# MEETING OF THE BOARD OF DIRECTORS OF THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY Jointly with the

#### **PUBLIC AFFAIRS AND LEGISLATION COMMITTEE**

August 10, 2020, 8:30 a.m.

Due to the spread of COVID-19 and as authorized by the Governor's Executive Order, MWDOC will be holding all upcoming Board and Committee meetings by Zoom Webinar and will be available by either computer or telephone audio as follows:

Computer Audio: You can join the Zoom meeting by clicking on the following link:

https://zoom.us/j/8828665300

Telephone Audio: (669) 900 9128 fees may apply

(877) 853 5247 Toll-free

Webinar ID: 882 866 5300#

Committee:

Director Yoo Schneider, Chair Staff: R. Hunter, K. Seckel, H. Baez, Director McVicker D. Micalizzi, T. Dubuque, T. Baca

**Director Dick** 

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 <a href="http://www.mwdoc.com">http://www.mwdoc.com</a>.

#### **DISCUSSION ITEMS**

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

- d. Legal and Regulatory Report (Ackerman)
- e. MWDOC Legislative Matrix
- f. Metropolitan Legislative Matrix

#### **ACTION ITEMS**

- 2. TRAVEL TO WASHINGTON, DC TO COVER FEDERAL ADVOCACY INITIATIVES
- 3. TRAVEL TO SACRAMENTO TO COVER STATE ADVOCACY ISSUES
- 4. AB 3030 (KALRA): LAND AND OCEAN CONSERVATION GOALS
- 5. ISDOC CALL FOR NOMINATIONS

**INFORMATION ITEMS** (THE FOLLOWING ITEMS ARE FOR INFORMATIONAL PURPOSES ONLY – BACKGROUND INFORMATION IS INCLUDED IN THE PACKET. DISCUSSION IS NOT NECESSARY UNLESS REQUESTED BY A DIRECTOR.)

- SCHOOL PROGRAMS UPDATE
- OC WATER SUMMIT UPDATE
- 8. VIRTUAL WATER POLICY FORUM
- 9. PUBLIC AND GOVERNMENT AFFAIRS ACTIVITIES REPORT

#### **OTHER ITEMS**

10. 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.



www.barkerleavitt.com

James C. Barker Ryan Leavitt

> Municipal Water District of Orange County, California Washington Update August 4, 2020

As Negotiations Continue, A Deal on Next Phase of Coronavirus Relief Legislation Eludes Congressional Leaders So Far; Congress Running Out of Time to Act on Spending and Infrastructure Bills.

As the annual August Congressional break rapidly approaches, the White House and Congressional Democrats are locked in a heated negotiation over an additional round of coronavirus relief. Both chambers are committed to staying in Washington until a deal is reached, but the difficulty of reaching a bipartisan agreement is further complicated by the fact that control of the White House and the Senate are in play and the November Election is only three short months away. With nominating conventions set to take place under modified formats due to coronavirus, Washington, DC is fully consumed by Presidential election politics.

So far, Congress has been unable to work constructively to pass spending and authorizations bills ahead of the end of the fiscal year at the end of September. It is looking more likely every day that Congress will again have to kick the can down the road with short-term extensions through the election.

# COVID-19 Relief Bill Negotiations:

Last week, Senate Republicans released several pieces of legislation that took the form the *Health, Economic Assistance, Liability Protection, and Schools (HEALS) Act.* 

Despite our advocacy, along with many others in the water industry, the Senate Republican proposal does not include any additional water infrastructure funds, utility rate relief for low-

income Americans struggling to pay their utility bills, or any additional funds to assist states and local governments—including for special districts.

Highlights of the Senate Republican HEALS Act:

- The <u>Safe to Work Act</u> is the COVID-19 liability protection measure, setting a willful misconduct and gross negligence standard.
- The <u>Paycheck Protection Program portion</u> of the relief package allows the hardest hit small businesses, with revenue declines of 50% or more, to receive a second PPP loan. The second loans are limited to small businesses with 300 or fewer employees, with a simplified forgiveness application process for the smallest borrowers.
- The <u>TRUST Act</u>, which, among other items, creates individual rescue committees for various trust funds (including Social Security and Medicare) to provide legislation for its solvency.
- The American Workers, Families, and Employers Assistance Act alters unemployment insurance benefits to replace up to 70% of lost wages; provides for another round of \$1,200 Economic Impact Payments, with an additional \$500 provided for each dependent regardless of age; provides Temporary Assistance for Needy Families funding to states; establishes a workplace tax credit to bring workers back safely.
- There is \$306 billion in appropriations for the package, including but not limited to (again no water funding):
  - \$16 billion for states to increase testing.
  - \$26 billion for development and distribution of vaccines, therapeutics, and diagnostics.
  - \$105 billion for the Education Stabilization Fund, to help schools adapt to operating during the pandemic.
  - o \$448 million in additional funding for the Census
  - o \$208 million for the TSA
  - o \$10 billion to the FAA's Airport Improvement Program

There are a number of other pieces of legislation that were included in the relief package, including the "Safely Back to School and Back to Work Act," "Restoring Critical Supply Chains and Intellectual Property Act," and "Supporting America's Restaurant Workers Act."

This is the starting marker and is not the bill that will pass Congress. There is a long way to go here. The House and Senate are far apart, both in scope and overall funding. Furthermore, key Senate Republicans have expressed serious concerns with the Senate bill, including Judiciary Committee Chairman Lindsay Graham who said, "McConnell would be lucky to get half of Senate Republicans to support the [HEALS Act] bill." Senator Ted Cruz echoed Senator Graham's comments saying, "As it stands now, I think it's likely that you'll see a number of Republicans in opposition to this bill and expressing serious concerns."

Since the Senate GOP released the HEALS Act, House Speaker Pelosi and Treasury Secretary Mnuchin and White House Chief of Staff Mark Meadows have been actively negotiating in earnest on an additional phase of coronavirus relief legislation. Although both sides concluded that the talks over this past weekend were more productive than the week before, both admitted that both sides are still very far apart, and a deal is not yet imminent. In the meantime, the enhanced federal unemployment benefit of \$600 per week expired on Friday, July 31st.

If a deal is to be reached in the next few days, the soonest that Congress could pass this bill would be later this week or early next week, but a deal does not seem to be closely at hand. In fact, on Face the Nation on Sunday, Mark Meadows said, "I'm not optimistic that there will be a solution in the very near term."

It is also important to note that this initial Senate GOP proposal does not include any additional aid to state or local governments (including for special districts) or for water and other utility rate relief, as did the House-passed HEROES Act back in May. We anticipate that many of these items could be negotiated for by House and Senate Democrats as this process continues to progress forward. We are continuing to monitor this legislation closely.

Notably, state and local government aid (including revenue replacement) was not included in the Senate GOP proposal—nor was additional aid for special districts. We have heard that Speaker Pelosi and Senator Schumer have tried specifically to advance additional funding states and local governments in these closed Leadership talks.

Other areas of disagreement include enhanced federal unemployment benefits (Republicans want to see benefits reduced from \$600 down to \$200 per week), school funding (including hazard pay for teachers), and a Democratic priority to repeal (state and local tax) SALT caps on itemized deductions, liability protections for businesses, funding for USPS and vote-by-mail, among many other contentious issues.

Items that seem to have some bipartisan agreement include an additional round of direct payments to many Americans (under the CARES Act these direct payments were \$1,200 per individual and \$2,400 per married couple earning under certain income thresholds--\$500 was also give for each dependent child), and perhaps further adjustments to the Paycheck Protection small business loan Program (PPP).

# Special Districts Legislation:

Related to Congress' ongoing efforts to address the economic impact of the coronavirus pandemic are efforts to ensure that special districts, like MWDOC, can be eligible for federal aid in COVID-19 relief passed by Congress. In early June, Congressman John Garamendi (CA-

3), with 35 House cosponsors, introduced the "Special Districts Provide Essential Services Act" (HR7073), which would make special districts eligible for payments from the Coronavirus Relief Fund if more than \$150 billion is appropriated to the fund. The legislation would require that states receiving these funds would have to distribute at least 5% of the funds to special districts within the state. That bill also directs the Federal Reserve to include special districts as eligible issuers in the Municipal Liquidity Facility program. This legislation also defines a special district in statute as "a political subdivision, formed pursuant to general law or special act of a state, for the purpose of performing one or more governmental or proprietary functions."

In July, a bipartisan Senate companion of this special districts legislation was introduced by Arizona Senator Kyrsten Sinema, and was sponsored by California's Senator Kamala Harris. Efforts are underway to try and include this legislative language in a future coronavirus relief bill.

## Fiscal Year 2021 (FY21) Appropriations:

Since our last report, the House passed two "minibus" FY21 appropriations bills. The first bill included the Interior-EPA Appropriations bill that funds many critical water programs—including the clean water/drinking state revolving fund loan programs and WIFIA. The second massive "minibus" appropriations bill included the very important Energy-Water Appropriations Bill that funds the Army Corps of Engineers and the Bureau of Reclamation, among many other critical water programs.

As Congress is working through the second year of the bipartisan budget deal reached last summer, the House and Senate Appropriations Committees are working in a very tight budget environment with strict spending caps currently in place. As expected, funding levels for most federal agencies (including for these water programs) remain relatively flat for FY21 (see chart below).

Program	FY19	FY20	President's	President's	House
(billions of	Levels	Levels	FY20 Budget	FY21 Budget	FY21
dollars)					Levels
Bureau of	\$1.565	\$1.68	\$1.120	\$1.1	\$1.66
Reclamation					
Army Corps of	\$6.998	\$7.65	\$4.964	\$6	\$7.63
Engineers					
Clean/Drinking	\$2.76	\$2.77	\$1.98	\$1.98	\$2.76
Water State					
<b>Revolving Funds</b>					

As a reminder, the House's Interior-EPA bill does provide \$502 million in additional funding for the Bureau of Reclamation's water resources projects, including those authorized in the Water Infrastructure Improvements for the Nation (WIIN) Act. In addition, that bill also includes funding for the EPA and includes \$12.9 million in additional funding for scientific and regulatory work on per- and polyfluoroalkyl substances (PFAS) needed to establish drinking water and cleanup standards. This funding builds on the \$39 million increase the EPA received in 2020.

It is concerning that the House bill provides no additional funding for the WIFIA loan program in FY21, however, the WIFIA program had \$116 million in unobligated funds at the beginning of FY20, plus an additional \$60 million in new appropriations made for FY20.

Progress in the Senate on Appropriations has essentially stalled, as the Senate is currently all-consumed by negotiations on an additional phase of coronavirus relief legislation. All signs point to a short-term stopgap spending bill to extend current federal funding levels through the November election. If not, and no spending deal is reached, the government would shut down on Oct. 1, 2020. We don't believe there is any real threat of a government shutdown at this time.

# PFAS Update:

Due to some procedural hurdles, Rep. Dingell was unable to attempt to attach her PFAS Amendment to the National Defense Authorization Bill (NDAA) that passed the House at the end of July. Many advocates of the Dingell proposal shifted their approach and sought to include it in the Energy-Water Appropriations bill that passed the House the last week of July, but this attempt was a failure.

Along with other water industry advocates, we have been very active on behalf of MWDOC on this PFAS issue. By keeping this very concerning PFAS provision off two must-pass legislative vehicles in the final weeks of July in the House, prospects of a sweeping PFAS statute to designate all PFAS as a hazardous substance under the Superfund law have become quiet dim for remainder of this Congress. This will likely be an issue that returns next session in 2021.

# Infrastructure Investment Legislation:

Since the House passed its \$1.5 trillion infrastructure investment bill in late June, a bill that included the long-awaited Congressman Huffman legislation (the *FUTURE Western Water Infrastructure and Drought Resiliency Act*), the Senate has refused to consider this hyper-

partisan messaging bill (as expected) but has not yet been able to respond with its own infrastructure investments proposal.

The House-passed bill included \$3.5 billion for western water infrastructure and drought resiliency measures, including over \$70 billion in water infrastructure investments (\$40 billion for wastewater, \$25 billion for drinking water, \$750 million for water storage, \$500 million for water recycling and reuse, and \$260 million for desalination). This bill also authorizes several new grant programs for PFAS treatment. The bill includes competitive grant programs for water recycling, desalination, dam safety, and for drinking water quality projects.

Additionally, the House's bill also included Rep. Huffman's *Water Conservation Tax Parity Act* (H.R. 2313), which excludes rebates received for water conservation efforts (like turf removal for example) from an individual's gross income for federal tax purposes. This is an issue that MWDOC has worked on for a number of years.

Some hope remains that the Senate will attempt to combine the Senate WRDA legislation with a surface transportation bill and pass it as the Senate's own infrastructure bill, but time is running out before the Election and this may become an issue left to be resolved by the next session of Congress in 2021.

## House's 2020 Water Resources Development Act (WRDA):

The last week of July, the House passed a bipartisan Water Resources Development Act (WRDA)—a federal water program authorization bill typically authorized every two years. This legislation was considered non-controversial and was narrowly focused on the Army Corp of Engineers. Specifically, the House's WRDA bill would authorize new policies and 34 new water projects for the Army Corps of Engineers.

#### Senate's 2020 WRDA Bill:

The Senate's WRDA bill is much more expansive than the House's bill. Many weeks ago, the Senate Environment and Public Works (EPW) Committee passed two bipartisan water infrastructure bills (the vehicle for the Senate's 2020 WRDA bill) unanimously. The two Senate bills, America's Water Infrastructure Act of 2020 (S. 3591), and the Drinking Water Infrastructure Act of 2020 (S. 3590), would authorize new Army Corps of Engineers projects, reauthorize the Clean Water State Revolving Fund and the Safe Drinking Water Act emergency fund, and make a series of policy changes regarding drinking water, flood control and water supply programs.

The Senate WRDA Bill includes \$17 billion for water infrastructure projects, including Western water storage provisions. It also authorizes the EPA's Clean Water State Revolving Fund and increases that authorization over three years to \$3 billion and reauthorizes WIFIA. Additionally, the legislation provides about \$2.5 billion in authorizations for the Safe Drinking Water Act emergency fund and provides \$300 billion in grants for the removal of drinking water contaminants—including PFAS. As you know, these are critical sources of federal funding, administered by the State of California, for water agencies to receive grants and low interest loans for water infrastructure projects.
JCB/RWL 8/04/20



To: Municipal Water District of Orange County

From: Syrus Devers, Best Best & Krieger

Date: August 4, 2020 Re: Monthly Report

#### **Legislative Report**

The Legislature got off to a halting start the last week of July but not before Speaker Anthony Rendon abruptly canceled the first two days of scheduled policy hearings in order to complete measures to prevent the spread of COVID-19. Since this year is the end of the two-year legislative session, the constitutional deadline of August 31st for the end of session is not fungible.

Legislative leaders, the Governor, and the Controller went to press with the idea of tax vouchers to raise one billion dollars to be used for a laundry list of economic stimulus measures. The idea is that individuals in higher tax brackets would be willing to pay next year's taxes this year for discounts in future tax years. In other words, the state wants to borrow taxes from the future. The proposal is admittedly vague. No specific numbers were given for the value of the vouchers, or how much would be allocated to any of the proposed stimulus measures if the funds were raised. Water recycling and investments in water infrastructure were included on the list, albeit near the bottom.

As reported last month, none of the bills dealing with the use of emergency generators by critical facilities for Public Safety Power Shut Offs (PSPS) were set to be heard in committee, but moving SB 1099 (Dodd) to the Assembly with a 37-0 vote in the Senate did motivate the South Coast Air Quality Management District (SCAQMD) to negotiate with the sponsors. They offered a detailed proposal to adopt rules that only require notification of the PSPS in order to waive air pollution fees, which is currently being reviewed by ACWA and the sponsors.

AB 3030 (Karla) appeared on the radar of water districts last week following amendments on July 21st. Previously the bill did not raise serious concerns over its aspirational goals of protecting 30% of California's land, ocean, and water resources, but the recent amendments were more specific in calling for "enduring measures" to be enacted. The underlying problem with the bill is that it calls for the protection of water but does not define the term. That begs the question, "protect what water?" Without a definition it will mean anything a litigating attorney wants it to mean while arguing that the state or a local government (including special districts) are failing to enact "enduring measures" to protect it. ACWA held a special session to adopt an "oppose unless amended" position and the State Water



Contracts have filed opposition as well. The bill seeks to enact the goals of the International Union for Conservation of Nature, the ultimate goal being to protect 50% of global land and water resources.

#### **Administrative Report**

On July 28th Governor Newsom released his Water Resilience Portfolio following the first draft that was released back in January. (Which was only 8 months ago despite how it may feel.) For the most part, it was environmental groups who complained the loudest. Topping their grievances was the Governor's reaffirmation of the Delta Conveyance:

"Plan, permit, and build new diversion and conveyance facilities (such as a tunnel) in the Sacramento-San Joaquin Delta to safeguard State Water Project and, potentially, Central Valley Project deliveries drawn from the Sacramento and San Joaquin river systems."

The report goes on to mention support for Sites reservoir and Salton Sea restoration. Water interests offer muted praise while the Director of the Sierra Club stated, "This version doesn't contain the significant changes we asked for; we can't figure out who's running the ship over there when it comes to water." The report can be read here: <a href="https://waterresilience.ca.gov/">https://waterresilience.ca.gov/</a>

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<sup>&</sup>lt;sup>1</sup> Courthouse News Service, Newsome Lays Out Big Dreams for California's Water Future. (July 28, 2020)

# The County of Orange Report

August 4, 2020 by Lewis Consulting Group

# July 28th Board of Supervisors Meeting Recap

The most recent Board of Supervisors meeting once again featured a lot of public outcry. Comments featured people in support of the Black Lives Matter movement and a disparate group of people arguing against mandatory mask requirements. This has led to physical confrontations outside the hearing room and verbal jousting inside the auxiliary speakers room.

The most interesting item on the agenda was deleted at the last moment. Supervisors Bartlett and Chaffee were attempting to place a term limit amendment on the November 3<sup>rd</sup> ballot, but apparently were convinced they could not find the necessary third vote needed. Under current law, a Supervisor may serve two consecutive four year terms and there is nothing to prevent a Supervisor from seeking an additional two consecutive four year terms after sitting out of office for awhile. The Bartlett/Chaffee proposal would have extended the allowable consecutive service time from two consecutive four year terms [8 years] to three consecutive four year terms [12 years] with a life-time limit. In recent years, only current District Attorney Todd Spitzer has served two terms and then later returned to the Board.

In other action, Supervisor Steel authored a matter that in previous years would have been a consent calendar item. However, her proposal to include Orange County Law Enforcement Appreciation Events in the County events calendar was met with opposition from those sympathizing with the Black Lives Matter movement. The item was approved.

The Board also announced the re-constitution of its policy committees shown below:

List of County Ad Hoc Committees FY 2020-21

Attachment B

Ad Hoc Committee Name/Purpose	<b>BOS Members</b>	Active/Inactive	Recommended Dissolution Date		
Airport Governance Ad Hoc Committee	Bartlett & Steel	Active	Expiration date of 8/11/2020		
Census Planning Ad Hoc Committee - Establish a committee to update	Do & Chaffee	Active	Expiration date of 6/1/2021		
County jurisdictional boundaries, address and population data and			2000 507 507		
develop an education and outreach strategy					
County Health Officer Ad Hoc Committee - established an ad hoc	Do & Chaffee	Active	Dissolve after selection of County Health Officer		
committee for selection of a new County Health Officer					
COVID-19 Testing Kit Ad Hoc Committee	Do & Chaffee	Active	No dissolution date given		
El Toro Ad Hoc Committee	Chaffee & Wagner	Active	Potentially end of 2020		
OC Economic Recovery Ad Hoc Committee	Steel & Wagner	Active	No dissolution date given		
Public Defender Ad Hoc Committee - established an ad hoc committee	Steel & Wagner	Active	Dissolve after recruitment of Public Defender		
for establishment of new Public Defender	3056				
Real Estate P3 Ad Hoc Committee	Bartlett & Do	Active	First Board Meeting of October 2020		

Supervisor Don Wagner proposed an ordinance allowing businesses in unincorporated portions of Orange County to conduct business outside of their business as long as all applicable Federal and State regulations regarding COVID-19 are adhered to. The proposal was patterned after the successful program launched in the City of Orange allowing restaurants to serve their patrons along the closed portions of Glassell Street. The item was unanimously approved.

Lastly, the Board heard its regular update on COVID-19 from Orange County Health Agency head Dr. Clayton Chau. In addition to the update on COVID-19, Supervisor Bartlett made a plea for the re-opening of indoor malls.



# On Deck at the Upcoming Board Meeting for August 11<sup>th</sup>

So far the Board agenda is pretty light on substantive issues. This will change as the meeting approaches.

However, a lengthy debate is promised as the County Board weighs their option regarding the letting of three County contracts that will

change the face and operations of the John Wayne Airport for years to come. Up for discussion are contracts for two separate Full Based Operators and one Limited Base Operator.

Another item is the County Response to the Orange County Grand Jury regarding the disposition of the two giant hangers in Tustin.

More will be added to the agenda as we approach the August 11, 2020 meeting.



# AUGUST 12<sup>TH</sup> AGENDA NOT YET AVAILABLE, AS WE MEET OUR PRINT DEADLINE

# What's Blue and Green All Over?

# PPIC Releases New Survey on California Political & Environmental Issues

The Public Policy Institute of California just released results of their recent survey conducted July 8-17, 2020. The survey of 1,561 adult Californians has a margin of error of +/- 3.4%. A sub sample of 1,032 likely voters yields a margin of error of +/- 3.9%.

It is striking to see just how environmentally sensitive and politically liberal Californians have become.

First, some of the key political results among the 1,561 respondents:

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

49% Democrat

26% Republican

23% independent

2% another party

Do you approve or disapprove of the way that Governor Newsom is handling environmental issues in California?

69% approve

29% disapprove

1% don't know

Regardless of your choice in the November 2020 presidential election, which of these candidates would do a better job handling environmental issues in the U.S.? Joe Biden, the Democrat, or Donald Trump, the Republican?

70% John Biden, the Democrat

29% Donald Trump, the Republican

1% don't know

Which political party do you trust to do a better job in handling environmental issues in the U.S.? The Democratic Party or the Republican Party?

69% Democratic Party

30% Republican Party

1% neither

1% don't know

What do you think is the most important environmental issue facing California today?

18% global warming, climate change, greenhouse gases

14% air pollution, vehicle emissions, smog

11% loss of forests, forest fires, wildfires

10% water supply, drought, reservoirs

8% landfills, garbage, sewage, waste, recycling

6% coronavirus, COVID-19

5% pollution in general

4% too much government regulation, politicians, environmentalists

3% water pollution of ocean, rivers, lakes, streams, beach pollution

18% other

3% don't know

Would you say that the supply of water is a big problem, somewhat of a problem, or not much of a problem in your part of California?

38% big problem

43% somewhat of a problem

18% not much of a problem

1% don't know

Do you think that pollution of drinking water is a more serious health threat in lower-income areas than other areas in your part of California, or not?

70% yes

29% no

1% don't know

How serious a health threat is pollution of drinking water in your part of California to you and your immediate family? Do you think it is a very serious, somewhat serious, or not too serious of a health threat?

16% very serious

31% somewhat serious

52% not too serious

1% don't know

How about droughts that are more severe? Are you very concerned, somewhat concerned, not too concerned, or not at all concerned?

58% very concerned

30% somewhat concerned

8% not too concerned

4% not at all concerned

don't know

How about building desalination plants on the California coast? Do you favor or oppose this proposal?

68% favor

28% oppose

6% don't know

Would you say that air pollution is a big problem, somewhat of a problem, or not much of a problem in your part of California?

36% big problem

46 somewhat of a problem

17 not much of a problem

don't know

How serious of a threat is global warming to the economy and quality of life for California's future? Do you think it is a very serious, somewhat serious, not too serious, or not at all serious of a threat?

48% very serious

32% somewhat serious

12% not too serious

8% not at all serious

don't know

How about increased rising sea levels? Are you very concerned, somewhat concerned, not too concerned, or not at all concerned?

34% very concerned

40% somewhat concerned

17% not too concerned

10% not at all concerned

don't know

Do you favor or oppose the state law that requires 100 percent of the state's electricity to come from renewable energy sources by the year 2045?

77% favor

21% oppose

2% don't know

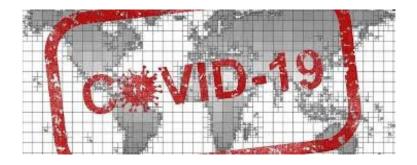




# **Orange County COVID-19 Stats**

ORANGE COUNTY COVID-19 STATS	AS OF 8/3/2020	AS OF 7/13/2020
CUMULATIVE CASES TO DATE	37,831	25,255
CUMULATIVE DEATHS TO DATE	651	424
DEATHS REPORTED TODAY	0	1
CUMULATIVE TESTS TO DATE	435,927	314,191
TESTS REPORTED TODAY	17,133	6,791
CASES CURRENTLY HOSPITALIZED	555 *	674 *
CASES CURRENTLY IN ICU	175	235
CUMULATIVE RECOVERED TO DATE	25,248 *	10,554 *

<sup>\* =</sup> INCLUDES *ICU* CASES



# Where Orange County Ranks [as of 8/3/2020]

LOCATION	POPULATION	CONFIRMED CASES	DEATHS
CALIFORNIA	40,129,160	514,901	9,388
LOS ANGELES COUNTY	10,247,557	192,480	4,692
RIVERSIDE COUNTY	2,468,145	38,507	695
ORANGE COUNTY	3,228,519	37,831	651
SAN DIEGO COUNTY	3,370,418	29,885	565
SAN BERNARDINO COUNTY	2,217,398	33,643	417



## LATEST PRESIDENTIAL POLLS

Former Vice-President Joe Biden continues to maintain his lead over President Trump in the national polls. Clearly, both COVID-19 and the suffering national economy, has taken its toll on President Trump's popularity.

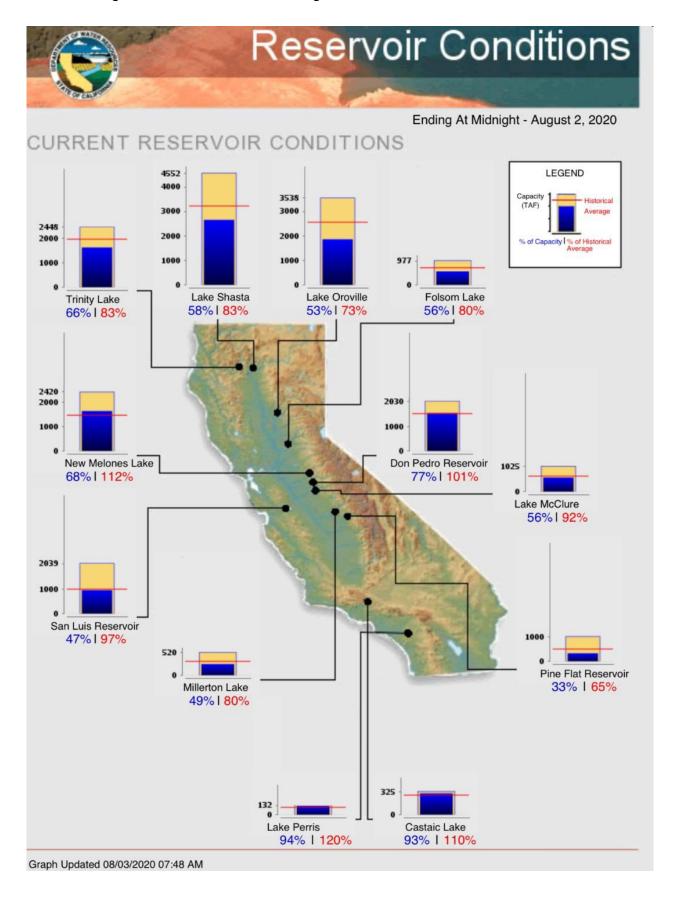
DATE	POLL	RESULTS	SPREAD
JULY 31	EMERSON	BIDEN 50, TRUMP 46	BIDEN +4
JULY 30	IBD / TIPP	BIDEN 48, TRUMP 41	BIDEN +7
JULY 29	ECONOMIST / YOUGOV	BIDEN 49, TRUMP 40	BIDEN +9
JULY 29	CNBC / CHANGE RESEARCH	BIDEN 51, TRUMP 42	BIDEN + 9
JULY 29	RASMUSSEN REPORT	BIDEN 49, TRUMP 42	BIDEN + 6

# **ENSO METER**



The Pacific ocean has finally budged slightly towards a predicted La Niña. A majority of models are predicting La Niña conditions for about six months and then a return to a weak El Niño pattern.

The lack of El Niño is certainly not helping our northern California reservoirs, as they are now running behind our historical averages.



# ACKERMAN CONSULTING

## **Legal and Regulatory**

August 10, 2020

- 1. Megadrought??: There have been and will certainly be more study on the state of California's drought condition and what will likely happen in the future. The State climatologist along with the University of Idaho have concluded that our average yearly precipitation is not declining. Despite long periods of drought our average rainfall is remaining constant. While climate change is dramatically changing the timing and amounts of rainfall, our actual most dry time occurred in the 1920s and 1930s. Their projections show more extreme wet times and more rain in the north. They also predict more flooding in areas where it is difficult to capture and store.
- 2. Desal Ideas: Much research is being conducted on making desal cheaper and more environmentally safe. Stanford is working on a process called Electrodialysis. It uses electricity and specialized cells to split saltwater. The brine is forced to separate leaving a weaker brine which can be used in fertilizer, cleaning and other uses. The process is cheaper and safer. Columbia University is working on TSSE (temperature swing solvent extraction). Their process which does not use membranes mixes a low polarity solvent with the high salinity brine. At certain temperatures, the solvent extracts water from the brine. The water is extracted from the brine leaving solids which sink and are removed. After that, the water is heated up which removes the solvent and clean water is the final product. The solvent can be reused again. Their tests have removed over 90% of the salt and use ¼ of the energy. Both of the processes are being tested for marketability.
- 3. Deep Water Study: The University of Bristol (England) is further studying deep water in the earth. We have reported earlier on groundwater movement and measurement and its possible impact on earthquakes. This study is looking at really deep water near the tectonic plates in the earth. Volcanic eruptions create conditions where large volumes of water enter and exit deep earth and influence the plates. Those plates are the causes of earthquakes and tsunamis. Most of these studies have examined the Pacific Rim of Fire which encompasses almost the entire Pacific Ocean where the vast majority of our earthquakes start and occur. The British study is examining a similar plate in the Atlantic near the Caribbean which has the same characteristics. Depending on whether the water is going up or going down relative to the plates may determine the magnitude of an earthquake or tsunamis. The correlation has been established however, the measurement and predictability aspects are more difficult to determine.
- 4. Flood Risk High: FEMA updates flood risk for the country on a regular basis. However, a private group, First Street Foundation, claims that the flood risk throughout the country is much more dangerous that FEMA data shows. FEMA does not take into account various climate change realities such as more extreme weather conditions and irregular occurrences that we have been experiencing. When FEMA has tried to put out warnings in the past, they have received major push back from insurance companies, cities and residents. Flood ratings cost people more money and many of these impacted areas are in low income areas. Everyone admits that flood predicting in a inexact science but First Street thinks many areas are being put at severe risk. Impacted areas in California included the Central Valley, Sacramento region and far north areas of the State.
- 5. Cleaning up Water: Swansea University (England) is working on a solvent free approach to removing chemicals from water. Researchers are using ozone aided by a catalyst in a vacuum based machine with no solvents. The catalyst is a

cluster of silver atoms with their new machine. The machine looks like a Dr Stangelove contraption. The clusters are 10,000 times smaller than the width of a human hair. Their unique properties produce the desired result. The MACS (matrix assembly cluster source) machine is being looked at for commercial feasibility.

- 6. Carbon Neutral Heating: UC Davis is trying to go carbon neutral in heating its campus buildings. They are converting their heat exchangers system from steam to hot water. Stanford and some other US universities have already done this with success. This old, new process saves energy, water and maintenance costs and is more environmentally sound. Total cost for Davis is \$57 million which is supposed to be cheaper than alternative methods for heating.
- 7. More Clean Water: Monash University (Australia) has developed a really fine membrane which can filter bad ions (lead and mercury) from water. It is also being considered for desal plants, purification, and gas separation. It requires less energy than normal membranes and seems to withstand continued use. It is however, very difficult to manufacture. Work continues.
- 8. Michigan PFAS Standards: You may recall the Michigan Governor imposing very strict standards during the Covid crises. She has also recently set PFAS standards that are the most strict in the nation. PFOA 8 parts per trillion, PFOS 16 ppt. This was done by administrative action with the State Legislature failing to act to change or approve the standards. The Michigan Manufacturers Association opposed the standards claiming that not enough research has been done. Let the battles begin.
- 9. Cyber Water Attacks: Israel has experienced another attack on their water system. Their prior April attack was averted. The latest in July hit some agricultural water pumps and infrastructure center. Both were discovered and no damage resulted. Iran is the probable culprit. Both involved attempts to add overdoses of chlorine and other chemicals to the water supply. They were also trying to trigger the fail safe shut down which would have interrupted service to thousands. However, quick action prevented any damage or shut down. The software hack was traced through American and European servers from Iran. The National Security Agency and Department of Homeland Security here is the USA issued a warning in late July to all critical infrastructures to watch for potential breaches and take immediate action to secure all systems. Their evidence was various phishing attacks they uncovered. There have already been ransomware attacks on some systems but they have been handled.
- 10. Ocean Toxic Blooms: Toxic algal blooms which historically have been confined to fresh water lakes and streams are making their way to the oceans. Carpinteria has been experiencing bloom conditions. These conditions impact the lower levels of the food chain first and then work their way to larger mammals. Some of these blooms occur naturally with the ebb and flow of nutrients. Others are caused by sewage spills, fertilizers and other runoff and from freshwater blooms making their way to the ocean.

# **MWDOC**

# **PAL Committee**

Prepared by Best Best & Krieger

July 4<sup>th</sup>, 2020

# **A. Priority Support/Oppose**

Measure	Author	Topic	Status	Brief Summary	Position	Priority	Notes 1
AB 2178	Levine D	Emergency services.	7/8/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on G.O.	Current 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.	Support	A. Priority Support/ Oppose	
AB 2560	Quirk D	Water quality: notification and response levels: procedures.	6/29/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on EQ.	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 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 procedures when establishing or revising notification or response levels, except as specified.	Watch	A. Priority Support/ Oppose	
AB 3256	Garcia, Eduardo D	Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation,	6/8/2020-Re-referr ed to Com. on RLS.	Would enact the Economic Recovery, 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 \$6,980,000,000 pursuant to the State	Watch	A. Priority Support/ Oppose	

SB 45	Allen D	and Flood Protection Bond Act of 2020.  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.	General Obligation Bond Law to finance projects for an economic recovery, wildfire prevention, safe drinking water, drought preparation, and flood protection program.  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.	Watch	A. Priority Support/ Oppose
SB 1099	Dodd D	Emergency backup generators: critical facilities: exemptions.	7/27/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on NAT. RES.	Current law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Current 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. Current 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 require an air district without a specified rule on emergency backup generators, as defined, as of January 1, 2021, that adopts such a rule to include in the rule provisions that allow the operator of a critical facility, as defined, to use a permitted emergency backup generator in exceedance of the applicable runtime and testing and maintenance limits if specified conditions are met.	Support	A. Priority Support/ Oppose
SB 1386	Moorlach R	Local government: assessments, fees, and charges: water: hydrants.	7/28/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on L. GOV.	Current law, known as the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with these requirements and, among other things, authorizes an agency providing water, wastewater, sewer, or refuse collection services to adopt a schedule of fees or charges authorizing automatic adjustments that pass through increases in wholesale charges for water, sewage treatment, or wastewater treatment or adjustments for inflation under certain circumstances. Current law	Support	A. Priority Support/ Oppose

				defines, among other terms, the term "water" for these purposes to mean any system of public improvements intended to provide for the production, storage, supply, treatment, or distribution of water from any source. This bill would specify that hydrants, as defined, are part of the system of public improvements included in the definition of "water" for purposes of the Proposition 218 Omnibus Implementation Act.			
B. W	/atch						
Measure	Author	Topic	Status	Brief Summary	Position	Priority	Notes 1
AB 291	<u>Chu</u> D	Local Emergency Preparedness and Hazard Mitigation Fund.	6/23/2020-Referre d to Com. on G.O.	Would establish a Local Emergency Preparedness and Hazard Mitigation Fund to, upon appropriation by the Legislature, support staffing, planning, and other emergency mitigation priorities to help local governments meet emergency management, preparedness, readiness, and resilience goals. The bill would require the Office of Emergency Services to establish the Local Emergency Preparedness and Hazard Mitigation Fund Committee under the Standardized Emergency Management System Advisory Board.	Watch	B. Watch	
AB 2296	Quirk D	State Water Resources Control Board: local primacy delegation: funding stabilization program.	7/1/2020-Referred to Com. on EQ.	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.		B. Watch	
AB 3030	Kalra D	Resource conservation: land and	7/21/2020-From committee chair, with author's	Would declare it to be the goals of the state by 2030 to protect at least 30% of the state's land areas and waters; to		B. Watch Page 24	of 64

		ocean conservation goals.	amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on N.R. & W.	help advance the protection of 30% of the nation's oceans; and to support regional, national, and international efforts to protect at least 30% of the world's land areas and waters and 30% of the world's ocean. The bill would authorize the state to achieve these goals through specified activities.			
SB 378	Wiener D	Probation: eligibility: crimes relating to controlled substances.	7/27/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on U. & E. Re-referred to Com. on RLS. pursuant to Assembly Rule 96.	Current law prohibits granting probation or suspending a sentence for persons convicted of specified crimes relating to controlled substances, including possessing or agreeing to sell or transport opiates or opium derivatives, possessing or transporting cannabis, planting or cultivating peyote, and various crimes relating to forging or altering prescriptions, among other crimes, if the person has previously been convicted of any one of specified felony offenses relating to controlled substances. Current law also prohibits granting probation or suspending a sentence for persons convicted of specified crimes relating to controlled substances, including possessing for sale or selling 14.25 grams or more of a substance containing heroin and possessing for sale 14.25 grams or more of any salt or solution of phencyclidine or its analogs, among other crimes. This bill would delete various crimes relating to controlled substances, including, but not limited to, the crimes described above, from those prohibitions against granting probation or a suspended sentence.	Watch	B. Watch	
SB 862	Dodd D	Planned power outage: public safety.	6/29/2020-Referre d to Com. on U. & E.	Current 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 event, as defined, within a sudden and severe energy shortage constituting a state of emergency and a local emergency.	Watch	B. Watch	Significant amendments in May 20th version.
SB 952	Nielsen R	Sales and use taxes: exemption: backup electrical generators: deenergizatio n events.	6/29/2020-Referre d to Com. on REV. & TAX.	Current state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. This bill, on and after January 1, 2021, and before January 1, 2026,	Watch	B. Watch	25.04

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				would provide an exemption from those taxes with respect to the sale of, or the storage, use, or consumption of, a backup electrical resource, generator as defined, if that backup electrical generator is purchased for use exclusively in powering a critical facility, as defined, by a city, county, city and county, special district, or other political subdivision during deenergization events, as defined, and the purchaser provides to the seller a written statement with regard to these facts.		
SB 1011	Dahle R	Water quality: waste discharge requirements: management agency agreements.	committee with author's	Would provide that implementation of a management agency agreement entered into between the State Water Resources Control Board and the United States Forest Service or the state board and the United States Bureau of Land Management constitutes compliance by the United States Forest Service or the United States Bureau of Land Management, as applicable, with specified waste discharge requirements for nonpoint source discharges. The bill would prohibit a provision of such a management agency agreement from being construed in any way as limiting the authority of the state board or a regional board in carrying out its legal responsibilities for the management or regulation of water quality.	Watch	B. Watch
SB 1044	Allen D	Firefighting equipment and foam: PFAS chemicals.	7/30/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (July 30). Re-referred to Com. on APPR.	Would, commencing January 1, 2022, would require any person, as defined, including a manufacturer, as defined, that sells firefighter personal protective equipment to any person 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. The bill would authorize the State Fire Marshal to request from a manufacturer, and the bill would require the manufacturer to provide, a certificate of compliance that certifies that the manufacturer is in compliance with these provisions	Watch	B. Watch

Total Tracking Forms: 14

# The Metropolitan Water District of Southern California State Legislative Matrix July 8, 2020 – Second Year of Legislative Session

		T	Item No. 1f
Effects on Metropolitan		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.	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.
MWD Position	red bills	SPONSOR	CO-SPONSOR
Title-Summary	Metropolitan sponsored bills	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.	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.
Amended Date; Location		Introduced 2/13/2020 Assembly Natural Resources Committee	Amended 4/1/2020 Senate Environmental Quality Committee Rescinded
Bill Number Author		AB 2246 Mayes (I) Sponsor: Metropolitan	Sponsors: Metropolitan and the California Municipal by Association Califors Aunicipal Califices Association

Bill Number	Amended Date;	Title-Summary	MWD Position	Effects on Metropolitan
Author	Location			
		Water Bond/Infrastructure Funding	e Funding	
SB 45 Allen (D)	Amended 1/23/2020	Wildfire, Drought, and Flood Protection Bond Act of 2020	SUPPORT AND AMEND	Would provide funding to restore areas damaged by wildfires, mitigate future wildfires, create healthy forests and
Sponsor: Author	Assembly	Places a \$5.51 billion wildfire and water bond on the November 2020 ballot for voter approval.	Based upon Board action on 6/11/19	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.
AB 3256 E. Garcia (D)	Amended 6/04/2020	Economic Recovery, Wildlife Prevention, Safe Drinking Water, Drought Preparation, and Flood	SUPPORT AND AMEND	Would provide funding for economic recovery, wildfire prevention, safe drinking
Sponsor: Author	Assembly Rules	Protection Bond Act of 2020 Places a \$9.71 billion economic recovery and climate resilience bond on the	Based upon Board action on 06/09/2020	water, drought preparation, and flood protection. Metropolitan is seeking amendments to set aside funding for recycled water projects; state-owned conveyance
		November 2020 ballot for voter approval.		infrastructure to reverse the impacts of subsidence; habitat restoration for native and protected fish; monitoring and treatment for
				drinking water contaminants; and emergency backup generators that minimize air quality impacts.

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
Governor's Proposed Budget Trailer Bill Language	Introduced 1/31/2020 Rescinded	Governor's Proposed Safe Drinking Water, Wildlife Prevention and Natural Resources Protection Bond Act of 2020 Places a \$4.75 billion climate resilience bond for voter approval on the November 2020 ballot.	SUPPORT AND AMEND Based upon Board Action on 3/9/2020	Would provide funding for safe and clean drinking water, and resilience to flood and drought. Metropolitan is seeking amendments to set aside funding for recycled water projects; state-owned conveyance infrastructure to reverse the impacts of subsidence; habitat restoration projects for native and protected fish; monitoring and treatment for drinking water contaminants; and emergency backup generators that minimize air quality impacts.
		Delta/State Water Project	oject	
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.

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	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 removed objectionable language that would have created an offshore salmon hatchery that could interfere with native salmon populations and tested new fish tagging programs, and assigned those costs in part to the State Water Project. Metropolitan moved from oppose unless amended to a watch.

Bill Number	Amended Date;	Title-Summary	MWD Position	Effects on Metropolitan
Author	Location			
SB 204	Amended	State Water Project: contracts	WATCH	The bill as amended on May 17, 2019 adheres
Dodd (D)	5/11/2019	Revises the notification requirements for	Based upon	to the author's stated purpose and defers objectionable provisions related to the Delta
Sponsor:	Assembly	pending State Water Project (SWP)	Board-adopted	Conveyance joint powers authorities. Bill
Delta Counties	Water, Parks	contract negotiations and contract	2019 State	provides for further transparency on any
Cancus	and Wildlife	amendments. Explicitly requires the	Legislative	future amendments to State Water Project
		California Water Commission to review	Priorities and	contracts as described in Water Code Section
		and report on the progress of the design,	Policies	147.6 (c) and construction of future Delta
		construction, and operation of any new		conveyance improvements.
		Delta conveyance facility as a part of its		
		aillidal leview of the SWF.		
SB 559	Amended	Department of Water Resources:	SUPPORT IF	Addresses land subsidence in the Central
Hurtado (D)	7/3/2019	grant: Friant-Kern Canal	<b>AMENDED</b>	Valley but only focuses on impacts to the
7	7		-	Friant-Kern Canal. Metropolitan is seeking
Sponsor:	Assembly	Seeks to address problems of land	Based upon	amendments to include the need to address
Authority	Appropriations Committee-	Substitution of the federally-owned Finalli Kern Canal.	Doald-adopted 2019 State	subsidence problems on the California
•	Suspense File		Legislative	Aqueduct to ensure reliable water supply for
			Priorities and	Southern California.
			Principles	

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 946 Pan (D) Sponsor: Sacramento Area Flood Control Agency	Amended 06/03/2020 Senate Natural Resources and Wildlife Committee	Flood control: Yolo Bypass Cache Slough Partnership Multibenefit Program Codifies support for the Yolo Bypass Partnership and its efforts to advance coordinated master planning and accelerate restoration activities for the Yolo Bypass-Cache Slough region.	SUPPORT  Based upon Board-adopted 2020 State Legislative Priorities and Principles	A master plan for the Yolo Bypass-Cache Slough would advance multi-benefit restoration projects and encourage state and federal agencies to coordinate regulatory compliance and funding for flood control and water systems.
		Climate Change		
AB 1071 Limon (D) Sponsor: California Climate and Agricultural Network	Amended 1/6/2020 Senate Natural Resources and Water Committee	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 (Limón), 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.

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 1323 Skinner (D)	Introduced 2/21/2020	Carbon sequestration: state goals: natural and working lands: registry of projects.	SUPPORT Based upon	The registry would identify carbon sequestration projects, such as forestry management, wetlands restoration, healthy
Sponsor: Author	Senate Environmental Quality Committee	Requires the Governor's Office of Planning and Research (OPR) to	Board adopted 2020 State Legislative	soils, and meadows restoration that meet state criteria for funding. Metropolitan and its member agencies with agricultural land
	Rescinded	maintain a California Carbon Sequestration and Climate Resiliency Project Registry beginning January 1,	Priorities and Principles.	holdings and planned carbon sequestration projects could benefit by applying to add their projects to the registry making them eligible for state funding programs.
		Water Quality/Safe Drinking Water	ing Water	
AB 2560 Quirk (D)	Amended 6/29/2020	Water quality: notification and response levels: procedures	SUPPORT Based inon	The bill would provide greater transparency and access to technical background information and science used to set new or
Sponsor: California	Senate Environmental	Requires the State Water Resources Control Board to post on its website and	Board-adopted 2020 State	updated notification and response levels. This would provide Metropolitan and the Member
Municipal Utilities	Quality Committee	distribute through email information and supporting documentation when it plans	Legislative Priorities and	Agencies with clear and consistent information and the ability to take steps if
Orange County Water District		response levels.	Principles	necessary to ruentity back up water supplies.

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 3039 Quirk (D)	Amended 7/2/2020 Senate	Underground storage tanks: small business loan and grant program	SUPPORT Based upon	The program assists small businesses upgrade, replace or remove underground storage tanks to meet applicable local, state or
Sponsor: Author	Environmental Quality Committee Hearing:	Extends the operation of the Underground Storage Tank Cleanup Fund loan and grant program from January 1, 2022 to January 1, 2026.	Board-adopted 2020 State Legislative Priorities and	federal standards. In Southern California, the program provided funding to remediate underground storage tanks leaking MTBE and other gasoline additives contaminating
SB 414	Amended	Small System Water Authority Act of	SUPPORT	Sets deadline for small water systems to
Caballero (D) Sponsor:	6/25/2019 Assembly	Authorizes the State Water Resources	Based upon past support for	comply with safe drinking water standards or consolidate into a regional authority managed by a SWRCB-appointed contractor until water
Municipal Water District and	Appropriations Committee – Suspense File	non-noncompliant public water systems into a regional water authority that will	(Caballero) from 2017/18	system acmeves sen-sumering, compiles with drinking water standards, and can reliably provide access to safe drinking water.
California Municipal Utilities Association (CMUA)	4	directly benefit from increased economies of scale and access to public financing.		

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 1044 Allen (D) Sponsor: California Professional Firefighters and Natural Resources Defense Council	Amended 6/18/2020 Assembly Environmental Safety and Toxic Materials	Firefighting equipment and foam: PFAS chemicals Requires any seller of firefighting personal protective equipment to provide written notice to the purchaser if the equipment contains PFAS. Also, prohibits the discharge of state class B firefighting foam that contains PFAS.	SUPPORT  Based upon Board approved 2020 State Legislative Priorities and Principles	Metropolitan and member agencies would benefit from this bill because banning PFAS-laden firefighting foam would protect drinking water sources. 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.
		Governance and Operations	ations	
SB 625 Bradford (D)	Amended 6/8/2020	Central Basin Municipal Water District: receivership	WATCH, and engage as	CBMWD is a member agency of Metropolitan and entitled to its respective representation on the Metropolitan Board of
Sponsor: Author	Senate Rules	Dissolves the board of directors of CBMWD and would provide that the November 3, 2020, election for directors of CBMWD shall not occur. The bill	protect Metropolitan's interest	Directors. SB 625 as currently written will not result in a direct impact to Metropolitan, and is intended to assist in establishing a pathway to address governance challenges of
		would require the Water Replenishment District of Southern California (WRD) to act as the receiver for CBMWD.	Based upon Board Action on 06/10/20	CBMWD.

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 952 Nielsen (R)	Amended 5/29/2020	Sales and use taxes: exemption: backup electrical resources: deenergization events.	SUPPORT AND AMEND	Reduces water agencies' and other essential public service providers' cost to purchase or upgrade emergency backup generators to
Sponsor: Author	Assembly Revenue and Taxation	Authorizes a sales and use tax exemption	Based upon Board-adopted	continue service and operations during planned public safety power shutoffs.
	Committee	beginning January 1, 2021 for the purchase, lease, use or consumption of	2020 State Legislative	
		backup electrical resources during planned deenergization events.	Priorities and Principles	
SB 1099	Amended	Emergency backup generators: critical	SUPPORT AND	Addresses water agencies need to maintain
Dodd (D)	06/02/2020	facilities: exemption.	AMEND	operations during planned power shutoffs
			Based upon	designed to mitigate wildfire risks.
Co-Sponsors:		Directs air districts to adopt or revise an	Board adopted	Metropolitan seeking amendments that
California		existing rule to suspend operational run	2020 State	explore alternative approaches to revising
Municipal	Assembly	time limits on emergency backup	Legislative	existing rules that would allow water agencies
Utilities	Committee on	generators during public safety power	Priorities and	to operate emergency generators without
Association and	Natural Resources	shutoffs, and when needed for routine	Principles	being out of compliance with run times set by
Las Virgenes		maintenance and testing.		local air districts.
Municipal Water				
District				

Bill Number	Amended Date;	Title-Summary	MWD Position	Effects on Metropolitan
Author	Location			,
		Environmental Compliance	liance	
AB 3279	Amended	California Environmental Quality Act:	SUPPORT IF	Reduces the deadline for a court to commence
Friedman (D)	7/1/2020	administrative and judicial	AMENDED	hearings from one year to 270 days; requires a
		procedures.		public agency, to the extent feasible, to
Sponsor:	Senate		Based upon	prepare the record of proceedings
Author	Environmental	Revises California Environmental	Board-adopted	concurrently with the administrative process;
	Quality Committee	Quality Act (CEQA) litigation	2020 State	and authorizes a court to issue an
		procedures.	Legislative	interlocutory remand.
			Priorities and	
			Principles	Metropolitan is seeking an amendment to
				eliminate the requirement to prepare the
				record of proceedings concurrently with the
				administrative process, and make it voluntary
				instead. Metropolitan undertakes hundreds of
				projects in a given year that are subject to
				CEQA action. This requirement would require
				significant staff resources, time and money,
				and would delay essential projects.



# **ACTION ITEM** August 19, 2020

TO: Public Affairs and Legislation Committee

(Directors Yoo Schneider, Dick and McVicker)

FROM: Robert Hunter, General Manager

Staff Contact: Heather Baez

SUBJECT: TRAVEL TO WASHINGTON D.C. TO COVER FEDERAL ADVOCACY

**ISSUES** 

### STAFF RECOMMENDATION

Staff recommends the Board of Directors review the travel expenses and ratify as reported.

# **COMMITTEE RECOMMENDATION**

Committee recommends (To be determined at Committee Meeting)

#### **REPORT**

#### **DIRECTORS**

For the fourth guarter (April-June 2020) of fiscal year 2019-2020, zero trips were taken.

The following is budgeted for fiscal year 2019/2020 for **directors**:

Washington D.C. Legislative Budget Travel - \$10,800, 6 trips

Total cost for this quarter: \$0Year-to-date spent: \$2,535.81

Budgeted (Y/N): Y	Budgeted a	Budgeted amount: Directors - \$10,800 Staff - \$10,800		Choice
Action item amount: None		Line item: 11-7155 12-7150		
Fiscal Impact (explain if unbudgeted):				

Budget remaining: \$8,264.19

## STAFF

For the fourth quarter (April-June 2020) of fiscal year 2019-2020, zero trips were taken.

The following is budgeted for fiscal year 2019/2020 for **staff**:

Washington D.C. Legislative Travel - \$10,800, 6 trips

Total cost for this quarter: \$0
Year-to-date spent: \$2,082.21
Budget remaining: \$8,717.79

The focus of the trips this past fiscal year was on the importance of the Delta Conveyance Project, PFAS, appropriations and funding opportunities for local and regional projects, long term conservation and tax parity water rebate issues (turf removal program, et al.), and visits to representative's offices to update them on issues of importance to MWDOC and its member agencies.



# **ACTION ITEM** August 19, 2020

TO: Public Affairs and Legislation Committee

(Directors Yoo Schneider, Dick and McVicker)

FROM: Robert Hunter, General Manager

Staff Contact: Heather Baez

SUBJECT: TRAVEL TO SACRAMENTO TO COVER STATE ADVOCACY ISSUES

# STAFF RECOMMENDATION

Staff recommends the Board of Directors review the travel expenses and ratify as reported.

# **COMMITTEE RECOMMENDATION**

Committee recommends (To be determined at Committee Meeting)

#### **REPORT**

### **DIRECTORS**

For the fourth quarter (April-June 2020) of fiscal year 2019-2020, zero trips were taken:

The following is budgeted for fiscal year 2019/2020 for **directors**:

Sacramento Legislative Budget Travel - \$4,600, 8 trips

Total cost for this quarter: \$0
Year-to-date spent: \$603.98
Budget remaining: \$4,196.02

Budgeted (Y/N): Yes	Budgeted a	Budgeted amount: \$4,600 – Directors \$9,500 – Staff		Choice
Action item amount: None		Line item: 11-7155 12-7150		
Fiscal Impact (explain if unbudgeted):				

# **STAFF**

For the fourth quarter (April-June 2020) of fiscal year 2019-2020, zero trips were taken.

The following is budgeted for fiscal year 2019/2020 for staff:

Sacramento Legislative Travel - \$14,400, 24 trips

Total cost for this quarter: \$0Year-to-date spent: \$5,898.49Budget remaining: \$8,501.51

The focus of the trips was safe and affordable drinking water, Human Right to Water, AB 401 (Low Income Rate Assistance program for water) implementation, California Water Portfolio, PSPS events and the use of emergency generators, PFAS issues, the Delta Conveyance Project, and State Water Resources Control Board meetings.



# **ACTION ITEM** August 18, 2020

**TO:** Board of Directors

FROM: Public Affairs and Legislation Committee

(Directors Yoo Schneider, Dick, and McVicker)

Robert Hunter Staff Contact: Heather Baez

General Manager

SUBJECT: AB 3030 (KALRA): LAND AND OCEAN CONSERVATION GOALS

#### STAFF RECOMMENDATION

Staff recommends the Board of Directors vote to adopt an oppose unless amended position and send a letter to the bill's author and Senate Appropriations Committee.

#### **COMMITTEE RECOMMENDATION**

Committee recommends (To be determined at Committee Meeting)

#### **BILL SUMMARY**

AB 3030 seeks to protect at least 30% of California's land areas and waters and to help advance the protection of 30% of the nation's oceans by 2030, inclusive of existing protections afforded by state and federal laws and regulations. Support regional, national, and international efforts to protect at least 30% of the world's land areas and waters and 30% of the world's ocean by 2030, and improve access to nature for all people in the state to provide for recreational and educational opportunities, including wildlife-dependent recreational activities.

Budgeted (Y/N): n/a	Budgeted a	amount: n/a	Core X	Choice	
Action item amount: No	ne	Line item:			
Fiscal Impact (explain if	Fiscal Impact (explain if unbudgeted):				

#### ARGUMENTS IN SUPPORT

According to the author, "This landmark bill responds to the twin crises of biodiversity loss and climate change, and aims to increase equitable access to nature... Building on California's past leadership, a statutory commitment from the state to help protect our natural resources in the next decade will help ensure that biodiversity can thrive, so that all Californians can enjoy the benefits that nature provides, and that wild areas can continue to enhance the strength and well-being of our state and the planet. With AB 3030, California will continue to lead by example by continuing to implement policies and support initiatives that we know can maintain and preserve California's biodiversity."

#### **ARGUMENTS IN OPPOSITION**

ACWA and the State Water Contractors argue that the bill seeks to protect 30% of California's water without defining what water, or water right, the bill seeks to protect.

According to ACWA, "The lack of prescriptive language in the bill and the ambiguity of the declaratory language make it impossible to fully understand the ramifications of the proposal, not only in the context of water, but in the broader environmental protection landscape that includes existing laws such as the California Endangered Species Act, the California Environmental Quality Act, and others."

#### **BOARD OPTIONS**

#### Option #1

 Adopt an oppose unless amended position on AB 3030 (Karla) and send a letter to the Senate Appropriations Committee, the author, and the Orange County Delegation.

**Fiscal Impact:** Cost estimates for all activities are not known at this time. However, it is reasonable to assume costs will be in the range of hundreds of millions of dollars, or more, depending on the interpretation of tasks, per the Assembly Appropriations Committee.

#### Option #2

Take no action

Fiscal Impact: Same as Option #1

#### STAFF RECOMMENDATION

Option #1

#### ATTACHED:

AB 3030 Full Text

# AMENDED IN SENATE JULY 21, 2020 AMENDED IN ASSEMBLY JUNE 4, 2020 AMENDED IN ASSEMBLY MAY 6, 2020

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

## ASSEMBLY BILL

No. 3030

# Introduced by Assembly Member Kalra (Coauthors: Assembly Members Bloom, Gonzalez, Reyes, and Robert Rivas)

(Coauthor: Senator Allen)

February 21, 2020

An act to add Section 9001.6 to the Public Resources Code, relating to resource conservation.

#### LEGISLATIVE COUNSEL'S DIGEST

AB 3030, as amended, Kalra. Resource conservation: land and ocean conservation goals.

Existing law declares it to be the policy of the state that the protection and management of natural and working lands, as defined, is an important strategy in meeting the state's greenhouse gas emissions reduction goals, and requires all state agencies, departments, boards, and commissions to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria relating to the protection and management of natural and working lands.

This bill would declare it to be the goals of the state by 2030 to protect at least 30% of the state's land areas and waters; to help advance the protection of 30% of the nation's oceans; and to support regional, national, and international efforts to protect at least 30% of the world's

AB 3030 -2-

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land areas and waters and 30% of the world's ocean. The bill would authorize the state to achieve these goals through specified activities.

The bill would declare it a further goal of the state to improve access to nature for all people in the state and to provide for recreational and educational opportunities, including wildlife-dependent recreational activities, with a specific emphasis on increasing access for communities of color and economically disadvantaged communities.

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

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

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

- (a) Access to public land, nature, and a healthy environment should be a right for all people, as that access is essential to the health, well-being, identity, culture, and economic prosperity of California.
  - (b) California faces a biodiversity and climate crisis, with nature in a steep decline and greenhouse gas emissions not declining at the rate scientists say is needed in the United States and worldwide.
  - (c) Scientists are documenting a rapid loss of natural areas and wildlife in California, the United States, and throughout the world, including all of the following:
  - (1) From 2001 to 2017, a quantity of natural areas equal to the size of a football field disappeared to development every 30 seconds in the United States, constituting more than 1,500,000 acres per year.
  - (2) The Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services found that approximately 1,000,000 plant and animal species are threatened with extinction over the coming decades as a result of land conversion, water diversions, development, climate change, invasive species, pollution, other stressors, and direct exploitation, including wildlife trade.
- (3) The Intergovernmental Science Policy Platform on Biodiversity and Ecosystem Services found that more than 500,000 terrestrial species have insufficient habitat for long-term survival without habitat restoration.

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(4) From 2001 to 2017, California has lost more than 1,000,000 acres of natural area.

1 2

- (5) At least 686 California species are at risk of future extinction, and native species in California have already declined by 20 percent.
- (d) Climate change is accelerating the decline of nature in California and the United States.
- (e) The Third National Climate Assessment found that climate change is reducing the ability of ecosystems to provide clean water and regulate water flows, limiting the ability of nature to buffer communities against disasters, such as fires, storms, floods, and marine heatwaves. Many of these changes disproportionately impact the health of communities of color and indigenous populations, and have far-reaching effects on marine and terrestrial wildlife, including by altering habitats, forcing changes to migratory patterns, altering the timing of biological events, causing shifts in species distributions, and warming and acidifying the ocean.
- (f) Nature, like the climate, is nearing a tipping point where the continued loss and degradation of the natural environment will push many ecosystems and wildlife species past the point of no return, threaten the health and economic prosperity of California and the United States, and increase the costs of natural disasters.
- (g) The Globally, the existing protections for land, water, the ocean, and wildlife in California and the United States are insufficient to prevent a further decline of nature.
- (h) Protected land, water, and ocean areas must support thriving biodiversity, contribute to climate resilience, and provide ecosystem services; be established with enduring measures; and managed so that their natural character, resources, and functions are preserved, maximized, and not impaired for current and future generations.
- (h) Historically, California has been a leader in conservation, working with stakeholders to develop exemplary programs and regulations that support and protect biodiversity in the marine and terrestrial environments of California.
- (i) California should protect land, water, ocean, and wildlife in the state as necessary to prevent the further decline of nature.

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(j) This act is not intended to undermine the Fish and Game Commission's authority in managing the public trust resources of the state.

4 <del>(i)</del>

(*k*) Conserving and restoring nature is one of the most efficient and cost-effective strategies for fighting climate change.

<del>(j)</del>

(1) The implementation of this policy includes promoting voluntary cooperation with private land owners.

10 <del>(k</del>

(m) To confront the deterioration of natural systems and the loss of biodiversity around the world, and to remain below a 1.5 degrees Celsius increase in average global temperature, scientists recommend that roughly one-half of the planet be conserved.

<del>(l)</del>

- (n) As a step toward achieving that goal, scientists have recommended that all countries commit to conserving and protecting at least 30 percent of land areas and waters and 30 percent of the ocean in each country by 2030, with a long-term goal of conserving one-half of the planet.
- (o) The International Union for Conservation of Nature has established guidance related to access, resource use, and visitation in protected areas, providing that if activities are compatible with a protected area's objectives, and they are permitted within the terms governing the protected area, the activities may be allowed.
- (p) Implementation of a state policy to protect at least 30 percent of California's land areas and waters within the state and 30 percent of the nation's oceans by 2030 should be consistent with state housing and economic goals.
- SEC. 2. Section 9001.6 is added to the Public Resources Code, to read:
- 9001.6. (a) It—For purposes of this section, "protect" or "protection" means the establishment of enduring measures on land, water, and oceans that support thriving biodiversity, contribute to climate resilience, and provide ecosystem services, such that their natural character, resources, and functions are conserved, protected, restored, and enhanced for current and future generations.
- 39 (b) It is the goal of the state to protect at least 30 percent of 40 California's land areas and waters and to help advance the

\_5\_ AB 3030

protection of 30 percent of the nation's oceans by 2030, inclusive of existing protections afforded by state and federal laws and regulations.

<del>(b)</del>

- (c) It is further the goal of the state to support regional, national, and international efforts to protect at least 30 percent of the world's land areas and waters and 30 percent of the world's ocean by 2030.
- (d) It is further the goal of the state to improve access to nature for all people in the state and to provide for recreational and educational opportunities, including wildlife-dependent recreational activities, as defined in Section 1571 of the Fish and Game Code, with a specific emphasis on increasing access for communities of color and economically disadvantaged communities. Opportunities for improved access include existing and new opportunities.

<del>(c)</del>

- (e) The state may achieve the goals described in subdivisions (a) and (b) and (c) through activities that include, but are not limited to, any of the following:
- (1) Working with the federal government, local communities, Native American tribes, other countries, and *willing* private landowners to conserve natural places and resources.
- (2) Improving access to nature for all people in the state, with a specific emphasis on increasing access for communities of color and economically disadvantaged communities.
- (3) Preventing extinction by recovering and restoring biodiversity, including species listed under the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code).
  - (4) Enhancing climate resilience by protecting genetic diversity.
- (5) Sequestering carbon and greenhouse gas emissions through natural measures in the land, waters, and ocean.
- (6) Focusing work at a scale that is biologically and ecologically meaningful, including at a landscape or seascape scale, where appropriate.
- (7) Collaborating with federal, regional, and international governments to support and advance protections for *terrestrial* and marine habitats that lie outside of the state's jurisdiction to ensure effective protections for California species that travel, are

AB 3030 — 6 —

1 migratory, or have ranges that extend beyond the borders of the 2 state.

- (8) Considering how existing state marine protected areas contribute to the goals described in subdivisions (a) and (b) during the science-based decadal review of the state's marine protected area network and considering potential complementary measures to protect marine biodiversity and ecological integrity.
- (9) Working, in relation to the consideration described in paragraph (8), with federal, tribal, and other partners to identify and implement actions to advance the goals described in subdivisions (a) and (b), including in state and federal waters off the coast of California.
- (8) Considering how existing processes to evaluate or strengthen environmental conservation in California can contribute to the goals described in subdivisions (b) and (c) and leveraging those processes to identify, evaluate, and implement measures to meet the goals described in subdivisions (b) and (c).

18 <del>(10)</del>

(9) Stabilizing ecosystems and the services of ecosystems, restoring degraded ecosystems, and maintaining and enhancing ecological functions, including functional ecological connectivity across the state's landscape in the face of human development impact and climate change.

<del>(11)</del>

(10) Aligning the state's economic and purchasing power with efforts to protect ecosystems and threatened biodiversity within the state, nationally, and internationally.

(12)

(11) Ensuring that protected areas within the state are effectively managed and enforced.

31 (13)

32 (12) Securing protections for habitat types that are 33 underrepresented in protected areas.

O



# **ACTION ITEM** August 19, 2020

TO: Public Affairs and Legislation Committee

(Directors Yoo Schneider, Dick and McVicker)

FROM: Robert Hunter, General Manager

Staff Contact: Heather Baez

SUBJECT: ISDOC CALL FOR NOMINATIONS

#### STAFF RECOMMENDATION

Staff recommends the Board of Directors discuss and determine if a member of the MWDOC Board would like to be nominated as a candidate for the ISDOC Executive Committee and direct staff as appropriate.

#### **COMMITTEE RECOMMENDATION**

Committee recommends (To be determined at Committee Meeting)

#### **REPORT**

The Independent Special Districts of Orange County (ISDOC) is holding its bi-annual officer elections via mail in September and October 2020. An official Notice of Election & Call for Candidates was recently distributed to all member districts. That notice along with an election timeline is attached for your reference.

Per the ISDOC Bylaws, officials who wish to seek election/appointment as an officer of ISDOC must first secure from their district an official endorsement in the form of a board resolution. In accordance with these Bylaws, the MWDOC Board must endorse a Director's candidacy through Resolution of the Board.

Budgeted (Y/N): n/a	Budgeted a	Budgeted amount: n/a		Choice
Action item amount: None		Line item:		
Fiscal Impact (explain if	unbudgete	d):		

Nominations for the ISDOC Executive Committee close on September 11 and all Board resolutions must be received at that time. Ballots will be sent out via mail and email on September 15 and must be received no later than October 23.

#### **BOARD OPTIONS**

## Option #1

• Discuss if a member of the MWDOC Board of Directors would like to be considered for a position on the ISDOC Board.

Fiscal Impact: None

**Business Analysis:** MWDOC would have a member of their Board of Directors serving in a leadership position for ISDOC.

# Option #2

• Take no action Fiscal Impact: None

**Business Analysis:** A member of the MWDOC Board will not have a position on the ISDOC Board.



#### **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. Saundra Jacobs Santa Margarita Water District

1st Vice President Hon. Mark Monin El Toro Water District

2<sup>nd</sup> Vice President Hon. Arlene Schafer Costa Mesa Sanitary District

3<sup>rd</sup> Vice President Hon. Mary Aileen Matheis Irvine Ranch Water District

Secretary
Hon. Bill Green
South Coast Water District
CSD
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* 

August 3, 2020

#### PLEASE DISSEMINATE TO ALL BOARD MEMBERS

This email shall serve as official notice and call for candidates for the positions of President, First Vice President, Second Vice President, Third Vice President, Secretary and Treasurer on the Executive Committee of the Independent Special Districts of Orange County (ISDOC).

Terms of office are for two years, commencing on January 1, 2021.

The election will be by mail ballot and new officers will be announced at the October 29, 2020 Quarterly Meeting. Ballots will be mailed to all regular ISDOC members in good standing on **Tuesday**, **September 15, 2020 and are due by October 23, 2020.** 

Nominations will close on Friday, September 11, 2020. Any Board Member/Trustee of a regular ISDOC member agency is eligible for nomination to any of the open positions. Individuals who wish to be considered for a position should submit a letter of interest for that position, together with a resolution from their Board authorizing their candidacy.

Responsibilities of the positions are as follows:

**PRESIDENT**: The President is the chief executive officer of ISDOC. He or she presides at all meetings of the Board of Directors and the Executive Committee, appoints all committees, and represents ISDOC as its official spokesperson.

FIRST VICE PRESIDENT: The First Vice President chairs the Program Committee. Duties include planning the Quarterly Luncheon program, inviting and coordinating with the invited speaker, and in the absence of the President, shall perform all duties of the President.

**SECOND VICE PRESIDENT**: The Second Vice President chairs the Membership Committee. Duties include maintaining a list of current regular and associate members, follow up with any outstanding membership dues as needed, and in the absence of the President and First Vice President, shall perform all duties of the President.

**THIRD VICE PRESIDENT**: The Third Vice President chairs the Legislative Committee. Duties include providing a legislative update, making legislative position recommendations to the Executive Committee, and in the absence of the President, First Vice President, and Second Vice President, shall perform all duties of the President.

**SECRETARY**: The Secretary is responsible for all correspondence and the dissemination of information to members. Duties include preparing and distributing agendas and minutes for the Executive Committee meeting, and editing and publishing the quarterly newsletter. All official correspondence to the members will be approved in advance by the President or President's designee.

**TREASURER**: The Treasurer maintains the complete financial records and bank accounts in the name of the Organization, and pays all bills duly approved by the Executive Committee, with a report to be presented to the membership at the Organizations next membership meeting.

Meetings of the Executive Committee typically occur on the first Tuesday of each month at 7:30 a.m. in the offices of the Municipal Water District of Orange County (MWDOC) in Fountain Valley.

If you are seeking nomination to a position on the Executive Committee, please send your letter/email of interest and a copy of your Board's authorizing resolution to Heather Baez at <a href="https://hbaez@mwdoc.com">hbaez@mwdoc.com</a>. All nomination requests must be received by **Tuesday**, **September 11**, **2020**.

If you have any questions about the any of the positions or the election process, please contact either Heather Baez at <a href="https://hbaez@mwdoc.com">hbaez@mwdoc.com</a> or Christina Hernandez at <a href="https://hbaez@mwdoc.com">hernandez@mwdoc.com</a>.



#### **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. Saundra Jacobs Santa Margarita Water District

1st Vice President Hon. Mark Monin El Toro Water District

2<sup>nd</sup> Vice President Hon. Arlene Schafer Costa Mesa Sanitary District

3<sup>rd</sup> Vice President Hon. Mary Aileen Matheis Irvine Ranch Water District

Secretary Hon. 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* 

# Independent Special Districts of Orange County

# **2020 Election Timeline**

August 3, 2020	Call for nominations sent out for the		
	2021-2022 Executive Committee		
	officer positions. We are seeking		
	candidates for President, 1st Vice		
	President, 2 <sup>nd</sup> Vice President, 3 <sup>rd</sup>		
	Vice President, Secretary, Treasurer,		
	Programs, membership and		
	legislation to the 1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> VP.		
September 11, 2020	The Nomination period for		
	Executive Committee officer		
	positions closed. Nominations		
	should include the following:		
	<ol> <li>Board Resolution</li> </ol>		
	authorizing your candidacy;		
	2. Position for which you are		
	running;		
	3. What you will bring to		
	ISDOC, and;		
	4. Introductory about yourself.		
September 15, 2020	Ballots sent out – Via US mail and		
	email.		
October 23, 2020	Ballots are due – Via US mail or		
	email to Heather Baez:		
	P.O. Box 20895		
	Fountain Valley, CA 92728 or		
	hbaez@mwdoc.com		
October 29, 2020	The names of officers elected		
	announced at ISDOC quarterly		
	meeting.		



# **INFORMATION ITEM**

August 10, 2020

TO: Public Affairs & Legislation Committee

(Directors Yoo Schneider, Dick, 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

In March 2020, to protect the health and safety of teachers, students and educators, schools around the world were forced to close their doors because of the rapid spread of the coronavirus. With a record number of Orange County schools transitioning to distance learning, MWDOC Public Affairs (PA), participating MWDOC member agencies, and MWDOC Choice School Program contractors—Shows That Teach, Discovery Cube Orange County, and Bolsa Chica Conservancy—collaboratively worked together to meet the needs of Orange County K-12 students by providing short, engaging, pre-recorded virtual water lessons. Now, as school administrators across the state are looking to restructure classrooms in this new age of social distancing, MWDOC PA is working closely with School Program contractors and participating member agencies to engage students through live, interactive virtual water lessons that can be accessed in-class or at-home.

#### **DETAILED REPORT**

Budgeted (Y/N): Y	Budgeted a	amount: \$401,729	Core	Choice X
Action item amount:		Line item: 63-7040		
Fiscal Impact (explain if	Fiscal Impact (explain if unbudgeted):			

As the 2020-21 upcoming school year rapidly approaches, school districts across the state have been spending the summer evaluating plans to reopen and carefully considering their options for in-person, online, or hybrid learning. With 27 school districts covering 600 schools serving close to 500,000 students in Orange County alone, educators, teachers, parents, and students find themselves once again navigating the challenges of another learning transition. While each classroom will look different in the fall semester, what has become increasingly clear is that students will no longer be able to receive the same learning opportunities that they were once granted. Keeping in mind the health and safety of all involved, both the state and county departments of education have strongly discouraged participation in field trips and large assemblies or presentations from non-essential visitors. To fill this gap, teachers are now looking for innovative and creative ways to engage their students as they return to school in the fall.

As such, MWDOC PA is meeting individually with MWDOC Choice School Program contractors to ensure that the water education programs offered in the fall continue to provide value to teachers and include resources and activities that connect students to their local environment. Unlike the unexpected shift at the end of the 2019-20 school year to prerecorded videos, MWDOC PA is working closely with School Program contractors to offer live, online sessions that engage students in water lessons that can be accessed in-class or at-home. Sessions will cover topics like Orange County water supply, water quality, water use efficiency, and the importance of water to all living things. Each session will include preand post-activities to assist teachers in seamlessly incorporating the water lesson into their curricula, and offer extended hands-on learning opportunities to students. Additionally, MWDOC PA has met with education partners Orange County Department of Education and State Education and Environment Roundtable to begin revising the MWDOC Choice Water Education School Program goals, ensuring that they support state education standards and frameworks that call for increased environmental literacy of students throughout California's K-12 education system. The current MWDOC Choice School Program goals can be accessed here.

#### **NEXT STEPS**

The unfortunate impacts of the COVID-19 pandemic have created increased concern for the social-emotional health, learning and developmental skills, as well as the overall safety of students. The role of educators has extended beyond the classroom as they provide stability, support, and assurance to teachers, students, and their families during this next transitional phase. With so much uncertainty surrounding the reopening of schools in the fall, MWDOC PA has created a shareable Google Sheet that includes current state and local guidance, Orange County school district reopening options, and active links to COVID-19 response pages. This document was shared with Orange County school district superintendents, as well as MWDOC member agencies, education partners, and School Program contractors.

MWDOC PA will continue to closely monitor the reopening decisions of Orange County school districts. Currently, MWDOC PA is working with School Program contractors to ensure the interactive, live sessions and pre- and post-session activities fit the various learning models (in-person, online, hybrid), and engage students in their local environment, encourage them to become good water stewards, and empower them to be informed, resilient citizens as they navigate their way through these unprecedented times.



## **INFORMATION ITEM**

August 10, 2020

TO: Public Affairs & Legislation Committee

(Directors Yoo Schneider, McVicker & Dick)

FROM: Robert Hunter, General Manager

Staff Contact: Damon Micalizzi

**SUBJECT: 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**

Planning is underway for the 2021 Orange County Water Summit, scheduled for next June. Staff has saved the date and booked the Disney Grand Californian Hotel for June 4, 2021. However, with so much uncertainty as to what public guidelines will be related to COVID-19 a meeting was held with the Co-Chairs to preliminarily discuss options for a 'Plan B' for next year's Summit. The Co-Chairs directed staff to proceed with planning for a live, in-person event, with hopes that by next spring, COVID-19 will have run its course. However, in the event that the virus continues to force social distancing, staff will also explore options and plan to pivot to a virtual event if necessary.

OCWD is the lead agency for the 2021 event.

The next meeting of the OC Water Summit Ad Hoc Committee will be scheduled in late August.

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



# **INFORMATION ITEM**

August 10, 2020

TO: Public Affairs & Legislation Committee

(Directors Yoo Schneider, McVicker, Dick)

FROM: Robert Hunter, General Manager

Staff Contact: Damon Micalizzi

SUBJECT: VIRTUAL WATER POLICY FORUM

#### STAFF RECOMMENDATION

Staff recommends the Public Affairs & Legislation Committee: Receive and File

#### **COMMITTEE RECOMMENDATION**

Committee recommends (To be determined at Committee Meeting)

#### **REPORT**

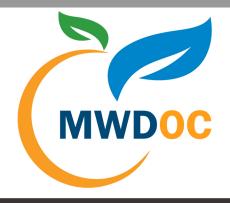
Registration is now open for MWDOC's upcoming Virtual Water Policy Forum. The event, which will be held via Zoom Webinar is scheduled for 10:30 a.m. on Wednesday, September 23<sup>rd</sup>. The Keynote speaker will be Michael George, Delta Watermaster of the State Water Resources Control Board.

The waters of the Sacramento-San Joaquin Bay Delta continue to be at the epicenter of water policy tug of wars in California. Today, Delta stakeholders are at the table making Voluntary Agreements, in an attempt to find common ground, achieving the coequal goals of enhancing water supply reliability and ecosystem preservation.

Mr. George will reflect on the past year's developments with Delta Conveyance, and discuss framework of the Voluntary Agreements as he presides over the negotiations.

The registration flyer is attached.

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



# **2020 WATER POLICY**

Forum

Virtual Speaker Series: Bay Delta

# Save the Date!

Featured Speaker

# **MICHAEL GEORGE**

Delta Watermaster
State Water Resources Control Board

California's development from a sparsely populated wildland to a technological and agricultural powerhouse is owed to the waters of the Sacramento-San Joaquin Bay Delta. Population growth, and the need for infrastructure to sustain it, transformed once biodiverse wetlands into a fragile system that has impacted local wildlife and human inhabitants alike. Federal, state, local, and environmental organizations have been squaring off for decades over how to manage the Delta, all while native fish species teeter on the brink of extinction, and even the wettest years see limited water exports for agriculture and human needs. Today, Delta stakeholders race to make voluntary agreements, finding common ground so fish, farm, and folk can coexist in support of California's trillion-dollar economy.

Please join us on Wednesday, September 23, 2020, for a very special MWDOC Water Policy Forum as we welcome keynote speaker Michael George, Delta Watermaster, State Water Resources Control Board. Mr. George will reflect on the past year's developments with Delta Conveyance, and discuss future projects that will enhance Southern California's water supplies and reliability.

Registration\* is available now!

We look forward to seeing you there!

Sincerely,

Sat Tamaribuchi Board President Municipal Water District of Orange County



**REGISTER TODAY!** 

www.mwdoc.com/virtualwpf

WEDNESDAY
Sontombox 22rd

*September 23rd* 10:30 AM - 12:00 PM

**VIRTUAL EVENT** 

FREE TO ATTEND

mwdoc.com/virtualwpf

SUBMIT YOUR QUESTIONS FOR THE SPEAKER

Submit your questions for Michael George to Bryce Roberto: (714) 593-5017

broberto@mwdoc.com

\*Only registered guests will be permitted to join the Zoom session. Each guest is required to register online.

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# Public & Governmental Affairs Activities Report July 15, 2020 – August 5, 2020

	July 15, 2020 – August 5, 2020
Member Agency Relations  Community Relations	Public Affairs Staff:  Prepared and distributed timely updates of Orange County school district options and decisions for reopening schools to Orange County superintendents, MWDOC member agencies, MWDOC education partners, and MWDOC Choice School Program contractors  Reached out to member agency points of contact and announced the 2020 Water Awareness Poster Contest winners within their service area  Prepared and distributed a Media Tool Kit to MWDOC member agencies and the Wyland Foundation for the 2020 Wyland National Mayor's Challenge for Water Conservation  Governmental Affairs Staff:  Provided a legislative update to the WEROC COVID-19 group Provided an update on the Grants Program new feature (every other month conference call for agency staff) at the MWDOC Member Agency Managers meeting Sent out grants matrix and solicited updates from agencies Met via conference call with Soto Resources and the City of Brea about the grants program  Public Affairs Staff: Prepared, coordinated, and distributed the August 2020 issue of MWDOC's eCurrents newsletter Attended Orange County Business Council's (OCBC) Workforce Development Committee meeting Attended the California Association of Public Information Officials Southern California regional meeting Participated in the CalDesal Outreach and Communications committee meeting, and Website subcommittee meeting
	<ul> <li>Governmental Affairs Staff:</li> <li>Attended the ACC-OC Energy, Environment and Water         Committee meeting     </li> <li>Attended the OCBBC Infrastructure Committee meeting</li> </ul>
Media Relations	Public Affairs Staff:  • Participated in weekly County Operational Area PIO COVID-19 Conference Calls

#### Education

#### Public Affairs Staff:

- Participated in Department of Water Resources Water Education
   Committee meeting
- Met with MWDOC education partners Orange County Department of Education and State Education and Environment Roundtable to discuss MWDOC Choice School Program goals and objectives
- Met with Metropolitan Water District of Southern California (Metropolitan) and Orange County Department of Education's (OCDE) Inside the Outdoors (ITO) to discuss education opportunities for the upcoming school year
- Participated in the Metropolitan Education Coordinators meeting
- Met with the Metropolitan Education team and ITO to discuss virtual programing and tours, as well as best practices for transitioning classroom lessons
- Met individually with MWDOC Choice School Program contractors—Shows That Teach (K-2), Discovery Cube Orange County (3-8), and Bolsa Chica Conservancy (9-12)—to review virtual program plans for the upcoming school year
- Attended Curt Pringle & Associates webinar: Children's Mental Health and Education Challenges during COVID
- Provided Santa Margarita Water District, Mesa Water District, and City of Santa Ana with requested information related to MWDOC Choice School Programs
- Met with Orange County Water District and Jurupa Community Services District to discuss potential sponsorship of the Water Energy Education Alliance (WEEA)
- Met with Metropolitan, Los Angeles Department of Water and Power, and California Education and the Environment Foundation on expectations for WEEA
- Met with OCSTEM (Orange County Science Technology Engineering and Math) to discuss online education platforms, workforce industry chats, and WEEA
- Met with Metropolitan and Saddleback Community College to discuss current water industry workforce pathways and programs

#### **Special Projects**

#### Public Affairs Staff:

- Met with the Co-Chairs of the OC Water Summit to have preliminary discussions about the 2021 event
- Continued planning and preparation for the September 23<sup>rd</sup>
   Virtual Water Policy Forum
- Updated administrative process for public affairs contacts and re organized list of 29,000+ contacts
- Awarded winners of our 2020 Water Awareness Poster Contest outside of MWDOC campus and distributed prizes
- Hosted a social media campaign for the 2020 Water Awareness
   Poster Contest winners
- Awarded winners of 2020 Chalk the Walk Contest
- Published several website updates
- Assisted Administration and IT with Zoom meetings setup/troubleshooting
- Met with MWDOC Water Use Efficiency (WUE) to discuss program marketing
- Completed several website and electronic and print updates for WUE rebate programs
- Met with Wyland Foundation President to discuss new education and outreach programs

#### Governmental Affairs Staff:

- Staffed the ISDOC Executive Committee Meeting (July and August)
- Staffed the WACO monthly meeting on PFAS, featuring speakers from the US EPA and University of California, Berkeley
- Drafted and distributed a letter to the Orange County Congressional delegation requesting funding for water infrastructure be included in any upcoming economic relief funding measures
- Met with Joey Soto and Rachel Waite from WUE to discuss grants program and potential outcomes for the grants bi-monthly call
- Provided additional documentation to OC LAFCO for MWDOC's forthcoming Municipal Service Review
- Coordinated with Bureau of Reclamation staff in Commissioner Brenda Burman's office for the August WACO meeting
- Staffed the WACO Planning meeting
- Staffed the ISDOC Quarterly Meeting with guest speaker Supervisor Don Wagner
- Invited Nancy Vogel, Director of the Governor's Water Portfolio Program to speak to WACO in September and coordinated logistics

# **Legislative Affairs** Governmental Affairs Staff: Monitored the State Water Resources Control Board Meeting where they adopted the draft fund expenditure plan for the Safe and Affordable Drinking Water Fund Participated in CMUA's Regulatory and Legislative Committee meetings Participated in the ACWA Federal Affairs Committee meeting Participated in the MWD Legislative Conference Call Participated in the ACWA State Legislative Committee meeting Attended various ACWA virtual conference programs including: Voluntary Agreements panel, Secretary Wade Crowfoot's review of the California Water Resiliency Plan, Safe and Affordable Drinking Water, keynote from Commissioner Brenda Burman, and SWRCB Chair Joaquin Esquivel, and DWR's Karla Nemeth. Participated in the special meeting of the ACWA State Legislative

Committee