-Arlene Schafer, Director, Costa Mesa Sanitary District*

(* = Incumbent is running for re-election)

If you have any questions, please contact Amber Phelen at amberp@csda.net.

AGAIN, THIS YEAR!

This year we will be using a web-based online voting system, allowing your district to cast your vote easily and securely. *Electronic Ballots will be emailed to the main contact in your district May 25, 2020. All votes must be received through the system no later than 5:00 p.m. July 10, 2020.*

*Districts can opt to cast a paper ballot instead; but you must contact Amber Phelen by e-mail Amberp@csla.net **by March 26, 2020** in order to ensure that you will receive a paper ballot on time.*

CSDA will mail paper ballots on May 25, 2020 per district request only. ALL ballots must be received by CSDA no later than 5:00 p.m. July 10, 2020.

The successful candidates will be notified no later than July 14, 2020. All selected Board Members will be introduced at the Annual Conference in Palm Desert, CA in August 2020.



**California Special
Districts Association**
Districts Stronger Together

2021-2023 BOARD OF DIRECTORS NOMINATION FORM

Name of Candidate: _____

District: _____

Mailing Address: _____

Network: _____ (see map)

Telephone: _____

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

Fax: _____

E-mail: _____

Nominated by (optional): _____

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

CSDA
Attn: Amber Phelen
1112 I Street, Suite 200
Sacramento, CA 95814
(877) 924-2732 (916) 442-7889 fax
amberp@csda.net

DEADLINE FOR RECEIVING NOMINATIONS – March 26, 2020



California Special
Districts Association
Districts Stronger Together

2021-2023 CSDA BOARD CANDIDATE INFORMATION SHEET

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

Name: _____

District/Company: _____

Title: _____

Elected/Appointed/Staff: _____

Length of Service with District: _____

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

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

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

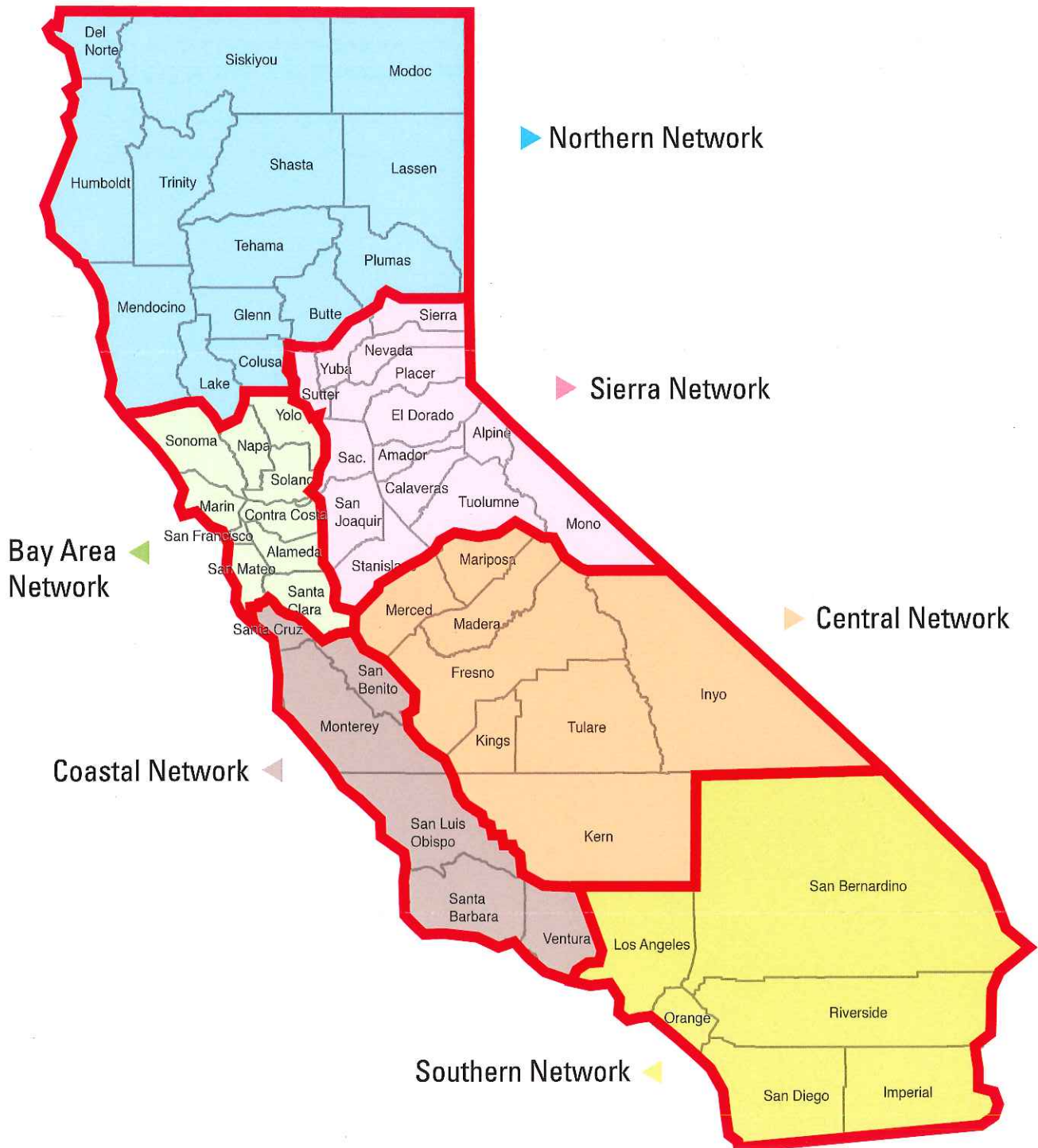
4. List civic organization involvement:

****Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after March 26, 2020 will not be included with the ballot.**



California Special Districts Association

DISTRICT NETWORKS





ACTION ITEM

March 18, 2020

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Yoo Schneider, Barbre, and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

**SUBJECT: LOCAL AREA FORMATION COMMISSIONS (LAFCO) DUES
REAPPORTIONMENT FOR SPECIAL DISTRICTS**

STAFF RECOMMENDATION

Staff recommends the Board of Directors:

- 1) Review and discuss the proposed formula updated the LAFCO dues apportionment for special districts;
- 2) Alternatively, authorize/direct President Tamaribuchi's vote on MWDOC's behalf;

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

BACKGROUND

In 2001, AB 2838 (Hertzberg) took effect and changed the way Local Agency Formation Commissions (LAFCO) operate. One of those changes affected the way LAFCO funds its net operating budget. In the past, only the county government was required to fund LAFCO, in keeping with the premise that LAFCO was a countywide regional planning organization. Under AB 2838, LAFCO remains a countywide regional planner, but

Budgeted (Y/N): Y	Budgeted amount: \$36,230	Core X	Choice __
Action item amount: \$38,431	Line item: 11-7210		
Fiscal Impact (explain if unbudgeted): An estimated increase of \$12,000 from FY 2019-2020			

responsibility for funding the Commission is split between the county, the cities, and independent special districts.

AB 2838 (2000, Hertzberg) states that the independent special districts' share shall be apportioned according to each district's revenues for general purpose transactions, as reported in the most recent edition of the "Financial Transactions Concerning Special Districts" published by the Controller, or by an alternative method approved by a majority of the agencies, representing a majority of their combined populations.

In 2001, the independent special districts of Orange County voted 13-11 (two districts did not vote) to adopt an alternative formula for apportioning the special districts share of the LAFCO budget. This formula was reaffirmed by vote of the special districts in 2005, but has not been revisited since.

In 2017, Director Al Nederhood of the Yorba Linda Water District approached the Independent Special Districts of Orange County (ISDOC) Executive Committee asking for the formula to be revisited as it had not been reviewed and/or voted on by special districts since 2005 and districts' operating budgets have grown since then. An ad-hoc committee was formed to review AB 2838 (2000, Hertzberg) as well as propose an updated formula. The committee met numerous times throughout 2017-2020 and ultimately settled on the formula attached. It was brought to the ISDOC Executive Committee on February 4, 2020. The Executive Committee unanimously voted to bring the updated LAFCO dues reapportionment formula to the full Special Districts Selection Committee for a vote.

NEW FORMULA

The LAFCO Dues Ad-Hoc Committee reviewed a number of different formulas, including a strictly revenue based formula as outlined in AB 2838 (2000, Hertzberg). The recommended formula that was approved to bring to a full vote of all Orange County special districts builds on the methodology originally adopted in 2001, updated to reflect 2020 revenues, while also recognizing the ability to pay between enterprise and non-enterprise districts. The committee also acknowledged that larger, enterprise districts might not receive a greater share of services from LAFCO merely due to the fact that they have greater revenues. Additionally, the committee recommended that this formula be revisited every five (5) years.

Under the proposed formula, thirteen (13) special districts, including MWDOC, will see an annual estimated increase in LAFCO dues ranging from \$402/year to \$12,012/year. The other fourteen (14) special districts will see a decrease in annual LAFCO dues ranging from \$20/year to \$7,373/year. MWDOC's LAFCO dues, based on our annual revenue reported to the State Controller's Office will increase by \$12,012/year. In fiscal year 2019-2020 MWDOC's share of the LAFCO dues were \$27,333. For fiscal year 2020-2021, it is estimated that MWDOC's share will increase to \$38,431.

BOARD OPTIONS

Option #1

- Review and discuss the proposed formula updating the LAFCO dues apportionment for special districts. Alternatively authorize/direct President Tamaribuchi's vote on MWDOC's behalf.

Fiscal Impact:

- An estimated increase of \$12,012 per year

Business Analysis: While a "yes" vote would increase MWDOC's share of the LAFCO dues yearly, the formula has not been updated in almost twenty years. Some mid-sized agencies felt their dues were unfairly high because the formula had not been updated to reflect growing revenues. The updated formula is still a cost savings for MWDOC if the "revenue only" formula was used, as is outlined in AB 2838 (2000, Hertzberg). Under that formula, MWDOC's share of the LAFCO budget would be roughly \$97,000/year based on annual revenue reported to the State Controller's Office, an increase of nearly \$50,000/year.

Option #2

- Take no action

Fiscal Impact: Unknown, depends on the election results

Business Analysis: MWDOC would not have a say in the election that could potentially change the amount the district pays yearly in LAFCO dues

STAFF RECOMMENDATION

Option #1

ATTACHED:

- Letter from ISDOC President Sandra Jacobs
- Updated LAFCO dues structure spreadsheet
- Official Ballot

LAFCO Dues by Agency

Annual Dues: \$389,833.33

#	District	Revenue 2017	Recommended Revenue Based Factors	Percentage Share of Annual Dues	Previous Dues	Estimated 2000-2021 LAFCO Dues	Change from Previous Year
1	Silverado-Modjeska Rec & Park	\$312,556	0.1	0.12%	500	480	(20)
2	Surfside Colony Stormwater	\$312,929	0.1	0.12%	500	480	(20)
3	Rossmoor-Los Alamitos Sewer District	\$479,985	0.1	0.12%	500	480	(20)
4	Surfside Colony CSD	\$797,129	0.1	0.12%	500	480	(20)
5	Capistrano Bay CSD	\$1,151,362	0.5	0.62%	2,000	2,402	402
6	Rossmoor CSD	\$1,377,917	0.5	0.62%	2,000	2,402	402
7	Three Arch Bay CSD	\$1,859,915	0.5	0.62%	2,000	2,402	402
8	Emerald Bay CSD	\$2,188,987	0.5	0.62%	9,775	2,402	(7,373)
9	Buena Park Library	\$2,362,865	0.5	0.62%	2,000	2,402	402
10	Placentia Library	\$2,675,129	0.5	0.62%	2,000	2,402	402
11	Orange County Cemetery	\$5,988,529	0.75	0.92%	2,000	3,603	1,603
12	Orange County Vector Control	\$13,682,024	1	1.23%	2,000	4,804	2,804
13	Sunset Beach Sanitary District	\$1,083,390	1	1.23%	9,775	4,804	(4,971)
14	Serrano Irrigation District	\$6,045,914	3	3.70%	14,794	14,412	(383)
15	East Orange County Water	\$6,286,331	3	3.70%	14,794	14,412	(383)
16	Midway City Sanitary	\$9,685,641	3	3.70%	20,078	14,412	(5,667)
17	Trabuco Canyon Water District	\$11,320,583	4	4.93%	20,078	19,215	(863)
18	Costa Mesa Sanitary District	\$12,041,937	4	4.93%	20,078	19,215	(863)
19	El Toro Water District	\$27,600,993	5	6.16%	20,078	24,019	3,941
20	Mesa Water	\$31,150,322	5	6.16%	26,419	24,019	(2,399)
21	Yorba Linda Water	\$35,160,485	5	6.16%	26,419	24,019	(2,399)
22	South Coast Water District	\$36,197,754	5	6.16%	26,419	24,019	(2,399)
23	Moulton Niguel Water District	\$87,485,580	7	8.63%	26,419	33,627	7,208
24	Santa Margarita Water District	\$104,567,483	7	8.63%	26,419	33,627	7,208
25	MWDOC	\$163,412,555	8	9.86%	26,419	38,431	12,012
26	OCWD	\$165,150,987	8	9.86%	26,419	38,431	12,012
27	Irvine Ranch Water District	\$215,481,000	8	9.86%	26,419	38,431	12,012
					81.15	100.00%	356,800
						389,833	

Non-Enterprise Agencies			
Group Min	Group Max	Factor	
\$ -	\$ 999,999	0.1	
\$ 1,000,000	\$ 4,999,999	0.5	
\$ 5,000,000	\$ 9,999,999	0.75	
\$ 10,000,000		1	

Enterprise Agencies			
Group Min	Group Max	Factor	
\$ -	\$ 999,999	0.1	
\$ 1,000,000	\$ 1,999,999	1	
\$ 2,000,000	\$ 4,999,999	2	
\$ 5,000,000	\$ 9,999,999	3	
\$ 10,000,000	\$ 19,999,999	4	
\$ 20,000,000	\$ 39,999,999	5	
\$ 40,000,000	\$ 79,999,999	6	
\$ 80,000,000	\$ 159,999,999	7	
\$ 160,000,000	\$ 239,999,999	8	
\$ 240,000,000		9	

INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY (ISDOC)

LAFCO DUES REAPPORTIONMENT FOR SPECIAL DISTRICTS

The Question:

"Does your special district approve the updated LAFCO dues structure for Special Districts?"

How to Vote:

Please cast your vote by using an "X" on the line next to "Yes" or "No" below.

_____ YES

_____ NO

DISTRICT NAME

SIGNATURE OF VOTING REPRESENTATIVE

Ballots must be received no later than 5 p.m. April 24, 2020.

You may return your ballot by mail or email to:

Heather Baez

P.O. Box 20895

Fountain Valley, CA 92728

Attention: ISDOC

OR Email: hbaez@mwdoc.com



February 24, 2020

Dear Members,

The ISDOC Executive Committee voted unanimously to approve the Ad Hoc committee recommendation for a new LAFCO dues structure to pay for our Special District portion of the LAFCO budget.

As a brief background, the ISDOC dues formula has not been updated since 2001. As such, several inequities in the dues apportionment were brought to the attention of the ISDOC Executive Committee by Director Nederhood with Yorba Linda Water District.

The Ad Hoc committee was formed to review a new dues structure. After numerous meetings and dues structure iterations, the Ad Hoc committee selected a Revenues-Based Factoring formula that will adjust as Special District revenues increase.

The recommended dues calculation builds upon the methodology that was originally adopted and implemented in 2001. In developing the proposed approach, the Ad Hoc committee wished to achieve the following objectives:

- Balance an agency's ability to pay with its share of service received from LAFCO;
- Limit significant cost shifts between agencies; and
- Create a methodology that was dynamic and easy to administer by LAFCO staff.

The committee recognized that non-enterprise agencies, which are primarily supported by property taxes, have less ability to increase revenues to account for higher dues. The committee also acknowledged that larger, enterprise agencies might not receive a greater share of services from LAFCO merely due the fact that they have greater annual revenues. These two factors, along with the requirement to proportionally allocate costs under Proposition 26, guided the committee's approach and its recommended methodology. The full methodology and spreadsheet are attached to this letter.

Lastly, the Ad Hoc committee recommended that this dues structure be reviewed every 5 years.

Today we ask for your support of this new dues formula and 5-year review. If approved by a majority of the membership, this formula would take effect in FY 2021-22. If a majority of the membership vote No, the current formula remains in place.

Mailing Address

P.O. Box 20895
Fountain Valley, CA 92728

Meeting Location

MWDOC/OCWD
18700 Ward Street
Fountain Valley, CA 92708

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

www.mwdoc.com/isdoc

Executive Committee

President

Hon. Sandra Jacobs
Santa Margarita Water District

1st Vice President

Hon. Mark Monin
El Toro Water District

2nd Vice President

Hon. Arlene Schafer
Costa Mesa Sanitary District

3rd Vice President

Hon. Mary Aileen Matheis
Irvine Ranch Water District

Secretary

Hon. William "Bill" Green
South Coast Water District

Treasurer

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

Immediate Past President

Hon. James Fisler
Mesa Water District

Staff Administration

Heather Baez

*Municipal Water District of Orange
County*

Christina Hernandez

*Municipal Water District of Orange
County*

I would like to personally thank the Ad Hoc committee members for all their hard work, time and diligence to this matter: First and foremost Director Al Nederhood with Yorba Linda Water District who tirelessly pursued this change for nearly 2 years; General Manager Mike Dunbar with Emerald Bay CSD who was at the table in 2001 and brought with him historic knowledge and current know-how to move us forward; Director Bill Nelson Orange County Cemetery District & Orange County Vector Control represented non-enterprise districts, and staff from Santa Margarita Water District CFO Robb Grantham and Mesa Water District CFO Marwan Khalifa both of whom were our financial heavy-hitters and made sure our formulas made sense.

Your vote to support this new dues structure will be greatly appreciated.

Thank you.

Saundra F. Jacobs

Saundra F. Jacobs, President ISDOC, Ad Hoc Committee Chair, and Director, Santa Margarita Water District

METHODOLOGY

Consistent with the 2001 dues, the proposed methodology groups agencies into non-enterprise and enterprise categories. These general groups were further subdivided based on total annual revenues. For non-enterprise agencies, the Ad Hoc committee recommended four groups based on annual revenues. For enterprise agencies, the committee recommended ten revenue groups. Based on the assigned agency type and revenue, each group was assigned a revenue factor, which is used to apportion annual dues. The following tables illustrate the revenue groupings and assigned factors.

Non-Enterprise Agencies		
Group Min	Group Max	Factor
\$ -	\$ 999,999	0.1
\$ 1,000,000	\$ 4,999,999	0.5
\$ 5,000,000	\$ 9,999,999	0.75
\$ 10,000,000		1

Enterprise Agencies		
Group Min	Group Max	Factor
\$ -	\$ 999,999	0.1
\$ 1,000,000	\$ 1,999,999	1
\$ 2,000,000	\$ 4,999,999	2
\$ 5,000,000	\$ 9,999,999	3
\$ 10,000,000	\$ 19,999,999	4
\$ 20,000,000	\$ 39,999,999	5
\$ 40,000,000	\$ 79,999,999	6
\$ 80,000,000	\$ 159,999,999	7
\$ 160,000,000	\$ 239,999,999	8
\$ 240,000,000		9

The committee wishes to implement a methodology that is easy to administer and update annually. Using revenue factors helps to achieve this objective. The assigned factor is based on annual revenues. As an agency's revenue grows, the agency is then moved into the next revenue group, that agency will then be assigned a higher revenue factor.

Each year, the allocation of the LAFCO Special District dues will be allocated based on each agency's percentage share of the revenue factors as shown in the following formula.

$$\text{LAFCO Dues} \div \text{Sum of Total Revenue Factors} \times \text{Agency Revenue Factor}$$

For Fiscal Year 2021, the total dues to be collected from the Special Districts is estimated to be \$367,504. Based on the Revenue Groupings, the total Revenue Factors is 81.15. For each Revenue Factor of 1.0, an agency would have annual dues of \$4,529, or $\$367,504 \div 81.15$.

The following table shows the recommended revenue factors, the current LAFCO dues for 2020, and the estimated dues for FY 2021. To note, as of the writing of this memorandum, the latest revenues available from the State Controller's website are for 2017. Additionally, for the purpose of illustration, the FY 2021 dues are assumed to be 3% higher than the FY 2020 total dues.

A larger spreadsheet is also attached to this letter.

LAFCO Dues by Agency			Annual Dues ⁽¹⁾ : \$ 367,504				
#	District	Revenue 2017	Recommended Revenue Based Factors	Percentage Share of Annual Dues	FY 2020 Dues	Estimated 2021 LAFCO Dues	Change from Previous Year
1	Silverado-Modjeska Rec & Park	\$312,556	0.1	0.12%	500	453	(47)
2	Surfside Colony Stormwater	\$312,929	0.1	0.12%	500	453	(47)
3	Rossmoor-Los Alamitos Sewer District	\$479,985	0.1	0.12%	500	453	(47)
4	Surfside Colony CSD	\$797,129	0.1	0.12%	500	453	(47)
5	Capistrano Bay CSD	\$1,151,362	0.5	0.62%	2,000	2,264	264
6	Rossmoor CSD	\$1,377,917	0.5	0.62%	2,000	2,264	264
7	Three Arch Bay CSD	\$1,859,915	0.5	0.62%	2,000	2,264	264
8	Emerald Bay CSD	\$2,188,987	0.5	0.62%	9,775	2,264	(7,511)
9	Buena Park Library	\$2,362,865	0.5	0.62%	2,000	2,264	264
10	Placentia Library	\$2,675,129	0.5	0.62%	2,000	2,264	264
11	Orange County Cemetery	\$5,988,529	0.75	0.92%	2,000	3,397	1,397
12	Orange County Vector Control	\$13,682,024	1	1.23%	2,000	4,529	2,529
13	Sunset Beach Sanitary District	\$1,083,390	1	1.23%	9,775	4,529	(5,246)
14	Serrano Irrigation District	\$6,045,914	3	3.70%	14,794	13,586	(1,208)
15	East Orange County Water	\$6,286,331	3	3.70%	14,794	13,586	(1,208)
16	Midway City Sanitary	\$9,685,641	3	3.70%	20,078	13,586	(6,492)
17	Trabuco Canyon Water District	\$11,320,583	4	4.93%	20,078	18,115	(1,963)
18	Costa Mesa Sanitary District	\$12,041,937	4	4.93%	20,078	18,115	(1,963)
19	El Toro Water District	\$27,600,993	5	6.16%	20,078	22,643	2,565
20	Mesa Water	\$31,150,322	5	6.16%	26,419	22,643	(3,775)
21	Yorba Linda Water	\$35,160,485	5	6.16%	26,419	22,643	(3,775)
22	South Coast Water District	\$36,197,754	5	6.16%	26,419	22,643	(3,775)
23	Moulton Niguel Water District	\$87,485,580	7	8.63%	26,419	31,701	5,282
24	Santa Margarita Water District	\$104,567,483	7	8.63%	26,419	31,701	5,282
25	MWD OC	\$163,412,555	8	9.86%	26,419	36,230	9,811
26	OCWD	\$165,150,987	8	9.86%	26,419	36,230	9,811
27	Irvine Ranch Water District	\$215,481,000	8	9.86%	26,419	36,230	9,811
			81.15	100.00%	356,800	367,504	
(1) Revenue requirement based on FY 2020 dues plus 3 percent							



Item No. 8

ACTION ITEM March 18, 2020

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Yoo Schneider, Barbre, and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: AB 2093 (GLORIA) – PUBLIC RECORDS RETENTION

STAFF RECOMMENDATION

Staff recommends the Board of Directors vote to adopt an oppose position on AB 2093 (Gloria), and join the California Special Districts Association's (CSDA) coalition letter.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

BILL SUMMARY

Assembly Bill 2093 (Gloria) will require all public agencies, including special districts, to retain all emails related to the public's business for two years. The practical effect of this is that every public agency will need to keep all emails, sent and received, including out-of-office and spam emails for two years. The bill states that this is to be done in furtherance of the California Public Records Act (CPRA) to ensure that the State will not need to reimburse public agencies for any additional costs associated with this new mandate.

BACKGROUND

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

AB 2093 is identical to a bill from last year, AB 1184 (Gloria, 2019), which was opposed by CSDA and vetoed by Governor Newsom.

In his veto message he said, “This bill would require state and local public agencies to retain every public record transmitted by e-mail for at least two years. This bill does not strike the appropriate balance between the benefits of greater transparency through the public's access to public records, and the burdens of a dramatic increase in records-retention requirements, including associated personnel and data-management costs to taxpayer.”

ARGUMENTS IN SUPPORT

According to the author, AB 2093 will require public agencies to retain public records that are transmitted by email for at least two years. Current law requires cities to keep emails for a minimum of two years but as a recent Voice of San Diego investigation found, local governments have established policies that result in cities like Encinitas and Poway deleting emails after 30 days. Emails are the primary way public servants conduct their work and as it stands today, many of these emails automatically purged and therefore unavailable for pending or future Public Records Act Requests. AB 2093 ensures that our public record retention requirements are appropriately applied to emails, given their increasing importance in how public agencies conduct their work.

ARGUMENTS IN OPPOSITION

This is not a transparency measure, it is a records retention measure. Opponents contend that retention will prove costly but, because the provision is placed in the CPRA, these costs will not be reimbursed as a state mandate. Opponents contend that CPRA already creates burdens on public agencies in terms of staff time responding to requests. Given the volume of electronic mail generated, opponents contend, a mandatory retention period of two years would place even greater burdens on agencies in terms of reviewing and identifying relevant e-mail.

BOARD OPTIONS

Option #1

- Adopt an oppose position on AB 2093 (Gloria) and join CSDA's coalition letter.

Fiscal Impact: State General Fund costs would be in the low hundreds of thousands of dollars annually for state agencies to obtain additional servers or contract for additional server space, if needed, in order to retain two years of agency emails.

Business Analysis: As members of CSDA, it is important for MWDOC to be an active participant in the association. This is one of their priority bills this year and are asking all of their members to join their coalition. To date, they have over 150 special districts in opposition.

Option #2

- Take no action

Fiscal Impact: Same as Option #1

Business Analysis: There is little impact to taking no action, other than not supporting CSDA's sponsored legislation, and therefore supporting the association's priority legislation.

STAFF RECOMMENDATION

Option #1

ATTACHED:

- AB 2093 Full Text

ASSEMBLY BILL

No. 2093

Introduced by Assembly Member Gloria

February 5, 2020

An act to add Section 6253.32 to the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 2093, as introduced, Gloria. Public records: writing transmitted by electronic mail: retention.

Existing law, the California Public Records Act, requires a public agency, defined to mean any state or local agency, to make public records available for inspection, subject to certain exceptions. Existing law specifies that public records include any writing containing information relating to the conduct of the public's business, including writing transmitted by electronic mail. Existing law requires any agency that has any information that constitutes a public record not exempt from disclosure to make that public record available in accordance with certain provisions, and authorizes every agency to adopt regulations stating the procedures to be followed when making its records available, if the regulations are consistent with those provisions. Existing law authorizes cities, counties, and special districts to destroy or to dispose of duplicate records that are less than two years old when they are no longer required by the city, county, or special district, as specified.

This bill would, unless a longer retention period is required by statute or regulation, or established by the Secretary of State pursuant to the State Records Management Act, require a public agency, for purposes of the California Public Records Act, to retain and preserve for at least

2 years every public record, as defined, that is transmitted by electronic mail.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

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

1 SECTION 1. Section 6253.32 is added to the Government
2 Code, immediately following Section 6253.31, to read:

3 6253.32. Unless a longer retention period is required by statute
4 or regulation, or established by the Secretary of State pursuant to
5 the State Records Management Act (Article 7 (commencing with
6 Section 12270) of Chapter 3 of Part 2 of Division 3 of Title 2), a
7 public agency shall, for the purpose of this chapter, retain and
8 preserve for at least two years every public record, as defined in
9 subdivision (e) of Section 6252, that is transmitted by electronic
10 mail.

11 SEC. 2. The Legislature finds and declares that Section 1 of
12 this act, which adds Section 6253.32 to the Government Code,
13 furthers, within the meaning of paragraph (7) of subdivision (b)
14 of Section 3 of Article I of the California Constitution, the purposes
15 of that constitutional section as it relates to the right of public
16 access to the meetings of local public bodies or the writings of
17 local public officials and local agencies. Pursuant to paragraph (7)
18 of subdivision (b) of Section 3 of Article I of the California
19 Constitution, the Legislature makes the following findings:

20 This act furthers the right of public access to the writings of local
21 public officials and local agencies by requiring that public agencies

1 preserve for at least two years every public record that is
2 transmitted by electronic mail.

3 SEC. 3. No reimbursement is required by this act pursuant to
4 Section 6 of Article XIII B of the California Constitution because
5 the only costs that may be incurred by a local agency or school
6 district under this act would result from a legislative mandate that
7 is within the scope of paragraph (7) of subdivision (b) of Section
8 3 of Article I of the California Constitution.

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ACTION ITEM
March 18, 2020

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Yoo Schneider, Barbre, and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

**SUBJECT: AB 2178 (LEVINE) – EMERGENCY SERVICES: DE-ENERGIZATION
DEFINITION**

STAFF RECOMMENDATION

Staff recommends the Board of Directors vote to adopt a support position on AB 2178 (Levine).

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

BILL SUMMARY

AB 2178 would expand the definition of energy shortage constituting a state of emergency and a local emergency, to include a planned de-energization event.

BACKGROUND

The state of California is no stranger to the devastating effects of a now-prolonged wildfire season.

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

In 2018, California experienced the Camp Fire, one of the deadliest and most destructive wildfires to date. It began in Butte County and resulted in 85 deaths and the destruction of over 18,000 homes, businesses, and other structures.

Investigators for the California Department of Forestry and Fire Protection (CalFire) determined that the fire was caused by electrical transmission lines owned and operated by Pacific Gas and Electricity (PG&E), adding to the liability already incurred by PG&E in the 2017 Tubbs Fire.

In an effort to reduce the potential for liability, PG&E executed several Public Safety Power Shutoff (PSPS) events throughout the month of October 2019. These planned de-energization events shut off power to electric lines passing through high fire-threat areas during high-wind events. What resulted was a series of PSPS events that affected millions of PG&E customers and left state and local government officials to respond to numerous public safety impacts.

ARGUMENTS IN SUPPORT

AB 2178 would uniformly clarify that PSPS events constitute a state of emergency and a local emergency. In previous years, a number of challenges related to the use of backup generators during a PSPS event have risen, including whether or not this use of emergency backup power is considered “emergency use” under state and local rules. While the California Air Resources Board issued guidance that PSPS events should be considered emergency use for generators, this is not being uniformly applied at the local level.

Additionally, this bill could potentially provide an avenue for MWDOC and other agencies to receive disaster funding reimbursement for PSPS events.

ARGUMENTS IN OPPOSITION

None on file

BOARD OPTIONS

Option #1

- Adopt a support position on AB 2178 (Levine)

Fiscal Impact: Potential cost reimbursement

Option #2

- Take no action

Fiscal Impact: Same as Option #1

STAFF RECOMMENDATION

Option #1

ATTACHED: AB 2178 Full Text

ASSEMBLY BILL

No. 2178

Introduced by Assembly Member Levine

February 11, 2020

An act to amend Sections 8557 and 8558 of the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2178, as introduced, Levine. Emergency services.

Existing law, the California Emergency Services Act, authorizes the Governor to proclaim a state of emergency, and local officials and local governments to proclaim a local emergency, when specified conditions of disaster or extreme peril to the safety of persons and property exist, and authorizes the Governor or the appropriate local government to exercise certain powers in response to that emergency. Existing law defines the terms “state of emergency” and “local emergency” to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot.

This bill would additionally include a deenergization, defined as a planned public safety power shutoff, as specified, within those conditions constituting a state of emergency and a local emergency.

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

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

1 SECTION 1. Section 8557 of the Government Code is amended
2 to read:

1 8557. (a) “State agency” means any department, division,
2 independent establishment, or agency of the executive branch of
3 the state government.

4 (b) “Political subdivision” includes any city, city and county,
5 county, district, or other local governmental agency or public
6 agency authorized by law.

7 (c) “Governing body” means the legislative body, trustees, or
8 directors of a political subdivision.

9 (d) “Chief executive” means that individual authorized by law
10 to act for the governing body of a political subdivision.

11 (e) “Disaster council” and “disaster service worker” have the
12 meaning prescribed in Chapter 1 (commencing with Section 3201)
13 of Part 1 of Division 4 of the Labor Code.

14 (f) “Public facility” means any facility of the state or a political
15 subdivision, which facility is owned, operated, or maintained, or
16 any combination thereof, through moneys derived by taxation or
17 assessment.

18 (g) “Sudden and severe energy shortage” means a rapid,
19 unforeseen shortage of energy, resulting from, but not limited to,
20 events such as an embargo, sabotage, or natural disasters, and
21 which has statewide, regional, or local impact.

22 (h) *“Deenergization” means a planned public safety power*
23 *shutoff that is consistent with the requirements of subdivision (a)*
24 *of Section 399.2 of, and of Section 451 of, the Public Utilities Code.*

25 SEC. 2. Section 8558 of the Government Code is amended to
26 read:

27 8558. Three conditions or degrees of emergency are established
28 by this chapter:

29 (a) “State of war emergency” means the condition that exists
30 immediately, with or without a proclamation thereof by the
31 Governor, whenever this state or nation is attacked by an enemy
32 of the United States, or upon receipt by the state of a warning from
33 the federal government indicating that such an enemy attack is
34 probable or imminent.

35 (b) “State of emergency” means the duly proclaimed existence
36 of conditions of disaster or of extreme peril to the safety of persons
37 and property within the state caused by conditions such as air
38 pollution, fire, flood, storm, epidemic, riot, drought, cyberterrorism,
39 sudden and severe energy shortage, plant or animal infestation or
40 disease, the Governor’s warning of an earthquake or volcanic

1 prediction, or an earthquake, or other conditions, other than
2 conditions resulting from a labor controversy or conditions causing
3 a “state of war emergency,” which, by reason of their magnitude,
4 are or are likely to be beyond the control of the services, personnel,
5 equipment, and facilities of any single county, city and county, or
6 city and require the combined forces of a mutual aid region or
7 regions to combat, or with respect to regulated energy utilities, *a*
8 *deenergization* or a sudden and severe energy shortage *that* requires
9 extraordinary measures beyond the authority vested in the
10 California Public Utilities Commission.

11 (c) “Local emergency” means the duly proclaimed existence of
12 conditions of disaster or of extreme peril to the safety of persons
13 and property within the territorial limits of a county, city and
14 county, or city, caused by conditions such as air pollution, fire,
15 flood, storm, epidemic, riot, drought, cyberterrorism, sudden and
16 severe energy shortage, plant or animal infestation or disease, the
17 Governor’s warning of an earthquake or volcanic prediction, or
18 an earthquake, or other conditions, other than conditions resulting
19 from a labor controversy, which are or are likely to be beyond the
20 control of the services, personnel, equipment, and facilities of that
21 political subdivision and require the combined forces of other
22 political subdivisions to combat, or with respect to regulated energy
23 utilities, *a deenergization* or a sudden and severe energy shortage
24 *that* requires extraordinary measures beyond the authority vested
25 in the California Public Utilities Commission.

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ACTION ITEM
March 18, 2020

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Yoo Schneider, Barbre, and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: AB 2182 (RUBIO) – EMERGENCY BACKUP GENERATORS, WATER AND WASTEWATER FACILITIES: EXEMPTION

STAFF RECOMMENDATION

Staff recommends the Board of Directors vote to adopt a support position on AB 2182 (Rubio), and send a letter to the author and the Association of California Water Agencies (bill sponsor).

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

BILL SUMMARY

AB 2182 would provide flexibility for all critical service providers to use and maintain emergency power generators for Public Safety Power Shutoff (PSPS) events. This flexibility would be accomplished by: (1) confirming that backup power generation during PSPS events is considered emergency use of generators; (2) ensuring that generator use for PSPS events is not limited by any time constraints; and, (3) by providing testing and maintenance flexibility for these backup generators due to the strenuous nature of their use during PSPS events.

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

BACKGROUND

California's investor-owned electric utilities are taking steps to ensure their equipment does not start a wildfire, in part by implementing PSPS. These PSPS events, however, leave many critical service providers without power, including water and wastewater agencies. Water and wastewater agencies are responsible for providing essential public health and safety services, including drinking water, wastewater treatment, and water for fire suppression. Supplying and treating water and wastewater requires reliable energy, and without electric utilities providing that power, water agencies must secure alternative reliable sources of power. In a worst-case scenario, without electricity, there is the potential for public water agencies to issue boil-orders to the public, water delivery to temporarily stop, or raw sewage to enter public waterways.

When PSPS protocols were implemented last fall, a number of challenges related to backup power generation came to light. First, it was unclear if use of generators during PSPS events was considered "emergency use" under state and local rules. While the California State Air Resources Board (CARB) has issued guidance that it is considered emergency use, uncertainty remains.

Second, rules regarding emergency generator use vary significantly around the state, and in some regions, the local air quality management districts have implemented strict limits on the amount of time that an emergency generator can be used, which has catastrophic implications if a critical facility runs up against that limit during a PSPS event.

Finally, CARB has established rules regarding testing and maintenance limits for emergency generators. While these rules may be adequate for normal generator use, PSPS events last several days and these generators are under tremendous strain for which they were not designed. Ultimately, a lack of rigorous testing and maintenance of these generators can and has led to failures of backup power systems during PSPS events.

ARGUMENTS IN SUPPORT

This bill provides that the use of backup generators by critical public health and safety providers during a PSPS event is considered "emergency use" regardless of whether an emergency has been declared by the Governor. In addition, the bill would allow providers of critical public health and safety services to rely upon backup generators for the duration of PSPS events without possible violation of local or state regulations. Finally, due to the unprecedented duration of reliance on these generators, this proposal would also allow these service providers to test this backup equipment consistent with the testing procedures for maintenance of emergency power standby systems established by the National Fire Protection Association.

ARGUMENTS IN OPPOSITION

Opponents will argue that the bill is unnecessary because no fines have ever been levied against a city or special district for running a generator during an emergency, and that they already have the authority to waive the runtime limitations where appropriate. Opponents will further argue that the limitations on testing generators has never been shown to be

inadequate, or that the national testing protocols cannot be met within the 20 hour limit. Opponents believe that this bill will allow older and dirtier generators to stay in use longer.

BOARD OPTIONS

Option #1

- Adopt a support position on AB 2182 (Rubio), and send a letter to the author and the Association of California Water Agencies (bill sponsor).

Fiscal Impact: Potentially lowers administrative cost of compliance with AQMD regulations.

Business Analysis: This bill is not expected to have impacts on business since backup generator are an existing ongoing cost.

Option #2

- Take no action

Fiscal Impact: Potentially higher cost for regulatory compliance with AQMD regulations and possible fines.

Business Analysis: Same as #1 above.

STAFF RECOMMENDATION

Option #1

ATTACHED:

- AB 2182 Full Text

ASSEMBLY BILL

No. 2182

Introduced by Assembly Member Blanca Rubio

February 11, 2020

An act to add Article 9.4 (commencing with Section 42005) to Chapter 3 of Part 4 of Division 26 of the Health and Safety Code, relating to nonvehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 2182, as introduced, Blanca Rubio. Emergency backup generators: water and wastewater facilities: exemption.

Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law requires the State Air Resources Board to identify toxic air contaminants that are emitted into the ambient air of the state and to establish airborne toxic control measures to reduce emissions of toxic air contaminants from nonvehicular sources.

This bill would exempt the operation of an alternative power source, as defined, to provide power to a critical facility, as defined, from any local, regional, or state regulation regarding the operation of that source. The bill would authorize providers of essential public services, in lieu of compliance with applicable legal requirements, to comply with the maintenance and testing procedure set forth in the National Fire Protection Association Standard for Emergency and Standby Power System, NFPA 110, for alternative power sources designated by the providers for the support of critical facilities.

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

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

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Due to climate change, California's risk for catastrophic
4 wildfires has increased substantially and California's wildfire
5 season is now longer and more intense.

6 (b) Catastrophic wildfires have had and continue to have an
7 enormous impact on California, taking and threatening life,
8 property, and our environment, and costing the state billions of
9 dollars.

10 (c) Public safety power shutoffs and deenergization events,
11 while necessary to protect California from catastrophic wildfires,
12 impact essential public services, including firefighting, police, and
13 water services, which are necessary to respond to a wildfire.

14 (d) Given the importance of essential public services in
15 responding to wildfire, it is crucial to ensure the essential public
16 service provider has access to alternative power sources during
17 public safety power shutoffs and other deenergization events to
18 maintain California's ability to respond to wildfire.

19 SEC. 2. Article 9.4 (commencing with Section 42005) is added
20 to Chapter 3 of Part 4 of Division 26 of the Health and Safety
21 Code, to read:

22

23 Article 9.4. Standby Electric Generation

24

25 42005. For purposes of this article, the following terms apply:

26 (a) "Alternative power source" means equipment that is used
27 by an essential public service provider to produce electricity to
28 directly run a critical facility during a deenergization event.

29 (b) "Critical facility" means a facility necessary or convenient
30 in providing essential public services, including, but not limited
31 to, facilities such as police stations, fire stations, emergency
32 operations centers, water and wastewater treatment facilities,
33 incident command posts, and communication systems used to
34 support essential public services.

1 (c) “Deenergization event” means the loss of electricity to a
2 critical facility due to an emergency, including, but not limited to,
3 wildfire.

4 (d) “Essential public service” means fire prevention, protection,
5 and response, law enforcement, provision of water and wastewater
6 service, disaster medical response, and other emergency response
7 services.

8 (e) “Water and wastewater facilities” mean water and wastewater
9 facilities critical to maintain public health and safety standards,
10 including, but not limited to, treatment plants, pumping stations
11 and other storage facilities, and water facilities needed to maintain
12 water service and water pressure necessary for firefighting.

13 42007. (a) Notwithstanding other law, the use of an alternative
14 power source by a provider of essential services to operate a critical
15 facility during a deenergization event shall not be subject to any
16 local, regional, or state regulation regarding the operation of an
17 alternative power source.

18 (b) Notwithstanding other law, in lieu of compliance with any
19 applicable legal requirements, a provider of essential public service
20 may comply with the maintenance and testing procedure set forth
21 in the National Fire Protection Association Standard for Emergency
22 and Standby Power Systems, NFPA 110, or any successor standard
23 adopted by the association, for an alternative power source
24 designated by the provider for the support of a critical facility
25 during a deenergization event.



ACTION ITEM
March 18, 2020

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Yoo Schneider, Barbre, and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

**SUBJECT: AB 2246 (MAYES) – SURFACE MINING RECLAMATION ACT OF 1975:
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**

STAFF RECOMMENDATION

Staff recommends the Board of Directors vote to adopt a support position on AB 2246 (Mayes), and authorize staff to sign onto the Metropolitan Water District (MWD) Southern California's coalition letter.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

BILL SUMMARY

AB 2246 would amend the Surface Mining and Reclamation Act (SMARA) to grant Metropolitan special status under SMARA regulations for routine maintenance and emergency repairs of critical water infrastructure in Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura counties.

BACKGROUND

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

When Metropolitan completed construction of the Colorado River Aqueduct (CRA) and began operation in 1941, it retained ownership of the land beneath and adjacent to the Aqueduct, including the excess stone, gravel, and sand used to construct the project. To this day, Metropolitan uses those materials to restore CRA facilities from storm and flood damage, and make repairs to the CRA, adjacent roads, and related infrastructure.

Enacted in 1975, SMARA provides for the regulation of surface mining operations to encourage mineral production and conservation and to ensure mined lands are reclaimed to a usable condition to prevent environmental effects and ensure public health and safety.

In 2017, the County of San Bernardino notified Metropolitan that it needed to comply with SMARA for its use of materials obtained from land owned by Metropolitan for repair and maintenance activities on its conveyance and distribution system in the County. Riverside County followed suit.

Metropolitan's distribution system crosses six counties with differing regulations and processes. Therefore, compliance with SMARA for each county will be costly and inefficient requiring the preparation of separate reclamation plans, associated CEQA documents, regulatory permits, and annual inspections.

ARGUMENTS IN SUPPORT

Maintaining critical water infrastructure requires coordinated regulatory compliance. AB 2246 proposes special status under SMARA, so Metropolitan can consistently administer and enforce SMARA compliance for the purpose of responding to emergencies, repairing, maintaining, or replacing any pipelines, infrastructure, or related transmission systems used for the distribution of water located in Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura counties.

Metropolitan must work quickly and efficiently to protect, maintain, and operate critical infrastructure across a vast area to ensure the delivery of reliable and safe water to nearly 19 million people in its service area – or one in every two Californians.

AB 2246 would not exempt Metropolitan from SMARA compliance. In fact, Metropolitan would still complete a reclamation plan and comply with CEQA. What would be different is Metropolitan staff would perform the annual inspections and submit the annual report directly to the California Department of Conservation rather than going through individual counties. This approach would make compliance with SMARA more efficient and generate cost savings for ratepayers.

ARGUMENTS IN OPPOSITION

None on file.

BOARD OPTIONS

Option #1

- Adopt a support position on AB 2246 (Mayes) and authorize MWDOC staff to sign on to MWD's coalition letter

Fiscal Impact: Cost savings to ratepayers via reduced staff time filing for permits in multiple counties

Business Analysis: MWD is asking its member agencies to support AB 2246 and join their coalition letter. Orange County purchases Colorado River water from MWD and keeping costs down by increasing staff efficiency benefits the region's ratepayers.

Option #2

- Take no action

Fiscal Impact: Same as Option #1

STAFF RECOMMENDATION

Option #1

ATTACHED:

- AB 2246 Full Text

ASSEMBLY BILL

No. 2246

Introduced by Assembly Member Mayes

February 13, 2020

An act to amend Section 2714 of the Public Resources Code, relating to surface mining.

LEGISLATIVE COUNSEL'S DIGEST

AB 2246, as introduced, Mayes. Surface Mining and Reclamation Act of 1975: exemption: Metropolitan Water District of Southern California.

(1) The Surface Mining and Reclamation Act of 1975 prohibits a person, with exceptions, from conducting surface mining operations unless, among other things, a permit is obtained from, a specified reclamation plan is submitted to and approved by, and financial assurances for reclamation have been approved by the lead agency for the operation of the surface mining operation. The act exempts certain activities from the provisions of the act, including, among others, emergency excavations or grading conducted by the Department of Water Resources or the Central Valley Flood Protection Board for the specified purposes; surface mining operations conducted on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the Department of Water Resources for the purpose of the State Water Resources Development System or flood control; and surface mining operations on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the Central Valley Flood Protection Board for the purpose of flood control.

This bill would additionally exempt from the provisions of the act emergency excavations or grading conducted by the Metropolitan Water

District of Southern California for the specified purposes and surface mining operations conducted on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the Metropolitan Water District of Southern California for the purpose of repairing, maintaining, or replacing pipelines, infrastructure, or related transmission systems used for the distribution of water in the specified counties. The bill would require the Metropolitan Water District of Southern California to provide an annual report to the Department of Conservation and any affected county by the date specified by the department on these surface mining operations. To the extent this bill adds to the duties of local governments acting as a lead agency, the bill would impose a state-mandated local program.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute for the Metropolitan Water District of Southern California.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 2714 of the Public Resources Code is
2 amended to read:
3 2714. This chapter does not apply to any of the following
4 activities:
5 (a) Excavations or grading of lands conducted for farming.
6 (b) Onsite excavation and onsite earthmoving activities that are
7 integral and necessary for the construction of structures and that
8 are undertaken to prepare a site for the construction of those
9 structures, including landscaping or other land improvements
10 associated with those structures, including the related excavation,
11 grading, compaction, or the creation of fills, road cuts, and
12 embankments, whether or not surplus materials are exported from
13 the site, subject to all of the following conditions:
14 (1) All required permits for the construction and any associated
15 landscaping or related land improvements have been approved by

1 a public agency in accordance with applicable provisions of state
2 law and locally adopted plans and ordinances, including, but not
3 limited to, the California Environmental Quality Act (Division 13
4 (commencing with Section 21000)).

5 (2) The lead agency's approval of the construction project
6 included consideration of the onsite excavation and onsite
7 earthmoving activities pursuant to the California Environmental
8 Quality Act (Division 13 (commencing with Section 21000)).

9 (3) The approved construction project is consistent with the
10 general plan or zoning of the site.

11 (4) Surplus materials shall not be exported from the site unless
12 and until actual construction work has commenced and shall cease
13 if it is determined that construction activities have terminated, have
14 been indefinitely suspended, or are no longer being actively
15 pursued.

16 (c) Operation of a plant site used for mineral processing,
17 including associated onsite structures, equipment, machines, tools,
18 or other materials, including the onsite stockpiling and onsite
19 recovery of mined materials, subject to all of the following
20 conditions:

21 (1) The plant site is located on lands designated for industrial
22 or commercial uses in the applicable county or city general plan.

23 (2) The plant site is located on lands zoned as industrial or
24 commercial or are contained within a zoning category intended
25 exclusively for industrial activities by the applicable city or county.

26 (3) None of the minerals being processed are being extracted
27 onsite.

28 (4) All reclamation work has been completed pursuant to the
29 approved reclamation plan for any mineral extraction activities
30 that occurred onsite after January 1, 1976.

31 (d) Prospecting for or the extraction of minerals for commercial
32 purposes where the removal of overburden or mineral product
33 totals less than 1,000 cubic yards in any one location and the total
34 surface area disturbed is less than one acre.

35 (e) Surface mining operations that are required by federal law
36 in order to protect a mining claim, if those operations are conducted
37 solely for that purpose.

38 (f) Any other surface mining operations that the board
39 determines to be of an infrequent nature and that involve only
40 minor surface disturbances.

1 (g) The solar evaporation of sea water or bay water for the
2 production of salt and related minerals.

3 (h) (1) Emergency excavations or grading conducted by the
4 Department of Water Resources or the Central Valley Flood
5 Protection Board for the purpose of averting, alleviating, repairing,
6 or restoring damage to property due to imminent or recent floods,
7 disasters, or other emergencies.

8 (2) *Emergency excavations or grading conducted by the*
9 *Metropolitan Water District of Southern California for the purpose*
10 *of averting, alleviating, repairing, or restoring damage to property*
11 *due to imminent or recent floods, disasters, or other emergencies.*

12 (i) (1) Surface mining operations conducted on lands owned
13 or leased, or upon which easements or rights-of-way have been
14 obtained, by the Department of Water Resources for the purpose
15 of the State Water Resources Development System or flood control,
16 and surface mining operations on lands owned or leased, or upon
17 which easements or rights-of-way have been obtained, by the
18 Central Valley Flood Protection Board for the purpose of flood
19 control, if the Department of Water Resources adopts, after
20 submission to and consultation with, the Division of Mine
21 Reclamation, a reclamation plan for lands affected by these
22 activities, and those lands are reclaimed in conformance with the
23 standards specified in regulations of the board adopted pursuant
24 to this chapter. The Department of Water Resources shall provide
25 an annual report to the department by the date specified by the
26 department on these ~~mining activities~~ *surface mining operations*.

27 (2) Nothing in this subdivision shall require the Department of
28 Water Resources or the Central Valley Flood Protection Board to
29 obtain a permit or secure approval of a reclamation plan from any
30 city or county in order to conduct surface mining operations
31 specified in paragraph (1). Nothing in this subdivision shall
32 preclude the bringing of an enforcement action pursuant to Section
33 2774.1, if it is determined that ~~a surface mine~~ *an operator*, acting
34 under contract with the Department of Water Resources or the
35 Central Valley Flood Protection Board on lands other than those
36 owned or leased, or upon which easements or rights-of-way have
37 been obtained, by the Department of Water Resources or the
38 Central Valley Flood Protection Board, is otherwise not in
39 compliance with this chapter.

(j) (1) Surface mining operations conducted on lands owned or leased, or upon which easements or rights-of-way have been obtained, by the Metropolitan Water District of Southern California for the purpose of repairing, maintaining, or replacing pipelines, infrastructure, or related transmission systems used for the distribution of water in the Counties of Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura, if the Metropolitan Water District of Southern California adopts, after submission to and consultation with the department, a reclamation plan for lands affected by these activities, and those lands are reclaimed in conformance with the standards specified in regulations of the board adopted pursuant to this chapter. The Metropolitan Water District of Southern California shall provide an annual report to the department and any affected county by the date specified by the department on these surface mining operations.

(2) Nothing in this subdivision shall require the Metropolitan Water District of Southern California to obtain a permit or secure approval of a reclamation plan from any city or county in order to conduct surface mining operations specified in paragraph (1).

(3) Nothing in this subdivision shall preclude the bringing of an enforcement action pursuant to Section 2774.1 if it is determined that an operator, acting under contract with the Metropolitan Water District of Southern California on lands other than those described in paragraph (1), is otherwise not in compliance with this chapter.

(j)

(k) (1) Excavations or grading for the exclusive purpose of obtaining materials for roadbed construction and maintenance conducted in connection with timber operations or forest management on land owned by the same person or entity. This exemption is limited to excavation and grading that is conducted adjacent to timber operation or forest management roads and shall not apply to onsite excavation or grading that occurs within 100 feet of a Class One watercourse or 75 feet of a Class Two watercourse, or to excavation for materials that are, or have been, sold for commercial purposes.

(2) This exemption shall be available only if slope stability and erosion are controlled in accordance with subdivision (f) of Section 3704 and subdivision (d) of Section 3706 of Title 14 of the

1 California Code of Regulations and, upon closure of the site, the
2 person closing the site implements, where necessary, revegetation
3 measures and postclosure uses in consultation with the Department
4 of Forestry and Fire Protection.

5 ~~(k)~~

6 (l) Excavations, grading, or other earthmoving activities in an
7 oil or gas field that are integral to and necessary for ongoing
8 operations for the extraction of oil or gas that comply with all of
9 the following conditions:

10 (1) The operations are being conducted in accordance with
11 Division 3 (commencing with Section 3000).

12 (2) The operations are consistent with any general plan or zoning
13 applicable to the site.

14 (3) The earthmoving activities are within oil or gas field
15 properties under a common owner or operator.

16 (4) No excavated materials are sold for commercial purposes.

17 ~~(t)~~

18 (m) (1) The immediate excavation or grading of lands affected
19 by a natural disaster for the purpose of restoring those lands to
20 their prior condition.

21 (2) The immediate removal of material deposited by a flood
22 onto lands being farmed for the purpose of restoring those lands
23 to their prior condition.

24 SEC. 2. The Legislature finds and declares that a special statute
25 is necessary and that a general statute cannot be made applicable
26 within the meaning of Section 16 of Article IV of the California
27 Constitution because of the service area of the Metropolitan Water
28 District of Southern California covers six counties, providing water
29 to 26 member agencies that serve approximately 19,000,000 people
30 across the Counties of Los Angeles, Orange, Riverside, San
31 Bernardino, San Diego, and Ventura; the district's Colorado River
32 Aqueduct and other critical drinking water infrastructure are unique
33 in that it crosses multiple counties and it is essential to the district's
34 mission to provide its service area with adequate and reliable
35 supplies of high-quality water to meet present and future needs in
36 an environmentally and economically responsible way; it is
37 necessary for the district to use stone, gravel, and sand to operate
38 and maintain its critical infrastructure, including the use of
39 materials to repair storm and flood damage, and repairs to the
40 rights-of-way and appurtenant facilities necessary to ensure the

1 safe operation of its critical drinking water infrastructure and, thus,
2 ensure delivery of water to approximately 19,000,000 people in
3 southern California; the implementation of the Surface Mining
4 and Reclamation Act of 1975 (Chapter 9 (commencing with
5 Section 2710) of Division 2 of the Public Resources Code) by
6 multiple counties as to the district may lead to the conflicting
7 application of the law to a single special district; and the
8 implementation of the Surface Mining and Reclamation Act of
9 1975 by the district with the oversight of the Department of
10 Conservation will ensure more uniform and efficient application
11 of the law.

12 SEC. 3. No reimbursement is required by this act pursuant to
13 Section 6 of Article XIII B of the California Constitution because
14 a local agency or school district has the authority to levy service
15 charges, fees, or assessments sufficient to pay for the program or
16 level of service mandated by this act, within the meaning of Section
17 17556 of the Government Code.

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ACTION ITEM
March 18, 2020

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Yoo Schneider, Barbre, and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

**SUBJECT: AB 2560 (QUIRK) – WATER QUALITY: NOTIFICATION AND RESPONSE
LEVELS: PROCEDURES**

STAFF RECOMMENDATION

Staff recommends the Board of Directors vote to adopt a support position on AB 2560 (Quirk), and send a letter of support to the author and the California Municipal Utilities Association (CMUA).

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

BILL SUMMARY

AB 2560 would require the State Water Board, when establishing or revising notification or response levels to:

- 1) Electronically post on its website and distribute through email a notice informing interested persons that the State Water Board has initiated the development of a notification or response level;
- 2) Electronically post on its website and distribute through email a notice that a draft notification or response level is available;
- 3) Submit its draft notification or response level for external peer review;

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

- 4) Take a formal action to finalize and adopt the notification or response level

Additionally it would require the State Water Board to provide notice and make documents available, including the complete studies that were used to establish the level, at least 45 calendar days before finalizing the notification or response level.

BACKGROUND

Last year AB 756 (C. Garcia) was signed into law, providing the State Water Board with the authority to order public water systems to monitor for PFAS. This bill established a separate public notification process for any confirmed detection of these substances. While water providers are not opposed to notifying customers about contaminants, there was concern and disagreement with creating separate requirements for one class of contaminants. With the passage of AB 756, there are now legal requirements for water agencies for the exceedance of a response level.

The establishment of a notification or response level is generally an initial step when adopting a formal state regulatory standard. However, due to their non-regulatory status, these levels lack a formal review process like MCLs. Since AB 756 established legal requirements when in exceedance of a response level, there is a need to establish a formal process for the State Water Board to follow when adopting notification levels and response levels. Currently, there is no process for the public to comment on the consideration of adoption of notification level or response level.

ARGUMENTS IN SUPPORT

AB 2560 would develop a process by which the State Water Board would have to provide notice that they have initiated the development of a notification level or response level. Additionally, the State Water Board would be required to provide the public with the complete studies that were used to establish the level and submit the draft notification level or response level for external peer review.

This bill would require the State Water Board to provide notice and documentation at least 45 days before finalizing the notification level or response level through a transparent review process.

AB 2560 is co-sponsored by CMUA and OCWD.

ARGUMENTS IN OPPOSITION

None on file.

BOARD OPTIONS

Option #1

- Adopt a support position on AB 2560 (Quirk) and send a letter of support to the author and CMUA.

Fiscal Impact: Unknown at this time

Business Analysis: This measure will create a transparent review process that will benefit water providers and their customers.

Option #2

- Take no action

Fiscal Impact: Unknown at this time

STAFF RECOMMENDATION

Option #1

ATTACHED:

- AB 2560 Full Text

ASSEMBLY BILL

No. 2560

**Introduced by Assembly Member Quirk
(Coauthors: Assembly Members Daly and Petrie-Norris)**

February 19, 2020

An act to add Section 116456 to the Health and Safety Code, relating to water quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 2560, as introduced, Quirk. Water quality: notification and response levels: procedures.

The California Safe Drinking Water Act provides for the operation of public water systems and imposes on the State Water Resources Control Board various duties and responsibilities for the regulation and control of drinking water in the state. The act requires the state board to adopt drinking water standards for contaminants in drinking water based upon specified criteria and requires any person who owns a public water system to ensure that the system, among other things, complies with those drinking water standards.

The act requires a public water system to provide prescribed notices within 30 days after it is first informed of a confirmed detection of a contaminant found in drinking water delivered by the public water system for human consumption that is in excess of a maximum contaminant level, a notification level, or a response level established by the state board.

This bill would require the state board to comply with specified public notice and comment and peer review procedures, as prescribed, when establishing or revising notification or response levels.

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

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

- 1 SECTION 1. Section 116456 is added to the Health and Safety
- 2 Code, to read:
- 3 116456. When establishing or revising notification or response
- 4 levels, the state board shall do all of the following:
- 5 (a) Electronically post on its internet website and distribute
- 6 through email a notice informing interested persons that the state
- 7 board has initiated the development of a notification or response
- 8 level.
- 9 (b) Electronically post on its internet website and distribute
- 10 through electronic mail a notice that a draft notification or response
- 11 level is available. The notice shall include an electronic link to an
- 12 internet webpage where the draft level can be viewed electronically
- 13 along with the complete studies that were used to establish the
- 14 level. Notice and document availability shall occur at least 45
- 15 calendar days before finalizing the notification or response level.
- 16 The state board shall include the draft level as an informational
- 17 item during a regularly noticed meeting of the state board.
- 18 (c) Submit its draft notification or response level for external
- 19 peer review using the process described in Section 57004.
- 20 (d) Take a formal action to finalize and adopt the notification
- 21 or response level.

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ACTION ITEM
March 18, 2020

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Yoo Schneider, Barbre, and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: ACR 179 (VOEPEL) – SPECIAL DISTRICTS WEEK

STAFF RECOMMENDATION

Staff recommends the Board of Directors vote to adopt a support position on ACR 179 (Voepel) proclaiming the week of May 17, 2020, to May 23, 2020, to be Special Districts Week.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

BILL SUMMARY

ACR 179, an Assembly Concurrent Resolution, proclaims that the week of May 17, 2020 to May 23, 2020 to be Special Districts Week.

BACKGROUND

ACR 179 is sponsored by the California Special Districts Association (CSDA), which is a statewide association representing over 1,000 special districts and affiliate organizations throughout the state. Special districts are local government entities created by a

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

community's residents, funded by those residents, and overseen by those residents, to provide specialized services and infrastructure.

ARGUMENTS IN SUPPORT

Special districts are local government entities created by a community's residents, funded by those residents, and overseen by those residents, to provide specialized services and infrastructure.

Today, just about 2,000 independent special districts provide millions of Californians with essential services, including services related to water, sanitation and water recycling, fire protection, electricity, parks and recreation, health care, open space, ports and harbors, flood protection, mosquito abatement, cemeteries, resource conservation, airports, transit, road maintenance, veterans' facilities, and more.

ARGUMENTS IN OPPOSITION

None on file.

BOARD OPTIONS

Option #1

- Adopt a support position on ACR 179 (Voepel), Special Districts Week

Fiscal Impact: None

Business Analysis: As members of CSDA, it is important for MWDOC to be an active participant in the association. This is one of their sponsored bills this year and are asking all of their members to support it, as well as promote Special Districts Week.

Option #2

- Take no action

Fiscal Impact: None

Business Analysis: There is little impact to taking no action, other than not supporting CSDA's sponsored legislation, and therefore supporting the association's priority legislation.

STAFF RECOMMENDATION

Option #1

ATTACHED:

- ACR 179 Full Text

Assembly Concurrent Resolution

No. 179

Introduced by Assembly Member Voepel

February 26, 2020

Assembly Concurrent Resolution No. 179—Relative to Special Districts Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 179, as introduced, Voepel. Special Districts Week.

This measure proclaims the week of May 17, 2020, to May 23, 2020, to be Special Districts Week.

Fiscal committee: no.

- 1 WHEREAS, Special districts are local governmental entities
2 created by a community’s residents, funded by those residents,
3 and overseen by those residents, to provide specialized services
4 and infrastructure; and
5 WHEREAS, Today, just over 2,000 independent special districts
6 provide millions of Californians with essential services, including
7 services related to water, sanitation and water recycling, fire
8 protection, electricity, parks and recreation, health care, open space,
9 ports and harbors, flood protection, mosquito abatement,
10 cemeteries, resource conservation, airports, transit, road
11 maintenance, veterans’ facilities, and more; and
12 WHEREAS, Special districts first arose when San Joaquin
13 Valley farmers needed a way to access their local water supply;
14 and
15 WHEREAS, Under the Wright Act of 1887, the Turlock
16 Irrigation District became California’s first special district and

1 made it possible for local farmers to intensify and diversify
2 agriculture in California's central valley; and

3 WHEREAS, In the 20th century, special districts increased
4 dramatically in both number and scope, and during the periods of
5 prosperity and population growth that followed both world wars
6 when the demand for all types of public services increased, and
7 special districts met that need; and

8 WHEREAS, The statutory authorization for mosquito abatement
9 districts was enacted in 1915 to combat the salt marsh mosquitoes
10 around the San Francisco Bay and higher than average malaria
11 cases in rural counties; and

12 WHEREAS, Fire protection districts can trace their origins to
13 a 1923 state law, and in 1931 the Legislature authorized recreation
14 districts, the forerunners of today's recreation and park districts;
15 and

16 WHEREAS, Hospital districts arose in 1945 because of a
17 statewide shortage of hospital beds. In 1994, the Legislature then
18 expanded their breadth and renamed them health care districts in
19 recognition of the diverse, modern needs of California's
20 communities and the importance of proactive, affordable health
21 care beyond the walls of a hospital building; and

22 WHEREAS, Although originally created to provide individual
23 services, in 1961 the Legislature authorized special districts to
24 address multiple needs, when it provided for multipurpose,
25 community services districts; and

26 WHEREAS, Special districts vary in size and scope and serve
27 diverse communities throughout California, from small rural
28 neighborhoods, such as the Pine Cove Water District in the San
29 Jacinto Mountains in the County of Riverside, to large urban
30 regions, such as the East Bay Municipal Utility District spanning
31 much of the Counties of Alameda and Contra Costa; and

32 WHEREAS, Local residents own special districts and govern
33 them through locally elected or appointed boards. A series of
34 sunshine laws ensure special districts remain transparent and
35 accountable to the communities they serve, as these laws require
36 open and public meetings, public access to records, regular audits,
37 online posting of finances and compensation, and more; and

38 WHEREAS, To prevent overlapping services and ensure that
39 local agencies are operating effectively and efficiently to meet
40 community needs, special districts are formed, reviewed,

1 consolidated, or dissolved through a methodical local process that
2 includes the oversight of a local agency formation commission
3 and the consent of local voters; and

4 WHEREAS, Fifty-one years ago, in 1969, several independent
5 special districts formed a statewide association called the California
6 Special Districts Association, commonly referred to as the CSDA,
7 to promote good governance and improved essential local services
8 through professional development, advocacy, and other services
9 for all types of independent special districts; and

10 WHEREAS, The Legislature seeks to promote democratic
11 institutions, community-based services, local control, and
12 self-determination; and

13 WHEREAS, The Legislature seeks to promote and educate the
14 public about their local public service providers, including
15 awareness and understanding of special districts; now therefore,
16 be it

17 *Resolved by the Assembly of the State of California, the Senate*
18 *thereof concurring*, That the Legislature hereby proclaims the
19 week of May 17, 2020, to May 23, 2020, inclusive, to be Special
20 Districts Week and encourages all Californians to be involved in
21 their communities and be civically engaged with their local
22 government: and be it further

23 *Resolved*, That the Chief Clerk of the Assembly transmit copies
24 of this resolution to the author for appropriate distribution.

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ACTION ITEM
March 18, 2020

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Yoo Schneider, Barbre, and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

**SUBJECT: SB 996 (PORTANTINO) – STATE WATER RESOURCES CONTROL
BOARD: CONSTITUENTS OF EMERGING CONCERN PROGRAM**

STAFF RECOMMENDATION

Staff recommends the Board of Directors vote to adopt a support position on SB 996 (Portantino), and authorize staff to sign onto the Metropolitan Water District (MWD) Southern California's coalition letter.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

BILL SUMMARY

SB 996 would require the state board to establish and then maintain an ongoing, dedicated program for CECs to support and conduct re-search on and provide recommendations on issues with water that may pose a risk to the public. The state board would create a Science Advisory Panel to gather and develop information for the program. The bill would require the program to provide opportunities for public participation through the creation of a Stakeholder Advisory Group.

The bill would establish in the State Treasury the CEC Action Fund, which upon appropriation would be administered by the state board.

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

BACKGROUND

Currently CECs can become regulated by the State Water Board in one of three ways: adoption of federal standards, after the Office of Environmental Health Hazard Assessment sets a public health goal, or by legislative mandate. In addition, the state board can set notification levels and response levels as precautionary measures for contaminants that have not yet undergone or completed the regulatory standard setting process. All of these processes have their own unique challenges and inefficiencies.

The federal process relies upon the Contaminant Candidate List and the Unregulated Contaminant Monitoring Rule to identify and collect data on CECs — this process can take several years before a final regulatory decision is made and may not focus on issues specific to California. Similarly, the regulatory development process in California can be lengthy due to a lack of technical and financial resources. And while legislative approaches can address public concerns, they can be made without complete information on occurrence and health effects.

ARGUMENTS IN SUPPORT

Constituents of Emerging Concern (CECs) are a diverse group of chemicals and microorganisms that are not currently regulated in drinking water. They can be detected in very small amounts. Over the years, particular CECs have received growing public attention as potential pollutants in drinking water supplies. Yet, the full extent and risk of their presence is not well understood.

The Metropolitan Water District of Southern California and the California Municipal Utilities Association are co-sponsoring legislation in response to this growing issue that would establish a CEC Drinking Water Program at the State Water Resources Control Board (State Water Board). The program would set up a consistent and science-based approach for assessing the public health and drinking water consequences of CECs, while identifying which CECs warrant further action.

ARGUMENTS IN OPPOSITION

None on file. OCWD did have concerns over the scope of the advisory panel's authority and raised concerns about conflicts with existing advisory panels on recycled water, as well as potential cost which could come from the Safe Drinking Water Fund. MWD took amendments to address these concerns by narrowing the scope of the panel's responsibilities and stating that nothing in the bill was meant to replace or conflict with any existing scientific review program.

BOARD OPTIONS

Option #1

- Adopt a support position on SB 996 (Portantino) and authorize MWDOC staff to sign on to MWD's coalition letter

Fiscal Impact: Unknown at this time.

Business Analysis: MWD is asking its member agencies to support SB 996 and join their coalition letter. CECs are a growing concern throughout the state and Orange County in particular. MWD's proposal attempts to get in front of the issue, promoting a science-based solution to the problem.

Option #2

- Take no action

Fiscal Impact: Same as Option #1

STAFF RECOMMENDATION

Option #1

ATTACHED:

- SB 996 Full Text

Introduced by Senator Portantino

February 13, 2020

An act to add Article 3.6 (commencing with Section 116416) to Chapter 4 of Part 12 of Division 104 of the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

SB 996, as introduced, Portantino. State Water Resources Control Board: Constituents of Emerging Concern Program.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. The state board's duties include, but are not limited to, conducting research, studies, and demonstration programs relating to the provision of a dependable and safe supply of drinking water, enforcing the federal Safe Drinking Water Act, and adopting and enforcing regulations.

This bill would require the state board to establish by an unspecified date and then maintain an ongoing, dedicated program called the Constituents of Emerging Concern Program to support and conduct research to develop information and, if necessary, provide recommendations to the state board on constituents of emerging concern in drinking water that may pose risks to public health. The bill would require the state board to establish the Stakeholder Advisory Group and the Science Advisory Panel, both as prescribed, to assist in the gathering and development of information for the program, among other functions. The bill would require the program to provide opportunities for public participation, including conducting stakeholder meetings and workshops to solicit relevant information and feedback for development and implementation of the program.

This bill would establish in the State Treasury the CEC Action Fund, which, upon appropriation by the Legislature, would be administered by the state board to support and pay the costs associated with the establishment and implementation of the program, as specified.

This bill would authorize the state board to promulgate regulations pursuant to which the state board's Division of Financial Assistance may provide financial assistance to any public water system upon a showing that the costs of testing drinking water in compliance with this act would impose a financial hardship, with eligibility preference given to public water systems serving fewer than 10,000 individuals.

This bill would make legislative findings and declarations regarding constituents of emerging concern and the need for the program.

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

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

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The United States Environmental Protection Agency
- 4 identifies potential contaminants through the federal Unregulated
- 5 Contaminant Monitoring Rule program.
- 6 (b) California adopts federally required monitoring from the
- 7 federal Unregulated Contaminant Monitoring Rule program.
- 8 (c) California establishes drinking water standards through the
- 9 State Water Resources Control Board, after the Office of
- 10 Environmental Health Hazard Assessment establishes a public
- 11 health goal.
- 12 (d) California administratively establishes notification levels
- 13 and response levels as precautionary measures for contaminants
- 14 that have not yet undergone or completed the regulatory standard
- 15 setting process.
- 16 (e) The process to identify, monitor, and consider a contaminant
- 17 for regulation may take many years.
- 18 (f) Analytical methods and technologies continue to advance
- 19 and allow detection of compounds at increasingly lower levels.
- 20 (g) The public's concern and engagement with constituents of
- 21 emerging concern has increased in recent years.
- 22 (h) The Legislature has implemented separate requirements for
- 23 certain chemicals.

1 (i) A unified, consistent, and science-based approach is desired
2 to more rapidly assess the public health and drinking water
3 consequences of a broad spectrum of constituents of emerging
4 concern.

5 (j) Proactive measures to support existing regulatory processes
6 are needed without interfering with or duplicating other state efforts
7 on constituents of emerging concern.

8 (k) Paragraph (1) of subdivision (b) of Section 116350 of the
9 Health and Safety Code gives the State Water Resources Control
10 Board the responsibility to conduct research relating to the
11 provision of a dependable, safe supply of drinking water.

12 (l) A Constituents of Emerging Concern Action Fund should
13 be established to maintain a program to improve the timeliness of
14 understanding the occurrence and public health effects of
15 constituents of emerging concern and to support the creation of a
16 science advisory panel to assist the State Water Resources Control
17 Board in its considerations for prioritizing and making regulatory
18 determinations for constituents of emerging concern.

19 (m) A stakeholder advisory group should be created to advise
20 the State Water Resources Control Board in establishing the science
21 advisory panel and implementing a constituents of emerging
22 concern program.

23 SEC. 2. Article 3.6 (commencing with Section 116416) is
24 added to Chapter 4 of Part 12 of Division 104 of the Health and
25 Safety Code, to read:

26
27 Article 3.6. Constituents of Emerging Concern Program
28

29 116416. (a) The state board shall establish and maintain an
30 ongoing, dedicated program called the Constituents of Emerging
31 Concern Program to conduct the following research on constituents
32 of emerging concern in drinking water:

33 (1) Occurrence.

34 (2) Fate, transport, and biodegradation.

35 (3) Water treatment and laboratory analyses.

36 (4) The potential effects on public health of constituents of
37 emerging concern in drinking water sources and treated drinking
38 water.

39 (b) For purposes of this section:

1 (1) “Drinking water sources” include, but are not limited to,
2 surface water, groundwater, recycled water, stormwater, and
3 desalinated seawater.

4 (2) “Research” includes evaluating cumulative risks from
5 simultaneous exposure of multiple contaminants in drinking water.

6 116417. The following definitions apply to terms when used
7 in this article:

8 (a) “CEC” means constituent or constituents of emerging
9 concern.

10 (b) “Panel” means the Science Advisory Panel, as established
11 in Section 116418.

12 (c) “Group” means the Stakeholder Advisory Group, as
13 established in Section 116423.

14 116418. (a) The state board shall convene by ____ a Science
15 Advisory Panel for constituents of emerging concern in drinking
16 water sources and treated drinking water.

17 (b) The panel shall include at least seven members comprised
18 of experts from the fields of public health science, water and
19 wastewater engineering, toxicology, epidemiology, chemical
20 sciences, and biological sciences.

21 (c) The state board shall consult with the Stakeholder Advisory
22 Group on potential members of the panel.

23 (d) The panel shall review and provide recommendations to the
24 state board on constituents of emerging concern for further action.

25 (e) The state board may adjust panel membership numbers and
26 composition, as necessary.

27 116419. The panel’s advisory duties shall include all of the
28 following:

29 (a) In conjunction with the state board’s Division of Drinking
30 Water, review existing nationwide monitoring data for constituents
31 of emerging concern collected by the United States Environmental
32 Protection Agency’s Unregulated Contaminant Monitoring Rule
33 Program and recommend to the state board additional action,
34 coordination, monitoring, or study based on state-specific
35 conditions and the state’s constituent of emerging concern
36 initiatives. The panel should also review existing data collected
37 by the state board before recommending new monitoring
38 requirements.

39 (b) In conjunction with the state board’s Division of Drinking
40 Water, consult with the Office of Environmental Health Hazard

1 Assessment and the Department of Toxic Substances Control to
2 identify CEC candidates based on potential public health effects
3 and considering the following factors:

- 4 (1) Toxicity.
- 5 (2) Biological activity.
- 6 (3) Production volume.
- 7 (4) Fate, transport, and occurrence in the environment.
- 8 (5) Potential bioaccumulation.

9 (c) Consult and coordinate with other state efforts evaluating
10 CEC such as those resulting from the state board's Policy for Water
11 Quality Control for Recycled Water.

12 (d) Develop a recommended process for evaluating,
13 standardizing, and validating detection methods.

14 (e) Evaluate new monitoring approaches for CEC, particularly
15 screening methods that may improve detection ability or reduce
16 the cost of monitoring for individual or groupings of CEC.

17 (f) Develop recommended standard testing and reporting
18 procedures to ensure data are usable across locations, laboratories,
19 and personnel.

20 (g) Develop a recommended risk-based screening program that
21 identifies and evaluates CEC and appropriate indicators and
22 surrogates, including their occurrence in drinking water sources
23 and treated drinking water supplies, contribution and fate in the
24 environment, and potential for human exposure. Public water
25 systems, state small water systems, and wastewater treatment plants
26 may voluntarily participate in initial screening phases.

27 (h) Provide annual status reports to the state board on current
28 CEC research activities, planned work, and recommendations for
29 further action.

30 (i) Establish a recommended process to ensure CEC data are
31 integrated with existing state databases.

32 (j) Review the results of any screening program and provide
33 recommendations to assist the state board in prioritizing,
34 monitoring, and making regulatory determinations for CEC.

35 116420. The state board shall perform any other scientific or
36 technical tasks that may be necessary, including, but not limited
37 to, identifying the need for additional research and consulting with
38 academic institutions and research organizations for CEC in
39 drinking water sources and treated drinking water, as needed. The

1 state board may consult with the panel before performing these
2 tasks.

3 116420.5. If the state board imposes any CEC monitoring
4 requirements based on the recommendations of the panel, the state
5 board may promulgate regulations pursuant to which the state
6 board's Division of Financial Assistance may provide financial
7 assistance, upon appropriation by the Legislature, to any public
8 water system upon a showing that the costs associated with testing
9 drinking water in compliance with those requirements would
10 impose a financial hardship. The regulations shall, when
11 prioritizing public water systems for eligibility for financial
12 assistance, incorporate provisions that give preference to public
13 water systems serving fewer than 10,000 individuals.

14 116421. The program is intended to help inform the state board
15 in making regulatory determinations for CEC and is not intended
16 to supersede any requirements related to setting a maximum
17 contaminant level or a public health goal as prescribed in Section
18 116365.

19 116422. (a) The CEC Action Fund is hereby established in
20 the State Treasury to fund, upon appropriation by the Legislature,
21 the establishment and maintenance of an ongoing, dedicated
22 program at the state board to research occurrence, fate, transport,
23 biodegradation, and the potential effects on public health of
24 constituents of emerging concern in drinking water sources and
25 treated drinking water. The state board shall administer the CEC
26 Action Fund in consultation with the group.

27 (b) All moneys deposited in the CEC Action Fund shall be used
28 in support of all of the following:

29 (1) Costs associated with establishing and maintaining the panel,
30 developing standardized methods and a risk-based screening
31 program, collecting occurrence data, and reporting on those
32 activities.

33 (2) Costs associated with developing standardized analytical
34 methods internally by the state board or through external contracts
35 or grants.

36 (3) Costs associated with contracts or grants to public or private
37 external research organizations to fill research gaps pursuant to
38 Section 116420.

39 (4) Costs associated with establishing and maintaining the group.

1 (5) Other state board costs associated with the implementation
2 and administration of the program.

3 (c) All moneys remitted to the state board under this section
4 shall be deposited in the CEC Action Fund. The state board shall
5 provide for the deposit into the CEC Action Fund of federal
6 contributions, voluntary contributions, gifts, grants, bequests,
7 transfers by the Legislature from the General Fund, and funding
8 from authorized general obligation bond acts.

9 (d) The state board may expend appropriated moneys from the
10 fund for reasonable costs associated with the administration of this
11 article, not to exceed 5 percent of the annual deposits into the fund.

12 116423. (a) The state board shall convene and consult with
13 the Stakeholder Advisory Group to aid in meeting the purposes of
14 the program.

15 (b) The group shall provide input to the state board on matters
16 associated with the program, including, but not limited to, selection
17 of panel members, research needs, program funding and
18 expenditures, implementation strategies, and risk communication.

19 (c) In order to ensure public transparency, the group shall be
20 subject to the Bagley-Keene Open Meeting Act (Article 9
21 (commencing with Section 11120) of Chapter 1 of Part 1 of
22 Division 3 of Title 2 of the Government Code). The group shall
23 be comprised of no fewer than nine members, meet at least
24 annually, and represent broad stakeholder interests. Each member
25 shall qualify as a representative of at least one of the following
26 groups:

27 (1) Public water and wastewater systems.

28 (2) Local primacy agencies.

29 (3) Investor-owned utilities.

30 (4) Nongovernmental organizations.

31 (5) Trade associations.

32 (6) Residents served by community water systems in
33 disadvantaged communities, state small water systems, or domestic
34 wells.

35 (7) Academic institutions.

36 (8) Public health agencies.

37 (9) The business community.

38 (10) Environmental laboratories.

39 (11) The general public.

1 116423.5. The program shall provide opportunities for public
2 participation. The state board may use models used by other panels
3 or programs administered by the state board for community
4 outreach pursuant to this section. Public participation shall include,
5 but not be limited to, conducting stakeholder meetings and
6 workshops to solicit relevant information, data, suggestions, and
7 feedback for the development and implementation of the program.

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ACTION ITEM
March 18, 2020

TO: Board of Directors

FROM: **Public Affairs and Legislation Committee**
(Directors Yoo Schneider, Barbre, and McVicker)

Robert Hunter
General Manager

Staff Contact: Heather Baez

SUBJECT: SB 1099 (DODD) – EMERGENCY BACKUP GENERATORS: CRITICAL FACILITIES: EXEMPTION

STAFF RECOMMENDATION

Staff recommends the Board of Directors vote to adopt a support position on SB 1099 (Dodd), and send a letter to the author, the California Municipal Utilities Association, and the Las Virgenes Municipal Water District (bill sponsors).

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

BILL SUMMARY

SB 1099 would allow critical facilities, including water and wastewater agencies, to operate existing emergency backup generators during Public Safety Power Shutoffs (PSPS) or other losses of power without being out of compliance or subject to penalties from local air districts. This flexibility would ensure water continues to flow and wastewater continues to be treated during power outages, protecting public health and safety.

BACKGROUND

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

Reliable backup power is critical for the protection of life and property during emergencies, including PSPS. For example, water and wastewater agencies need reliable power to support essential operations including maintaining pressure in their systems for water quality and fire flows. When electricity is not available due to a PSPS or another emergency loss of power such as a wildfire, water and wastewater agencies must employ their emergency standby generators.

ARGUMENTS IN SUPPORT

SB 1099 directs local air districts to adopt a rule, or revise existing rules, to allow critical facilities with a permitted emergency backup generator to continue to provide essential public services during a power outage without those hours counting toward the limits. Specifically, it allows critical facilities to do the following:

- operate the generator during a PSPS or other emergency loss of power
- test or maintain the generator in accordance with NFPA Standard 110 or relevant best management practices

ARGUMENTS IN OPPOSITION

Opponents will argue that the bill is unnecessary because no fines have ever been levied against a city or special district for running a generator during an emergency, and that they already have the authority to waive the runtime limitations where appropriate. Opponents will further argue that the limitations on testing generators has never been shown to be inadequate, or that the national testing protocols cannot be met within the 20 hour limit. Opponents believe that this bill will allow older and dirtier generators to stay in use longer.

BOARD OPTIONS

Option #1

- Adopt a support position on SB 1099 (Dodd), and send a letter to the author, the California Municipal Utilities Association, and the Las Virgenes Municipal Water District (bill sponsors).

Fiscal Impact: Potentially lowers administrative cost of compliance with AQMD regulations.

Business Analysis: This bill is not expected to have impacts on business since backup generator are an existing ongoing cost.

Option #2

- Take no action

Fiscal Impact: Potentially higher cost for regulatory compliance with AQMD regulations and possible fines.

Business Analysis: Same as #1 above.

STAFF RECOMMENDATION

Option #1

ATTACHED
SB 1099 Full Text

Introduced by Senator Dodd

February 19, 2020

An act to add Article 9.5 (commencing with Section 42010) to Chapter 3 of Part 4 of Division 26 of the Health and Safety Code, relating to nonvehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 1099, as introduced, Dodd. Emergency backup generators: critical facilities: exemption.

Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law requires the State Air Resources Board to identify toxic air contaminants that are emitted into the ambient air of the state and to establish airborne toxic control measures to reduce emissions of toxic air contaminants from nonvehicular sources.

This bill, consistent with federal law, would require air districts to adopt a rule, or revise its existing rules, to allow critical facilities with a permitted emergency backup generator to use that emergency backup generator during a deenergization event or other loss of power, and to test and maintain that emergency backup generator, as specified, without having that usage, testing, or maintenance count toward that emergency backup generator's time limitation on actual usage and routine testing and maintenance. The bill would prohibit air districts from imposing a fee on the issuance or renewal of a permit issued for those critical facility emergency backup generators. By requiring air districts to adopt a new permitting program for those critical facility emergency backup

generators, the bill would impose a state-mandated local program. The bill also would define certain terms for purposes of these provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Catastrophic wildfires and other natural disasters are
4 increasing in frequency and intensity due to climate change and
5 other factors.

6 (b) Wildfires dramatically increase carbon emissions and work
7 against the state's goals to reduce greenhouse gas emissions and
8 achieve a carbon-neutral future.

9 (c) Wildfires and other natural disasters also can cause
10 significant impacts and a threat to the state's water and wastewater
11 facilities, which are critical to ensuring a safe and reliable water
12 supply for people, businesses, agriculture, and the environment.

13 (d) To help mitigate the risks of wildfires, investor-owned
14 utilities have initiated public safety power shutoffs to deenergize
15 parts of their distribution systems, and, in some cases, portions of
16 the transmission system, actions that reduce or eliminate access
17 to a reliable power supply for the state's water agencies as they
18 count on a reliable source of electricity to move and deliver water.

19 (e) Actions need to be taken to reduce the impacts of
20 deenergization wildfires, and other events on critical facilities,
21 including increasing access to alternative power sources that can
22 help support a safe and reliable water supply and maintain the
23 state's ability to effectively respond to wildfires.

24 SEC. 2. Article 9.5 (commencing with Section 42010) is added
25 to Chapter 3 of Part 4 of Division 26 of the Health and Safety
26 Code, to read:

Article 9.5. Emergency Backup Generators

42010. For purposes of this article, the following terms apply:

(a) “Critical facility” means a facility necessary or convenient in providing essential public services, including, but not limited to, facilities such as police stations, fire stations, emergency operations centers, water and wastewater facilities, incident command posts, and communication systems used to support essential public services.

(b) “Deenergization event” means the interruption of power due to a public safety power shutoff.

(c) “Emergency backup generator” means an internal combustion engine greater than 50 brake horsepower and gas turbines greater than 2,975,000 British thermal units per hour for nonutility power generation that does not operate more than 200 hours per year and is only operated in the event of an emergency power failure or for routine testing and maintenance.

(d) “Loss of power” means a failure in an electric generation, distribution, and transmission system or a disruption to electrical power from an electricity provider due to an emergency event, including a wildfire.

(e) “Public safety power shutoff” means a preventative measure to deenergize all, or a portion of, an electric generation, distribution, or transmission system when the electricity provider reasonably believes there is an imminent and significant risk that strong winds, or other extreme and potentially dangerous weather events, increase the probability of a wildfire.

(f) “Water and wastewater facilities” includes drinking water and wastewater treatment plants, pumping stations, storage facilities, and water facilities needed to maintain water service and the water pressure necessary for firefighting.

42012. (a) Consistent with federal law, a district shall adopt a rule, or revise its existing rules, to allow critical facilities with a permitted emergency backup generator to do any of the following with that emergency backup generator without having it count toward that permitted emergency backup generator’s time limitation on actual usage and routine testing and maintenance:

(1) Use the emergency backup generator during a deenergization event or other loss of power.

1 (2) Test or maintain the emergency backup generator for
2 consistency with any of the following:

3 (A) The National Fire Protection Association Standard 110 for
4 Emergency and Standby Power Systems, or its successor.

5 (B) Industry best practices

6 (C) Recommendations by the manufacturer of the emergency
7 backup generator.

8 (b) A district shall not impose a fee on the issuance or renewal
9 of a permit issued for an emergency backup generator described
10 in subdivision (a).

11 SEC. 3. If the Commission on State Mandates determines that
12 this act contains costs mandated by the state, reimbursement to
13 local agencies and school districts for those costs shall be made
14 pursuant to Part 7 (commencing with Section 17500) of Division
15 4 of Title 2 of the Government Code.

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ACTION ITEM

March 18, 2020

TO: Board of Directors

FROM: **Public Affairs & Legislation Committee**
(Directors Yoo Schneider, Barbre, McVicker)

Robert Hunter
General Manager

Staff Contact: Tiffany Baca

SUBJECT: Authorization to Assume the California Water Energy Education Alliance (WEEA)

STAFF RECOMMENDATION

Staff recommends the Public Affairs and Legislation Committee: Authorize assuming leadership of the Water Energy Education Alliance (WEEA) (option 1).

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

In 2018, the Water Energy Education Alliance (WEEA or Alliance) was formed under the approval and guidance of the California Environmental Education Foundation (CEEF). WEEA's mission has been to initiate and strengthen career pathways and partnerships between southern California school districts and the water/energy sectors.

Although momentum has been steadily growing, and sponsorships from water districts across southern California have more than tripled in just over a year, the passage of [Assembly Bill 5](#) (Gonzales) has crippled the Alliance. Effective December 31, 2019, contracted services for expertise, administration, and oversight of WEEA have been cancelled. Committed to fulfilling their first-year obligations to sponsors and participants, the WEEA leadership team has agreed to *volunteer* their services through the end of March 2020.

With over a year of foundational work completed by WEEA, potential sponsorships already secured, and the ever-present threat of a "Silver Tsunami," now is the opportune time to establish a water (and energy) education coalition. With support from primary funders -

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

CEEF, Ten Strands, The Metropolitan Water District of Southern California (Metropolitan), and the Los Angeles Department of Water and Power (LADWP) – the Municipal Water District of Orange County (MWDOC) was approached by the WEEA leadership team to take over organizational responsibilities of WEEA. By assuming this role, MWDOC can bypass painfully slow first steps, call on the expertise and connections already made through the Alliance, and build on the momentum spurred by WEEA to develop water and energy Career Technical Education programs (CTE) for Orange County and all of southern California.

DETAILED REPORT

Background

What is a CTE? (from California Department of Education)

“A program of study that involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers.”

In 2018, CEEF approved the formation of WEEA, an alliance between business and education professionals committed to strengthening career pathways in the water/energy sectors. The Alliance, led by a highly credentialed and experienced leadership team, held its first Leadership Roundtable in November 2018. Since that time, the Alliance has grown into a robust community of engaged members, encouraged to share resources and develop cohort partnerships that will ultimately achieve a unified goal: to establish water and energy CTEs in high schools.

To date, WEEA has hosted four (4) Leadership Roundtable meetings, inviting over 40 southern California water, energy, and education-based organizations to participate. Since WEEA's inception in late 2018, seven (7) sponsorships have been secured from water districts including MWDOC, Metropolitan, and two (2) MWDOC member agencies (Irvine Ranch Water District and Moulton Niguel Water District), and Roundtable attendance numbers have grown to 40 active participants. Through these Roundtable meetings, WEEA has served as a catalyst for attendees to learn from each other, and to forge partnerships that uncover the academic needs and requirements of school districts, as well as the fundamental workforce needs of the water/energy sectors.

While WEEA has spent the past year building the foundation for participants to achieve CTEs, the passage of AB-5 has drastically impaired the Alliance's ability to continue functioning under its current structure.

The Impact of Gonzalez, Assembly Bill 5 (AB-5) on WEEA

WEEA was formed under the approval and guidance of CEEF, a 501 (c) (3) non-profit foundation established nearly two (2) decades ago at the recommendation of the State Superintendent's Environmental Education Task Force Steering Committee. Since 2018, a three-member leadership team has provided contracted services to WEEA. However, effective January 1, 2020, AB-5 redefines the standard for determining independent contractor (IC) status, *“... for purposes of the provisions of the Labor Code, the Unemployment Insurance Code, and the wage orders of the Industrial Welfare Commission, a person providing labor or services for remuneration shall be considered an employee*

rather than an independent contractor..." ([Presentation by Shook, Hardy and Bacon](#) - Orange County Business Council's Workforce Development meeting). Employee benefits that now must be extended to former ICs as "employees" include health care, disability, and life insurance, as well as retirement plans and paid leave. For many businesses – especially non-profits – the expense is more than they can sustain. This is the case with CEEF and WEEA.

Benefits of WEEA

Over the past several years, water and energy industry professionals have grown familiar with the term "Silver Tsunami." According to an article published just this week in the OC Register (March 9, 2020), "The number of California residents age 65 and older is expected to double in the next ten years, reaching 8.6 million. One of the places that population bulge will be acutely felt is Orange County..." a San Diego regional workforce development task force reports that there are approximately 4,500 water and wastewater positions in the San Diego region, and more than 1,400 of those workers are expected to reach retirement age by 2024. While an aging workforce is spurring industry recruitment efforts throughout the state, one simple solution could be the introduction of water and energy CTEs that, to date, are few and far between - particularly here in Orange County.

At the time of this report, approximately half of WEEA's sponsors, along with the education counterparts in their service areas, have reached a point where they have enough early information, resources, and momentum to form regional advisory committees. The first Orange County advisory will be held on March 18, 2020, and will be hosted by the North Orange County Regional Occupation Program and the Irvine Ranch Water District (IRWD). Expected attendees include representatives from many MWDOC member agencies including IRWD and Moulton Niguel Water District, as well as the Orange County Department of Education, and Saddleback College to name a few. These advisory committees would likely be motivated to sponsor a larger southern California collective, which would work together in part to identify and promote exemplary water/energy CTE pathways for high school students. Additional benefits of CTEs include:

- CTEs allow companies to find trained, skilled workers right out of high school saving time and money on recruitment and on boarding.
- CTEs will ensure that opportunities for postsecondary education and career pathways are illuminated and introduced in critical early education years.
- Maintaining a steady graduation rate is a difficulty shared by hundreds of California school districts. CTEs provide great post-secondary options to a more diverse demographic.

Providing new workforce pathways not only benefits businesses and educational institutions, but also young students and their future families. Students participating in CTEs are more likely to graduate, go to college, find employment, and earn higher wages. Water and energy sector jobs provide steady, long-term careers that ultimately contribute to the welfare of workers, and to the health of the state's economy.

MWDOC's Role in Orange County Education

MWDOC's interest and participation in youth education has grown substantially over the past year, extending far beyond the MWDOC Choice School Programs. MWDOC PA has

worked diligently to build strong working relationships and partnerships with local and statewide experts in K-12 education, expanding the value and integrity of the District's water education efforts, and establishing a trusted path to relevant and timely water-related information and resources for educators.

While the words “educate” or “education” are not explicitly written in the MWDOC mission statement, MWDOC has been educating the public since its inception, and has been providing water-centric lessons and learning to Orange County schoolchildren for nearly five (5) decades. In fact, 22 of MWDOC's 28 member agencies and the Three Cities (Anaheim, Fullerton, and Santa Ana) currently participate in the MWDOC Choice School Programs, and the wildly successful MWDOC Water Awareness Poster Contest has inspired participation from more than 20,000 students in its 30-year run. In order to continue “to provide reliable high-quality supplies” long into the future, we must have an active, engaged community of young people willing to take the reins when they graduate either high school or college. Additionally, “to promote water use efficiency for all of Orange County” includes the school-aged children demographic. A large part of the MWDOC Choice School Programs, as well as the MWDOC Scouts programs and active participation in family-friendly community events, include a robust discussion on water-saving behaviors and activities. Developing good water stewards, and having young children begin to value water at an early, impressionable age, has been a significant part of the District's business for decades.

Responsibilities of WEEA

Taking on such a large responsibility will require additional resources; however, there are enormous benefits to Orange County, and southern California as a whole. Additionally, while WEEA specifically addresses CTEs, the southern California water/energy education coalition can be reimaged to include all water-related education efforts, building on the momentum of PA staff over the past year, as well as from the cohort partnerships already established through WEEA.

As of March 2020, WEEA has met all assured deliverables of Phase I:

- Establish the Alliance with sponsorships and grant
- Hire a Partnership Manager & Career Technical Education expert
- Facilitate formation of public/private workforce pathway partnerships between school districts and local/regional water-energy businesses and agencies
- Convene two Alliance meetings in 2019 sponsored by Metropolitan and Los Angeles Department of Water and Power (LADWP)
- Provide updates to Alliance members (Final report is included. See attachment 1)
- Consult on marketing messages and strategies to school districts and community partners

Proposed Phase II deliverables (developed under the current WEEA structure):

- Grow the Alliance by securing additional financial support (business sponsorships and additional grant funding)
- Expand the formation of workforce pathway partnerships between school districts and water/energy businesses and agencies
- Convene two Alliance meetings in 2020, co-sponsored by Metropolitan and LADWP

- Provide quarterly progress reports to Alliance sponsors
- Consult with businesses on their work force marketing messages and strategies for recruiting high school students

Financial Impact to the District

MWDOC PA would require additional staff dedicated to the effort; however, if MWDOC agrees to take on the Alliance, CEEF is prepared to request that each of the seven current WEEA sponsors send their Phase II \$2,500 sponsorships to MWDOC rather than CEEF. Sponsorship includes multiple benefits for participating agencies, including a seat at the table for discussions related to effective partnerships, introductions to resources, as well as the opportunity to provide input and recommendations on the development and implementation of CTEs throughout southern California. Current sponsors of WEEA include:

- Municipal Water District of Orange County
- Metropolitan Water District of Southern California
- Los Angeles Department of Water and Power
- Irvine Ranch Water District
- Moulton Niguel Water District
- Elsinore Valley Municipal Water District
- Water Replenishment District of Southern California

Additionally, MWDOC would reach out to its other 26 member agencies for consideration, and with the help of Metropolitan, its 26 member agencies. Also, Ten Strands – one of WEEA's current primary funders – has offered to help look for additional grant funding to cover the costs of additional staff time and other incidentals. As MWDOC PA has spent significant time this past year working alongside leading partners in education, PA staff has been made aware of potential grant funding opportunities for the District's education efforts (e.g. Federal Perkins Act and California Department of Education CTE Incentive Grants). ***If this action item is approved, PA staff plans to pursue all outside sources of funding to support this important initiative.***

In Conclusion

Thus far, the Alliance has enabled leadership from education and water/energy sectors to work together to find innovative strategies and solutions that strengthen workforce pathways for youth in secondary and postsecondary education programs. This initiative has become increasingly important as the demand for skilled employees continues to grow, and as senior industry professionals retire at a rapid rate.

With overwhelming support from water/energy and education leaders across the Southland, WEEA has laid the foundation for MWDOC to effectively take over organizational responsibilities of the Alliance. By assuming this role, MWDOC can take advantage of the momentum generated by WEEA, and actively pursue water and energy Career Technical Education programs (CTE) for Orange County – and southern California - students.

BOARD OPTIONS

Option #1

- Assume ownership of the California Water, Energy, and Education Alliance (WEEA), and the Alliance continues under MWDOC's leadership.
- **Fiscal Impact:** \$20,000 for one part-time employee.

Option #2

- Do not assume ownership of the California Water, Energy, and Education Alliance (WEEA), and the Alliance disbands.

Fiscal Impact: \$0

STAFF RECOMMENDATION

Option # 1



March 9, 2020

Ms. Tiffany Baca
Municipal Water District of Orange County
Post Office Box 20895
Fountain Valley, California 92728

Dear Tiffany:

On behalf of the California Environmental Education Foundation (CEEFF), we thank you and the Municipal Water District of Orange County (MWDOC) for your sponsorship of Phase I of the Water, Energy, and Environment Alliance (WEEA) in FY 2019-2020. This program has been marked by multiple successes due in large part to the vibrant collaboration and planning among leaders from both the water and education sectors who participated in the four WEEA Leadership Roundtables. As a culmination of this year, the WEEA Leadership Team is providing you with this summary WEEA Sponsor Final Report to support your future efforts to building Career Technical Education (CTE) workforce pathways in your service area.

WEEA CTE Pathway Partnership Strategies

The primary goal of WEEA has been to identify key strategies that WEEA Sponsors could implement to strengthen career pathways and partnerships with local school districts, County Offices of Education, and community colleges, particularly in the Energy, Environment, and Utility sector. Our Leadership Roundtable speakers, panelists, facilitated dialog, sponsor questionnaires, background research, and literature resources supported progress toward this goal. As shared by one of our Sponsors (Dr. Adrian Hightower of Metropolitan Water District), we want to be able to see the vision AND the steps to get there. In this way we are able to address BOTH long- and short-term challenges and achieve success.

The following overarching partnership strategies were identified by our WEEA Roundtable participants:

- Water agencies that sponsored Phase I of WEEA will continue their sponsorships to maintain the momentum of a redefined Southern California Water and Education Collaborative (WEC).
- Strengthen WEC/CTE partnerships among interested education partners in the sponsor's service area.
- Identify available resources and seek grants to fund water industry CTE workforce pathway programs.

- Attend, sponsor, or host regional WEC/CTE advisory group meetings. If invited, find a way to attend and/or sponsor regional water industry related advisory meetings in your service area. If none are scheduled, take the lead and reach out to educators known to you and invite their engagement in creating a regional gathering.
- Explore and articulate necessary skills common to a broad range of trade positions where employment opportunities exist. This information is essential for the development of a CTE pathway program.
- Invite students, teachers, counselors, and other potential partners to learn about advanced water treatment and current water topics.
- Recruit industry retirees, those who have a plan to retire in the future, or current staff who may be interested in teaching/mentoring teachers in CTE pathway courses.
- Develop support within your agency (as part of the Southern California WEC initiative) for credentialed high school teachers to obtain an additional CTE Credential in order to teach water industry pathway courses. This would include offering summer externships for teachers.
- If seeking to engage teachers, do so in the context of an existing water industry-related curriculum. As you are aware, examples of these include Rialto Unified School District, San Bernardino Community College, and the University of California's UCCI curriculum. If possible, offer teachers paid internships, paid externships, or stipends for their time and commitment to learning about the water industry. Work with education partners to create a desirable opportunity.

Municipal Water District of Orange County (MWDOC)

During the past year the following interests of MWDOC came forward. Where appropriate, we've made the following observations and suggestions to establish/strengthen a CTE workforce pathway in your service area:

- MWDOC is interested in supporting CTE pathway programs that address water industry employment needs, as well as advancing environmental literacy. With 28 member agencies, including two which are also WEEA sponsors (Irvine Ranch Water District and Moulton Niguel Water District) engagement with WEEA focuses on serving overarching water industry employment needs through activities that also address environmental literacy.
 - Identify viable partnerships, particularly with those stakeholders who have educational expertise. MWDOC has demonstrated it is willing to engage in workshops or trainings once connecting with motivated educators in Orange County.
 - MWDOC staff are interested in working with formal educators in developing water related education programs aligned with NGSS, as well as informal educators/volunteers who support the Girl Scouts and the Boy Scouts and participate in the Metropolitan Solar Cup.
 - Internships at many levels are currently offered. MWDOC is now aware of a need for teacher externships and the potential of developing this program.

- MWDOC has developed a promising relationship with the Orange County Department of Education (OCDE)
 - OCDE may be a great partner of MWDOC in developing workforce pathways because OCDE has already embedded the following programs positioning them as leaders from in formal education.
 - OC Pathways
 - Connects educators and industry leaders
 - CTE Partnerships
 - A consortium with pathways and programs of study that includes post-secondary partnerships and professional development, and addresses legislation, instructional initiatives, and funding.
 - Champions of individual partnerships, internships, and work-based learning.
 - Institute for Leadership Development
 - CTE Designated Subject Credential Program
 - WEEA Roundtable participants, included Ann Sebek of OCDE, is very interested in conversations that lead toward the development of a water-based Energy, Environment, and Utilities CTE pathway program for high school students in Orange County. This interest of OCDE should be cultivated by MWDOC.
- Santiago Canyon College
 - They offer a range of water programs that include the ones listed below. MWDOC is aware of employees taking coursework and expanding certifications through Santiago Canyon College. Santiago should be considered a very strong partner in the development of a CTE high school water pathway program.
 - Distribution
 - Treatment
 - Wastewater Treatment
 - Conservation
 - Equipment Operation and Maintenance
 - Utility Management
- North Orange County Regional Occupational Program (NOCROP)
 - Dr. Kenia Hernandez Cueto, Business Partnerships Manager for NOCROP has been proactive in arranging for the upcoming water industry CTE pathway program Advisory Committee meeting on Thursday, March 18, 2020.
 - You are highly encouraged to become a member of the Advisory, and gain access to at least some of the expertise from educators in program development you desire.

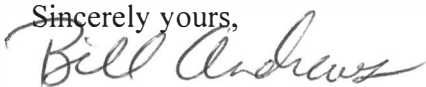
Forming a Southern California Water and Education Collaborative

Maintaining the current interest in collaboration among Southern California water districts to initiate/strengthen CTE workforce pathways in high school districts and community colleges is of primary importance to the CEEF and the WEEA Leadership Team. To continue the momentum, the WEEA Leadership Team recommends that the monetary sponsorships, which would have been solicited for phase II of WEEA, instead be allocated to the Municipal Water District of Orange County (MWDOC), which has expressed interest in undertaking the leadership of a new water and education collaborative. The senior management of both MWDOC and the Metropolitan Water District (MWD) have discussed the potential formation of this new collaborative, and Walter Zeisl of LADWP is also supportive of this new collaborative.

Tiffany Baca, Public Affairs Manager of MWDOC, has received approval from her General Manager to formally request permission from the MWDOC Board of Directors to undertake the leadership of the new water and education collaborative. If Tiffany is granted Board approval, she will send a written sponsorship request to each of the current seven sponsors of WEEA to help support an employee position within MWDOC. CEEF is both appreciative and excited to see the new collaborative form and pledges its continuing advisory support if and when it is requested.

It has been a pleasure to work with you and your agency. We regret that our plans to implement Phase II of WEEA were derailed by the enactment of AB 5 (Gonzales). On behalf of the WEEA Leadership Team, we look forward to watching you develop an innovative water and education collaborative that supports a robust CTE workforce pathway program in Southern California.

Sincerely yours,



The WEEA Leadership Team:
Bill Andrews, Director
Dr. Jeanne Knapp, CTE Consultant
John Zavalney, Partnership Manager



ACTION ITEM
March 18, 2020

TO: Board of Directors

FROM: **Public Affairs & Legislation Committee**
(Directors Yoo Schneider, Barbre, McVicker)

Robert Hunter
General Manager

**SUBJECT: CONSIDER CANCELLATION OF APRIL 2, 2020 ELECTED OFFICIALS
FORUM DUE TO CONCERNS WITH THE CORONAVIRUS**

STAFF RECOMMENDATION

It is recommended that the Board of Directors discuss whether to cancel the April 2, 2020 Elected Officials Forum due to the restrictions recommended by the government and health officials.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

In light of the recent developments with respect to the Coronavirus, a question arose with respect to holding the Elected Officials Forum on April 2nd. Government and health officials have asked that various meetings/events/programs be cancelled or postponed, and as a result several conferences and water related meetings have been cancelled (MET inspection trips, SARWQCB hearing, MET Legislative Days, etc.). Consequently, as this is an evening meeting and is larger than most MWD OC meetings, Staff is concerned that because of the restrictions and CDC recommendations, attendance will be low, and may put attending individuals at an unnecessary risk.

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



INFORMATION ITEM

March 16, 2020

TO: **Public Affairs & Legislation Committee**
(Directors Yoo Schneider, Barbre, McVicker)

FROM: **Robert Hunter, General Manager**

Staff Contact: Sarah Wilson

SUBJECT: **School 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 remainder of 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, a two (2) month preview of scheduled visits has been included in this report. 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.

MWDOC Public Affairs Staff (MWDOC PA Staff) sent a request for Fiscal Year 2020/21 School Program commitments to all MWDOC member agencies, asking that they notify MWDOC PA Staff if they would like to increase, decrease, or keep the same targets as the previous Fiscal Year. Suggested targets were provided based on the participating member agency's past participation and targets. Final commitments are due by March 16, 2020.

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 February 2020, Shows That Teach completed 7 school visits across the county reaching more than 1,120 students in grades K-2. For the 2019/20 school year, 8,863 students have participated in the MWDOC Elementary School Program (grades K-2), and 1,730 students have been booked to receive the program for the remainder of the school year so far.

“This was such a fun and educational assembly. My 2nd grade students came back to class talking about how much fun it was. They asked me to post pictures from the assembly on my parent communication site, so they could talk about the show with their parents. My kids were using the words aqueduct and aquifer! I asked them to explain what they were and they knew!”
 – 2nd grade teacher, Murdy Elementary School

“The actors were so engaging. My kids were completely hooked the entire performance! They even remembered the new vocabulary words learned during the assembly and what they meant. So much fun!” – Kindergarten teacher, Murdy Elementary School

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 5,555 students in February 2020 from 29 elementary schools across the county. To date, just over 13,820 students have participated in the MWDOC Elementary School Program (grades 3-6), and nearly 11,360 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 February 2020 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 **6.72%** average increase in understanding from the pre- to post-test. (**58.10%** scoring correctly on the pre-test and **64.82%** on the post-test).
- **Fourth Grade:** Students are tested on the local ecosystem, water sources, and water use efficiency. Students demonstrated a **29.43%** average increase in understanding from the pre- to post-test. (**34.42%** scoring correctly on the pre-test and **63.85%** 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 **30.15%** average increase in understanding from the pre- to post-test. (**40.95%** scoring correctly on the pre-test and **71.10%** 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 **27.64%** average decrease in understanding from the pre- to post-test. (**45.16%** scoring correctly on the pre-test and **72.79%** on the post-test).

“We [the teachers] were so pleased with the information, the way it was delivered, and the overall wonderful presentation. The students LOVED the assembly, and made the connection that the information enhanced what they are learning in their International Baccalaureate units of inquiry.”
 – 3rd grade representative for International Baccalaureate, Las Positas Elementary

Currently, DCOC has completed one (1) school visit to Grace Christian School in Lake Forest reaching 20 students, and has booked nearly 1,325 students to receive the MWDOC Middle School Program (grades 7-8) for the remainder of the 2019/2020 school year. The scheduled middle schools are located in the City of Brea, City of Fountain Valley, and Yorba Linda Water District 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)

To date, the Bolsa Chica Conservancy has completed all three (3) sessions of the MWDOC High School Program (grades 9-12) at El Toro High School, Edison High School, Mission Viejo High School, Santa Ana High School, and Dana Hills High School (South Coast Water

District approved an additional class at Dana Hills High School for a total of 2 classes, 6 sessions). Additionally, program visits are scheduled at Brea Olinda High School, San Clemente High School, and Westminster High School in March and April 2020.

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

– AP Environmental Science teacher, Edison High School

Sun	Mon	Tue	Wed	Thu	Fri	Sat
29	30	31	1	2	3	4
	3-6 YLWD Ruby	K-2 LA HABRA Las	3-6 SANTA ANA	3-6 SANTA ANA Carr 7-8 BREA Brea	3-6 SANTA ANA Carr 3-6 SANTA ANA 3-6 YLWD Sierra 7-8 BREA Brea 7-8 FOUNTAIN K-2 SANTA ANA	
5	6	7	8	9	10	11
	3-6 WESTMINSTER	3-6 LA HABRA 3-6 WESTMINSTER			3-6 LA HABRA Sierra 3-6 ORANGE Taft K-2 WESTMINSTER	
12	13	14	15	16	17	18
		3-6 ANAHEIM 3-6 ANAHEIM 3-6 SANTA ANA K-2 BUENA PARK K-2 ORANGE	3-6 SANTA ANA	3-6 ANAHEIM Henry 3-6 SAN CLEMENTE	3-6 MNWD Bergeson 7-8 YLWD Travis	
19	20	21	22	23	24	25
	3-6 HUNTINTON 3-6 SANTA ANA	3-6 MNWD McDowell	3-6 HUNTINGTON K-2 ANAHEIM	K-2 HUNTINGTON K-2 TUSTIN Guin	9-12 BREA Brea	
26	27	28	29	30	1	2
	3-6 SANTA ANA					

Sun	Mon	Tue	Wed	Thu	Fri	Sat
26 3-6 SANTA ANA	27	28	29	30	1	2
3	4 3-6 GARDEN GROVE	5	6 3-6 ORANGE St.	7 3-6 SMWD Reilly	8	9
10	11 3-6 SANTA ANA	12 3-6 SANTA ANA	13 3-6 SANTA ANA	14 3-6 SANTA ANA K-2 BUENA PARK K-2 SANTA ANA	15 K-2 WESTMINSTER	16
17	18	19	20	21	22 3-6 YLWD Van Buren	23
24	25 3-6 ANAHEIM	26 3-6 ANAHEIM	27 3-6 ANAHEIM	28	29	30
31	1 3-6 BREA Fanning	2	3	4	5	6

Public & Governmental Affairs Activities Report
February 11, 2020 – March 10, 2020

Item No. 19

Member Agency Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Hosted Public Affairs Workgroup with member agency representatives and MWDOC education program staff and provided introduction to upcoming education program changes and member agency roundtable • Provided Ricki Raindrop appearance for South Coast Water District's entry in the "Festival of Whales" parade • Distributed "PFAS Media Kit" to member agency point of contacts • Designed and organized production & distribution of Water Use Efficiency Bill Inserts to 11 member agencies Spring 2020 • Provided an update on current Public Affairs projects to Water Use Efficiency coordinators meeting • Distributed "Water Awareness Poster Contest" media kit to member agency point of contacts <p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Circulated invitations and collected RSVPs for the MWDOC hosted luncheon and dinner in Washington D.C. • Circulated invitation for our co-hosted reception in Sacramento with the Water Agencies of the Inland Empire and Orange County • Provided a legislative update to the MWDOC Public Affairs Working Group meeting
Community Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Held Water Policy Dinner and Forum, February 12, with a turnout of 166 attendees • Planned upcoming Girl Scout Water Conservation Clinic with member agency personnel
Media Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> •
Education	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Provided Elementary School Program (grades 3-6) information to Santiago Elementary School teacher • Confirmed suggested school program targets with contractors • Sent out request for school program commitments to all MWDOC member agencies • Sent and received overage approval form for City of Westminster for the MWDOC High School program • Coordinated with Metropolitan Water District of Southern California on school program presentation request • Coordinated with City of Anaheim and Guide Academy teacher on school program presentation request

	<ul style="list-style-type: none"> • Met with Discovery Cube Orange County regarding MWDOC Middle School Program offerings • Provided MWDOC School Programs information to: East Orange County Water District, City of Fullerton, El Toro Water District, City of San Clemente, Moulton Niguel Water District, Santa Margarita Water District, City of Westminster, Trabuco Canyon Water District, and Laguna Beach County Water District • Provided school program presentation to MWDOC Public Affairs Workgroup at the bi-monthly meeting • Requested updated list of all current Orange County schools from Orange County Department of Education • Worked with Bolsa Chica Conservancy to update a portion of the activity conducted on the second visit for the MWDOC High School Program • Updated school program flyers and distributed to MWDOC School Program contractors
Special Projects	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • City of Westminster media kit for pocket park grand opening • Start of Water Awareness Poster Contest submissions • Planning and execution of 2020 OC Water Summit • Worked on itineraries, trip logistics, guest and Director requirements for the following inspection trips: <ul style="list-style-type: none"> ○ March 6-7 Hoover Dam and Colorado River Aqueduct Inspection Trip Co-Hosted with Western Municipal Water District ○ April 3-4 Orange County Grand Jury Inspection Trip of the Colorado River Aqueduct • Coordinating a special presentation about Southern California Water infrastructure for the Orange County Grand Jury in lieu of an Inspection Trip • Hosted the February 12 Water Policy Forum & Dinner featuring Metropolitan Water District of Southern California General Manager and Chief Executive Officer Jeffrey Kightlinger <p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Invited speakers for the March WACO program • Invited speaker for the May WACO program • Staffed the February WACO Planning meeting • Created and dispersed materials to all Orange County special districts regarding the LAFCO dues formula election • Responded to questions regarding the LAFCO dues formula election

Legislative Affairs	<p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Monitored the Assembly Water, Parks and Wildlife Committee Informational Hearing on PSPS events and water • Attended and participated in CMUA's Regulatory and Legislative Committee meeting in Sacramento • Participated in Metropolitan Water District's legislative conference call • Participated in the ACWA Region 10 prep-call for the upcoming ACWA State Legislative Committee meeting • Participated in the Southern California Water Coalition water/climate resiliency bond working group • Attended and participated the CSDA Legislative Committee meeting in Sacramento
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