

MEETING OF THE
BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the
PUBLIC AFFAIRS AND LEGISLATION COMMITTEE
December 21, 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:

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Committee:

Director Yoo Schneider, Chair
Director McVicker
Director Dick

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

Ex Officio Member: Director Tamaribuchi

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

PUBLIC PARTICIPATION

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

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

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

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

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

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.)

- 2. MWDOC BOY AND GIRL SCOUTS PROGRAMS GO VIRTUAL
- 3. WATER POLICY FORUM VIRTUAL SPEAKER SERIES: WATER RESILIENCE PORTFOLIO
- 4. SCHOOL PROGRAMS UPDATE
- 5. OC WATER SUMMIT UPDATE
- 6. PUBLIC AND GOVERNMENT AFFAIRS ACTIVITIES REPORT

OTHER ITEMS

- 7. 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.

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

James C. Barker
Ryan Leavitt

*Municipal Water District of Orange County, California
Washington Update
December 15, 2020*

***Biden-Harris Officially Declared Winner/President and VP-Elect by the Electoral College;
Congress Scrambling to Pass Year-end FY21 Appropriations Omnibus Bill Which Could
Include COVID Relief Economic Stimulus Bill; and COVID Vaccine Approved and U.S.
Distribution Begins***

On December 14, 2020, the Electoral College met and voted in all 50 States and formalized the result of the November Presidential Election. President-Elect Joe Biden and Vice President-Elect Kamala Harris will be sworn-in on January 20, 2021.

Also, the Food and Drug Administration (FDA) granted emergency approvals of two COVID-19 vaccines in the United States and the vaccines have now begun to be distributed to medical professionals on the front lines fighting the virus.

Year-end FY21 Appropriations Bill; COVID-19 Economic Stimulus

Congress previously extended federal spending to keep the government open through December 11. Having not yet finalized a long-term spending deal, Congress extended the funding deadline to Friday, December 18.

At the time of writing this report, negotiations for a year-end, omnibus FY21 appropriations bill remain in flux. Senate Leader McConnell and House Speaker Pelosi have reiterated that they want to pass a FY21 omnibus appropriations bill to fund the entire federal government through the end of the fiscal year ending September 30, 2021 (including the Interior/EPA and Energy & Water Appropriations bills, which provide critical federal funding for federal agencies and water programs). If a deal cannot be reached the \$1.4 trillion appropriations bill by Friday,

December 18, Congress will be forced to either pass another short-term continuing resolution or to allow the government to shut down. We are optimistic that Congress will avert a government shutdown a few days before Christmas.

A bipartisan group of Senators and Representatives introduced a compromise COVID relief bill worth \$748 billion dollars. This compromise is gaining momentum and there is hope that it could be added to the year-end spending bill package. Specifically, the bill addresses more money for Paycheck Protection Plan and small business reliefs, money for COVID testing and tracing, money for the transportation sector (transit, airports, etc.), and student loan relief and enhanced federal unemployment benefits (\$300 per week/for 16 weeks) through April 2021. The most controversial provisions of the bill were split off into a separate \$160 billion relief bill that includes aid to state and local governments (not special districts) and a liability shield for businesses related COVID-19.

We believe there is a strong possibility that the \$748 billion bill could be included in the year-end omnibus bill, but the \$160 billion for state and local governments and liability protections are more unlikely at this time. This is a major breakthrough as Congress and the White House have been deadlocked on COVID relief negotiations since July. Several Congressional Leaders, including Speaker Pelosi, have said they won't allow Congress to adjourn for holiday break until a COVID relief package is passed.

MWDOC Member Agency South Coast Water District Slated to Receive \$11.7 Million Bureau of Reclamation WIIN Act Desalination Grant (Bringing total to \$20 Million)

The Bureau of Reclamation is recommending to Congress that they approve additional desal grant awards totaling \$11,673,000 for the Doheny Beach Desal Project. In total, this will mean that the South Coast Water District would be receiving \$20 million for its Doheny Beach Project.

The Doheny Beach Desal Project "funding" will still need to be "listed" (written into law) in an upcoming appropriations bill like it was last year for the \$8.3 million grant. In terms of timing, there is a significant attempt to have the Doheny Desal project listed in the year-end omnibus bill, which is under consideration by the Congress right now and we are working on those efforts. If it isn't listed in the omnibus, then it will need to be listed in a future Energy and Water Appropriations bill which will be considered next year.

At the time of the writing of this report, Bureau of Reclamation and House and Senate Appropriations Committees staff all expressed optimism that the additional \$11.7M would be approved by Congress in the year-end spending bill before Congress adjourns for the year.

Going back to the 2014-16 period MWDOC discussed the importance of getting federal funds for a desal project and creating a competitive grant program in which a member agency, in this case, the South Coast Water District, could apply for a competitive grant and receive federal funds. MWDOC, working with SCWD, was instrumental in creating the very program that is allowing South Coast to receive these funds. Now some five years later, SCWD is slated to receive \$20 million in federal funds under this program. None of this would have happened if the MWDOC Board and its General Manager and his executive team had not shown outstanding leadership and had not been supportive of going after these funds and creating this Congressional authorization for desal funding.

Water Resources Development Act (WRDA Bill)

The House of Representatives passed a Water Resources Development Act (WRDA) bill the first week of December. The House-passed WRDA bill includes the provisions authorizing U.S. Army Corps of Engineers projects, but, after much speculation that it might, it did not ultimately include a reauthorization of Drinking Water and Clean Water State Revolving Funds. It also did not include a Bureau of Reclamation (BOR) Title. These unresolved issues, including expiring WIIN Act water grant programs, will become a major priority for the new Congress in 2021.

The best hope for passing the WRDA bill before the end of the year will be for it to hitch a ride with a year-end spending bill. Many of the Congressional offices we have spoken with feel that this is a serious possibility. Senate Appropriations Committee Chairman Richard Shelby continues to have concerns about the WRDA's harbor maintenance provisions, which may be a hurdle for its inclusion in a year-end omnibus spending bill.

Wildfire/Forest Management Legislation

Senator Daines and Senator Feinstein, the authors of the "Emergency Wildfire and Public Safety Act" continue to push for the bill to be added to a year-end spending bill. The odds of this happening aren't clear at this time but remain somewhat unlikely in large part because of competing legislative proposals in this same space.

As a reminder, this MWDOC supported legislation would ease some regulatory hurdles for forest management projects, such as not requiring a renewed environmental review when new information emerges about potential effects on endangered species — a legislative fix to a court-imposed requirement. The bill would also allow the Forest Service to declare emergencies in certain areas affected by wildfire, allowing for restoration with less-extensive environmental review.

PFAS Update

Last week, the House and Senate passed the 2020 National Defense Authorization Act (NDAA). The most controversial PFAS provisions were dropped from the annual defense bill, but some remained—including \$1.4 billion for remediation and cleanup of PFAS at military sites and increased funding for a CDC health assessment on PFAS. Congress is bracing for a potential veto of bill over objections from the President over the requirement to rename military bases named after confederate leaders—Congress would almost certainly have the votes to override the President’s veto.

Biden Transition

President-Elect Biden is expected to name his picks to lead the Department of Interior and EPA later this week. Top contenders to lead the Interior Department are Congresswoman Deb Haaland (who would be the first Native American cabinet Secretary) and retiring US Senator Tom Udall. Biden is reported to be considering Michael Regan to lead the EPA. Mr. Regan a former EPA regulator currently works at North Carolina’s Department of Environmental Quality. Others on the list to head EPA also include law professor Richard Revesz and the CEO of the National Wildlife Foundation Collin O’Mara.

JCB/RWL 12/15/20



To: Municipal Water District of Orange County
From: Syrus Devers, Best Best & Krieger
Date: December 15th, 2020
Re: Monthly Report

Legislative Report

The Legislature met on December 7th for one day to start the 2021/2022 biennial session and to swear in new members. They also introduced a larger than average number of bills for the first day. (See the Bill Matrix.) The Legislature meets again to start regular business on January 4th. The Senate and the Assembly announced committee assignments but there were no significant changes to the policy committees related to water. Newly sworn in Senators John Laird, who replaced Bill Monning, and Susan Eggman, who replaced Kathleen Galgiani, will join the Senate Natural Resources and Water Committee, which is good news to BB&K. One note of intrigue related to water is the removal of Assembly Member Adam Gray as Chair of the Governmental Organization Committee for voting against Trailer Bill language that impacted the negotiations with the federal government over the Voluntary Agreements on the San Joaquin River.

The most significant bill introduced so far is SB 45 (Portantino) which would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022. One of the approved uses of the fund is to “improve the resilience of a community’s water supply or provide safe drinking water or clean water benefits in light of California’s changing climate.” The bond would authorize \$5.5 billion, of which \$1.47 billion would be available for various types of water projects. BB&K will provide further analysis and comment at the PAL Committee meeting.

Administrative Report

The SB 200 process to address noncompliant water districts continues to make progress. ACWA has scheduled regular workgroup meetings and mentioned that it is the most active workgroup this year. MWDOC got involved to oppose the water tax and to ensure the funds were spent effectively and take into account past investments that were ongoing. Those goals have been achieved for the moment but part of the process concerns how SWRCB will estimate the cost of bringing a water district into compliance. If those estimates are exaggerated it might be used to argue for a water tax in the future, but there is no way to know since SWRCB has not provided any specifics. ACWA is preparing a draft letter as this report is being written that will ask that the draft cost estimates be shared soon, and to compare



the estimates with the costs of current projects. The letter is due by December 21st. Following that the working group will draft a comment letter on the risk assessment process, which is due January 6th.

On January 10th Governor Newsom will present his budget to the Legislature. The nonpartisan Legislative Analyst's Office (LAO) recently published a report that shows the economy recovering faster than expected, and the budget deficit being significantly smaller than projected. The LAO estimated the budget deficit to be approximately \$30 billion last summer, which was far below the administration's estimate of \$54 billion. It appears the operating deficit going into next year may be as low as \$17 billion. But the report was not all good news: the recovery and lower deficits appear to be due to higher-income earners being spared most of the impacts of the shutdown, while unemployment among low-wage earners remains high. The report can be read here: <https://lao.ca.gov/Publications/Report/4297>

The County of Orange Report

December 15, 2020
by Lewis Consulting Group



LAFCO Highlighted by Changing of the Guard

The December 9th meeting of OCLAFCO was a bittersweet event as the Directors paid tribute to outgoing Chairwoman Cheryl Brothers. Brothers was defeated in her city council re-election bid, making her ineligible to continue as a city representative on LAFCO. This was the first meeting that Huntington Beach Councilman Mike Posey served as the committee's newest city representative.

With the beginning of the New Year looming, selection of 2021 officers took place. The 2021 Chairman will be East Orange County Water District's Board President Doug Davert and Supervisor Don Wagner was selected to serve as Vice Chair.

Due to COVID-19, the annual LAFCO Strategic Workshop has been delayed until June 2021 at the earliest. As Chairman Davert noted, the Workshop does not lend itself to a Zoom meeting.

Finally, under the agenda's Legislative Report, it was noticed that LAFCOs across the state will be involved in and monitoring this year's LAFCO omnibus bill. Some of the issues that should be addressed are:

- 1) clarifying the role a "Principal County" plays in spheres of influence
- 2) clarifying LAFCO role in city and special districts new or extended services outside of their boundaries
- 3) clarifying Protest Provisions for LAFCO proceedings



UPDATE

COVID-19 and ICE Heat Up Board Meeting

No, we are not talking about the dry ice needed to appropriately cool the Pfizer vaccine, but the ICE better defined as the Immigration and Customs Enforcement.

Several years ago, the California Truth Act, Transparent Review of Urgent Transfers and Hold was enacted into law. The Truth Act requires counties to hold an annual public meeting to provide access to information to the public regarding cooperation with ICE

and the numbers of individuals the county was holding under an ICE detention. The County in the past has just treated it like a regular item on the agenda with little or no comment. The has outraged local immigration activists.

This year, for the first time, Sheriff Don Barnes testified to last year's statistics and noted the total number of ICE detentions in 2019 was 1,507. Of those, 492 of the worst offenders were turned over to ICE upon completion of their sentence. State law shielded 1,015 of the inmates from being turned over to ICE and they were released. Among those, 238 have already been re-arrested for additional crimes.

The Board of Supervisors continued to get publicly pummeled by a group of citizens who show up to oppose Governor Newsom's various COVID-19 restrictions. Some object to mandating mask wearing, others to curfews and closures. Numerous times the Board has listened to heart wrenching stories of small business owners or restauranteurs who have gone deeply into debt, face the risk of losing their businesses or have already done so.

There is not the appetite among a majority of the Board to either reject some of the Governor's orders or to join in litigation with counties opposing the Governor's orders. Instead, at the December 8th meeting, they unanimously passed a resolution by Supervisor Bartlett and Wagner calling on the Governor to respect Orange County's autonomy particularly opposing the new region it has been placed in and to give more deference overall to local control.

The main topic for the December 15th Board meeting, were once again COVID-19 with over 30 members of the public lashing out against business closures. Also discussed was the vaccine schedule for Orange County with Pfizer providing 42,000 doses starting Wednesday, December 16 through Thursday, December 24 and Moderna upon FDA approval providing an additional 32,000 doses by December 24, 2020.

The Board also adopted it's latest legislative platform. A schism was apparent when identical 3-2 votes were cast removing the County's opposition to affirmative action and also removing opposition to legislative efforts stymieing independent contractors in Orange County.



Supervisor Election Looms Large in OC

When Orange County Supervisor Michelle Steel unseated freshman Congressman Harley Rouda, it jump-started a frenzy among ambitious councilmembers throughout the district. Even though the Board of Supervisors is a non-partisan body, you wouldn't know that by the sense of urgency taken by both the Republican and Democratic parties to secure a new victory.

Because Michelle Steel has not yet resigned from her Board position, the election to replace her has not been called. However, the winner of the “winner take all” primary, puts a premium of each party trying to winnow the field to prevent ‘vote splitting’. So far, the Democrats have consolidated behind Costa Mesa Mayor Katrina Foley. Despite a Republican Party endorsement for former Supervisor/County Treasurer/State Senator John Moorlach, two popular GOP councilmembers, Huntington Beach’s Mike Posey and Newport Beach’s Kevin Muldoon remain in the race. Under the existing field of candidates, Katrina Foley appears to be the early favorite.



I NEW POLL

Californians and Their Economic Well Being

On December 5, 2020, the PPIC released its first post election survey, this one dealing with Californians' attitude about the state of the economy and how it affects them. The survey of 1,700 Californians occurred between November 4-23. It has a margin of error +/- 3.3% with a 95% confidence level.

Looking ahead, in California will we have mostly good times during the next five years or will we have mostly periods of widespread unemployment or depression?

- 40% good times
- 59% periods of depression or unemployment
- 1% don't know

Does the lack of well-paying jobs make you and your family seriously consider moving away from the part of California you live in now? (if yes, ask: “Does it make you consider moving elsewhere in California or outside of the state?”)

- 32% yes
 - ⇒ 6% yes, elsewhere in California
 - 26% yes, outside the state
- 68% no
- 1% don't know

Do you think the American Dream—that if you work hard you'll get ahead—still holds true, never held true, or once held true but does not anymore?

- 38% still holds true
- 16% never held true
- 45% once held true, but not anymore

Do you think the American Dream is easier to achieve in California than elsewhere in the US or harder to achieve?

- 11% easier to achieve
- 58% harder to achieve
- 30% about the same
- 1% don't know

When children today in California grow up, do you think they will be better off or worse off financially than their parents?

35% better off
63% worse off
1% don't know

Do you favor or oppose a government policy to make college tuition free at both public two-year and four-year colleges?

66% favor
34% oppose

Would you favor or oppose the government offering a health insurance plan, similar to Medicare, that Americans can choose to purchase instead of private insurance?

77% favor
23% oppose

Would you favor or oppose the federal government providing a guaranteed income, sometimes called a "Universal Basic Income," of about \$1,000 a month for all adult citizens, whether or not they work?

50% favor
50% oppose

Because of the corona virus outbreak...

Have you or anyone in your household been laid off or lost their job?

25% yes
75% no

Have you or anyone in your household had work hours reduced or pay cut?

38% yes
62% no

Have you or anyone in your household been working remotely from home?

47% yes
53% no

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

31% Republican Party
64% Democratic Party
4% neither



Orange County COVID-19 Stats

ORANGE COUNTY COVID-19 STATS	AS OF 12/15/2020	AS OF 11/9/2020
CUMULATIVE CASES TO DATE	107,937	62,563
CUMULATIVE DEATHS TO DATE	1,695	1,509
DEATHS REPORTED TODAY	1	0
CUMULATIVE TESTS TO DATE	1,754,327	1,190,732
TESTS REPORTED TODAY	34,205	7,148
CASES CURRENTLY HOSPITALIZED	1,371 *	205 *
CASES CURRENTLY IN ICU	296	76
CUMULATIVE RECOVERED TO DATE	67,699 *	55,063 *

* = INCLUDES *ICU* CASES

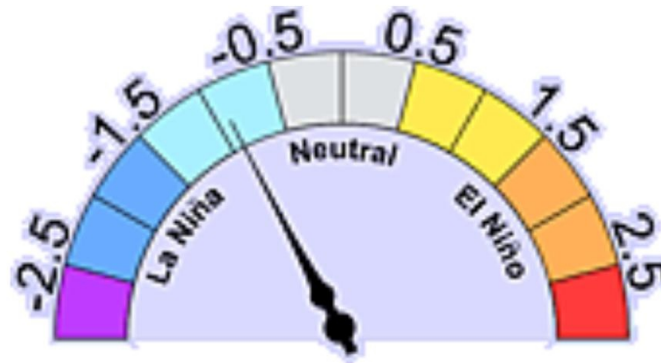
Where Orange County Ranks [as of 12/15/2020]

LOCATION	POPULATION	CONFIRMED CASES	DEATHS
CALIFORNIA	40,129,160	1,617,370	21,188
LOS ANGELES COUNTY	10,247,557	524,668	8,345
ORANGE COUNTY	3,228,519	107,937	1,695
RIVERSIDE COUNTY	2,468,145	123,715	1,586
SAN BERNARDINO COUNTY	2,217,398	129,151	1,241
SAN DIEGO COUNTY	3,370,418	109,578	1,162

“The decision to include among other sectors outdoor dining and limiting that — turning to restaurants to deliver and provide takeout options instead — really has to do with the goal of trying to keep people at home, not comment on the relative safety of outdoor dining”.

- Mark Chaly - California Health and Human Services Agency Secretary

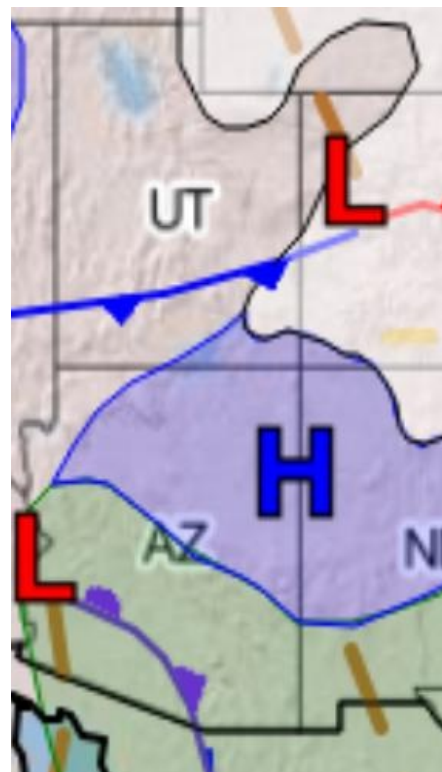
ENSO METER



La Niña conditions have lessened slightly, but Southern California's weather patterns continues to reflect La Niña probabilities with warmer and drier weather in the Southland.

Finally - Some relief for Four Corners area and the Colorado River

Colorado River Basin map



DEC 10th

SNOW

RAIN

While not close to being a drought buster. . . Could this be the changing of a weather pattern?

ACKERMAN CONSULTING

Legal and Regulatory

December 21, 2020

1. **Tribes Water Transfer:** California River Indian Tribes want to get into the water business more. CRIT, as they are referred to, have significant water rights on the Colorado River. However, there are limits to their use, mainly they must be used on their reservation. CRIT is seeking congressional approval to sell or lease their rights off reservation to cities and industries in Arizona. CRIT land is 85% Arizona and 15% California. Most tribes have obtained their water rights by Acts of Congress. CRIT got theirs through a Supreme Court decision in 1963. However, they can not create off reservation use except by Congressional action. The action will be controversial. A recall attempt in 2018 was commenced to object to off reservation leasing. Since then, the CRIT council voted to seek Congressional approval. Environmental groups are supporting the effort due to promises to use some of the water for habitat restoration. It is unclear where this will end up.
2. **Arid Trends:** The University of Copenhagen has used satellite images to study plant growth in arid parts of the world. They concentrated on arid areas and areas which depend totally on rainwater for agriculture. They concluded that poorer areas and developing nations have trended down in overall vegetation. At the same time, wealthier areas with resources have trended up. This is to be expected as it takes financial support to develop irrigation systems and fertilization. The contrast is most noticeable when comparing Asia and Africa (down) with South American and Australia (up) in productivity in arid areas. It did not mention the USA. Their main concern was impact on growing populations in these areas and the unrest that could develop.
3. **Fresno No 1:** Fresno County has maintained its number 1 position as top producing county for agriculture in the United States. Its 2019 numbers show over \$7.7 billion in sales. They grow over 300 different products and ship to over 90 countries worldwide. Almonds remain the number one crop at \$1.6 billion in sales. Next are grapes at almost \$1 billion. Followed by chickens, milk, garlic, cattle, tomatoes, mandarins, oranges, peaches and melons in that order. 2019 is the second best value years over the last 20 years.
4. **Water Chemistry:** The chemistry of water has been studied for thousands of years. Stanford University discovered that under certain conditions, water can change into hydrogen peroxide. Hydrogen peroxide is a strong chemical used as a disinfectant and bleaching agent. It can also create oxygen. This attribute of water may have been important in the initial formation of life on earth billions of years ago. Also, the cleaning quality was known to mankind thousands of years ago. Presently, scientists are looking at water microdroplets being used for cleaning and disinfectant purposes because of their H₂O₂. This has been shown to work on SARS-Covid 2 which is the virus that created Covid 19. This process occurs naturally and has been a positive factor in our lives without us knowing it.

5. **Nanopowder Water Filter:** Osaka University has created a water filter to remove metal ions from water. It is hoped that this discovery will be a cheaper and more efficient method for removing heavy metal from water. The seaweed shaped filter is made from sodium titanate. Controlling the titanate in the layered seaweed format is the key. But early tests are showing very positive results. It has also proven effective with radioactive material.
6. **Tijuana Cleanup Competition:** As we have previously reported the sewage contamination problem on the Tijuana River has been a continuing problem for both Mexico and the US. The Trump administration has committed \$300 million toward the solution. Now we have two competing companies offering a solution. WinWerks, a San Diego company, is proposing to capture the wastewater, treat it and resell to California agencies. They would use a process known as electrocoagulation which shocks pathogens from the water. They believe this can be a profitable venture. Comice, a Tijuana based venture, wants to build a new treatment plant in Mexico. A problem that arises with the Comice proposal is under Mexican law, Mexico owns the water and it can not be bought and sold as it can in the US. This complication could make the Comice plan not workable. Time will tell.
7. **Water on Wall Street:** Water joined other commodities last week on trading futures. CME Group traded January 2021 contracts as part of the \$1.1 billion California water spot market. There were two trades which averaged \$496 per acre foot. Experts ponder whether this is a sign of things to come due to water shortages and climate change. The futures market may very well determine the future of water in California and elsewhere.
8. **Klamath Dams Removal:** Oregon and California recently signed a deal which may start the removal of four dams on the Klamath River. The dams owner, Berkshire Hathaway, was prepared to terminate a prior deal because of the unlimited future liability they could face in the removal process. All dams have hydroelectric facilities which are outdated and would cost more to update than remove. The cost of removal is around \$500 million which has been committed. The new deal put Oregon and California on the hook for overruns and potential liability during the removal and restoration process.
9. **Burning Toilets:** Hawaii has issues with water and waste. The University of Hawaii, Cinderella Eco Group and Wastewater Alternatives and Innovations have developed an incineration toilet. This toilet looks like a cross between a regular toilet and a porta potty. It uses no water and has almost no waster byproduct. It uses a small amount of electricity and propane to burn the waste at 540 degrees. The small amount of waste can be used as fertilizer or in compost piles. These toilets do not require connection to sewer systems. It is expected that these toilets will get extensive use in Hawaii in areas where water and sewer concerns are critical. [Don't Flush It, Burn It! \(video\)](#)
10. **Tribes Oppose Tunnels:** Tribes in the Delta have joined in opposition to the Delta Tunnel Conveyance project. They claim it will destroy the environment and the salmon population. Also they believe it will destroy plants they use for medicine and sacred sites. In addition, they claim they have not been made part of the process. As you may guess, these claims are being disputed.

11. Water Fuel Cells: The University of Bath (England) is working on a project in Brazil to purify water. Soil microbial fuel cells placed in the soil power and electrochemical reactor to purify water. It is designed to be used in remote areas where normal services are usually not available. Electrodes are buried in the soil. Due to the organic components in the soil, electricity is produced. This is used to charge a battery which powers an electrochemical reactor to purify the water. What will they find in soil next. Read Number 12 following>
12. Self Watering Soil: The University of Texas has developed a soil that takes water from the air and uses it to water plants. A super moisture absorbent gel is placed in the soil. When the soil is heated (when the sun comes out), it captures water in the atmosphere and releases it for use of nearby plants. Some also is released back in the air. This additive doubles the ability of soil to capture humid air. This gel is a gel polymer hybrid material which acts like a sponge, taking water from the air, cleaning it and releasing for use. This concept is not limited to water for plants. It is being studied for cooling solar panels and data centers.
13. Paradise Fire Follow up: The Plastic Pipe Institute has completed a report on benzene contamination during and after the Paradise fire. Initially, it was assumed that the benzene issue was caused by the melting of the plastic pipes. That was not the case. The burning of everything in the area, including plastic materials, created contamination which got drawn into the water system.

PAL Committee

Prepared by Syrus Devers, December 15, 2020

A. Priority Support/Oppose

Measure	Author	Topic	Status	Brief Summary	Position	Priority	Notes 1
SB 45	Portantino D	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022.	12/8/2020-From printer. May be acted upon on or after January 7.	Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.	Out for Analysis	A. Priority Support/Oppose	

B. Watch

Measure	Author	Topic	Status	Brief Summary	Position	Priority	Notes 1
AB 11	Ward D	Climate change: regional climate change coordinating groups.	12/8/2020-From printer. May be heard in committee January 7.	Would require the Strategic Growth Council, by January ____, 2023, to establish up to 12 regional climate change coordinating groups to develop and work on climate adaptation for their communities. The bill would authorize the regional climate change coordinating groups to engage in certain activities to address climate change.	Watch	B. Watch	
AB 50	Boerner Horvath D	Climate change: Climate Adaptation Center and Regional Support Network: sea level rise.	12/8/2020-From printer. May be heard in committee January 7.	Current law requires the Natural Resources Agency, in collaboration with the Ocean Protection Council, to create, and update biannually, a Planning for Sea Level Rise Database describing steps being taken throughout the state to prepare for, and adapt to, sea level rise. This bill would establish the Climate Adaptation Center and Regional Support Network in the Ocean Protection Council to provide local governments facing sea level rise challenges with information and scientific expertise necessary to proceed with sea level rise mitigation.	Watch	B. Watch	
AB 51	Quirk D	Climate change: adaptation: regional climate adaptation planning groups: regional climate	12/8/2020-From printer. May be heard in committee	Would require the Strategic Growth Council, by July 1, 2022, to establish guidelines for the formation of regional climate adaptation planning groups. The bill would require the council, by July 1, 2023, and in	Watch	B. Watch	

		adaptation plans.	January 7.	consultation with certain state entities, to develop criteria for the development of regional climate adaptation plans.			
SB 1	Atkins D	Coastal resources: sea level rise.	12/8/2020-From printer. May be acted upon on or after January 7.	Thee California Coastal Act of 1976 establishes the California Coastal Commission and provides for planning and regulation of development in the coastal zone, as defined. The act requires the commission, within 90 days after January 1, 1977, to adopt, after public hearing, procedures for the preparation, submission, approval, appeal, certification, and amendment of a local coastal program, including a common methodology for the preparation of, and the determination of the scope of, the local coastal programs, as provided. This bill would also include, as part of the procedures the commission is required to adopt, recommendations and guidelines for the identification, assessment, minimization, and mitigation of sea level rise within each local coastal program, as provided. The bill would delete the timeframe specified above by which the commission is required to adopt these procedures.	Watch	B. Watch	

Total Measures: 5

Total Tracking Forms: 5



INFORMATION ITEM
December 21, 2020

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

FROM: **Robert Hunter, General Manager**

Staff Contact: Tiffany Baca

SUBJECT: **MWDOC Boy and Girl Scouts Programs Go Virtual**

STAFF RECOMMENDATION

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

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

SUMMARY

In accordance with state guidelines for businesses as defined in California's [Blueprint for a Safer Economy](#), the Municipal Water District of Orange County's (MWDOC) Scouts BSA Soil and Water Conservation Merit Badge (Merit Badge) and Girl Scouts Water Resources and Conservation Patch Program (Patch Program) clinics will be conducted virtually until further notice. MWDOC Public Affairs (PA) staff has been working with Scouts BSA Orange County Council (OCCBSA), Girl Scouts of Orange County (GSOC), and Metropolitan Water District of Southern California (Metropolitan) to develop live, fully interactive, water education workshops to help Orange County's youngest water users earn their Merit Badge or Patch online.

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

DETAILED REPORT

In 2016 and 2018 respectively, MWDOC entered into agreements with OCCBSA and GSOC to host Merit Badge or Patch Program clinics for participating Scouts in the Orange County service area. While each Scouting organization has a different set of requirements, MWDOC PA designed the programs to align with one another, ensuring maximum efficiencies in execution and that all participants receive the same quality of water-centric education.

Pre-pandemic, the MWDOC Merit Badge and Patch Program clinics included an in-person, guided tour of an Orange County water source, water treatment facility, or ecological reserve followed by interactive, Science Technology Engineering Arts Mathematics (STEAM)-based activities led by MWDOC PA. Although consequences of the COVID-19 pandemic have greatly impacted the way information and water education are delivered, the quality and goals of the programs remain the same whether Scouts are distance learning or learning in person.

To ensure that all Scouts continue to develop an understanding of water use efficiency, water pollution, and water treatment in a virtual setting, MWDOC PA has developed new and creative ways to educate Scouts online. In addition to incorporating water-related ice breakers, offering short and focused learning segments, breaking into smaller working groups, and enhancing presentations, MWDOC PA is working with the Metropolitan Education Unit to provide Scouts a virtual tour of the Colorado River Aqueduct and/or the State Water Project—a requirement for hosting both the MWDOC Merit Badge and Patch Program clinics. Metropolitan Education Unit staff will send participants virtual reality goggles prior to the scheduled event, and will lead a lesson specific to the tour(s) offered. When it is safe to return to hosting in-person clinics, MWDOC PA will resume working with MWDOC member agencies to host live, interactive tours of Orange County water and wastewater treatment facilities.

As an added benefit, MWDOC Merit Badge and Patch Program clinics not only meet the requirements Scouts need to earn a Merit Badge or Patch, but also offer a deeper look at where Orange County water comes from, what it takes to get clean, healthy water to homes and businesses, how individual behaviors can impact the quality and quantity of water available, and provide an introduction to potential careers in the water and wastewater industries.



INFORMATION ITEM
Committee Meeting Date

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

FROM: **Robert Hunter, General Manager**

Staff Contact: Damon Micalizzi

SUBJECT: Water Policy Forum Virtual Speaker Series: Water Resilience Portfolio

STAFF RECOMMENDATION

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

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

DETAILED REPORT

In response to social distancing challenges caused by the COVID-19 pandemic, Municipal Water District of Orange County (MWD OC) Water Policy Forums (WPF) are now being hosted online, via the Zoom platform. The first virtual WPF featuring Delta Watermaster Michael George, was held on September 23, 2020, and was attended by more than 200 guests. Mr. George spoke on the current state and future of the Sacramento-San Joaquin Bay Delta (Delta) and Delta Conveyance, and fielded questions from the audience.

Looking ahead, MWD OC Public Affairs (PA) staff proposes continuing the Delta discussion with a WPF that examines Governor Newsom's **2020 Water Resilience Portfolio** (Portfolio). A panel comprised of foremost experts in their relative fields, is ideal for such a robust discussion, and could feature some of the following individuals:

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

- Susan Tatayon, Chair | Delta Stewardship Council
- Karla Nemeth, Director | California Department of Water
- Joaquin Esquivel, Chair | California State Water Resources Control Board
- Wade Crowfoot, Secretary | California Natural Resources Agency
- Gavin Newsom, Governor | State of California
- Karen Ross, Secretary | California Department of Food and Agriculture
- Jared Blumenfeld, Secretary | California Environmental Protection Agency
- Keely Martin Bosler, Director | California Department of Finance
- Charlton H. Bonham, Director | California Department of Fish and Wildlife

Incorporating the Board's recommendation for speakers, MWDOC PA staff will continue the long-standing tradition of providing timely, thought-provoking presenters through MWDOC WPFs.



INFORMATION ITEM
December 21, 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

During this extremely difficult and challenging time, students, teachers, and parents are doing their very best to keep up with the ever-changing education landscape. While some have learned to adapt, many still feel disconnected, discouraged, and overwhelmed. Despite the limitations created by the COVID-19 pandemic, Municipal Water District of Orange County (MWD OC) Public Affairs staff worked closely with K-12 Choice School Program contractors—Shows That Teach, Discovery Cube Orange County, and Bolsa Chica Conservancy—to provide Orange County students with safe, valuable water education that connects them with their local environment, their surrounding communities, and with each other.

DETAILED REPORT

MWD OC Choice School Program contractors continue their efforts to book live, interactive virtual water lessons that can be accessed at home or in the classroom by Orange County

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

K-12 teachers and students for the 2020/21 school year. These virtual sessions include pre- and post-program activities that provide students with hands-on learning experiences that get them outside, away from their computer screens, and enrich their understanding of how water is connected to every part of life. As the virtual sessions are confirmed with Orange County schools, MWDOC Choice School Program contractors update the shared Google Calendar so that participating member agencies are able to view the booking schedule for their service area.

Included in this report is a preview of scheduled virtual sessions for the months of December 2020, January 2021, and February 2021. Please note that the shared Google Calendar is updated frequently and will always have the most accurate information. Visits are subject to change due to school and teacher availability. Login information for the shared Google Calendar is available upon request.

The current MWDOC Choice School Program goals can be accessed [here](#).

SHOWS THAT TEACH – ELEMENTARY SCHOOL (K-2)

Through the MWDOC Choice Elementary School Program (grades K-2), Shows That Teach hosted 10 virtual assemblies reaching more than 1,400 elementary school students across the county in November 2020. More than 3,500 students have participated in the MWDOC Choice Elementary School Program (grades K-2) as of November 2020, and as of December 2020, just over 1,550 students have been booked to receive the program through the remainder of the 2020/21 school year so far.

“I love these presenters! The kids love them too...Thank you so much for giving us this experience! We needed a change in routine!” – Second Grade Teacher, Murdy Elementary School

“Professionally presented, colorful, engaging, informative. [Shows That Teach staff] were amazingly helpful getting us over tech hurdles. They are extremely accommodating and patient. Our students were over the moon with the presentation and videos. We are using the information learned for a writing assignment.” – Second Grade Teacher, Excelsior Elementary School

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

Through the MWDOC Choice Elementary School Program (grades 3-6), Discovery Cube Orange County (DCOC) hosted three (3) virtual assemblies reaching more than 280 elementary school students in November 2020. As of December 2020, just over 1,400 students have been booked to receive the new suite of online live sessions for the 2020/21 school year so far.

DCOC is continuing weekly outreach to Orange County middle schools, and is pursuing leads to book schools for the MWDOC Choice Middle School Program (grades 7-8).

BOLSA CHICA CONSERVANCY – HIGH SCHOOL (9-12)

The Bolsa Chica Conservancy (BCC) is working closely with teachers at El Toro High School, Westminster High School, and Edison High School to schedule dates for participation in the MWDOC Choice High School Program (grades 9-12). Brea Olinda High School has also expressed interest in participating. BCC staff is continuing weekly outreach to additional high schools across the county to schedule the live sessions.

Sun	Mon	Tue	Wed	Thu	Fri	Sat
29	30	1	2	3	4	5
		3-6 LA HABRA Las	3-6 TUSTIN Red Hill	3-6 LA HABRA Las	3-6 SAN JUAN K-2 WESTMINSTER	
6	7	8	9	10	11	12
		K-2 GARDEN GROVE	K-2 LA PALMA Los K-2 LAGUNA BEACH K-2 MNWD Viejo	3-6 TUSTIN Red Hill K-2 GARDEN GROVE	3-6 WESTMINSTER	
13	14	15	16	17	18	19
	3-6 HUNTINGTON 3-6 TUSTIN Red Hill	3-6 WESTMINSTER	3-6 TUSTIN Red Hill		K-2 SANTA ANA K-2 SANTA ANA	
20	21	22	23	24	25	26
				Christmas Eve	Christmas Day	
27	28	29	30	31	1	2
				New Year's Eve	New Year's Day	

Sun	Mon	Tue	Wed	Thu	Fri	Sat
27	28	29	30	31 New Year's Eve	1 New Year's Day	2
3	4 3-6 MESA WATER	5 K-2 GARDEN GROVE	6 3-6 TUSTIN Red Hill	7 3-6 BREA Christ	8 3-6 WESTMINSTER	9
10	11 3-6 HUNTINGTON 3-6 HUNTINGTON	12 3-6 HUNTINGTON	13 K-2 TUSTIN Red Hill	14	15	16
17	18 Martin Luther King	19	20	21	22	23
24	25 3-6 HUNTINGTON 3-6 HUNTINGTON	26	27	28	29 3-6 TUSTIN Loma K-2 SANTA ANA	30
31	1 First Day of Black	2	3	4 3-6 WESTMINSTER	5 3-6 FULLERTON 3-6 WESTMINSTER	6

Sun	Mon	Tue	Wed	Thu	Fri	Sat
31	1 First Day of Black	2	3	4 3-6 WESTMINSTER	5 3-6 FULLERTON 3-6 WESTMINSTER	6
7	8	9	10	11 3-6 FULLERTON	12 3-6 FULLERTON	13
14 Valentine's Day	15 Presidents' Day	16	17	18	19	20
21	22	23	24	25	26	27
28	1	2	3	4	5	6



INFORMATION ITEM
December 21, 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

Newspaper columnist and author of the book “Winning the Water Wars”, Steven Greenhut will moderate a panel discussion on Bay Delta issues at the 2021 OC Water Summit. The event will include sessions on water supply, Contaminants of Emerging Concern (CECs), technological advancements in weather forecasting, and local resources. Fritz Coleman is back to serve as Master of Ceremonies for the Summit, scheduled for June 4, 2021 at the Disney Grand Californian Hotel.

OCWD is the lead agency for the 2021 event. Should state guidelines preclude the event from taking place at the Grand Californian Hotel and Spa, staff is exploring options such as an outdoor venue under a large, open tent or a virtual conference.

The next meeting of the OC Water Summit Ad Hoc Committee will be January 25, 2021.

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

Public & Governmental Affairs Activities Report
November 10, 2020 – December 9, 2020

Member Agency Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Designed and ordered bill inserts for MWDOC member agencies • Provided information and coordinated with participating member agencies on the Metropolitan Water District of Southern California's 2021 Virtual Solar Cup • Created social media content for member agencies to promote participation in Metropolitan's Virtual Solar Cup 2021 • Prepared resolutions and/or gifts celebrating the retirements of Mary Aileen Matheis, Wayne Rayfield, and Lisa Ohlund <p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Along with Soto Resources, met with the City of Brea to discuss one of their project's in need of grant funding, and next steps • Distributed information on the South Coast Air Quality Control Board's upcoming working group meeting to draft regulations regarding the use of emergency backup generators
Community Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Developed and distributed December eCurrents newsletter
Media Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Composed and distributed a news release announcing two (2) executive staff promotions • Composed and distributed a news release announcing new MWDOC Board appointments • Interviewed for a California Environmental Literacy Initiative story published November 12: <u>A Silent Service: Why Water Workers Support Environmental Literacy and Career Technical Education</u>
Education	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Attended the California Environmental Literacy Initiative's quarterly leadership meeting • Participated in California Environmental Literacy Initiative Webinar: Community-Based and Business Partnerships to Support Environmental Literacy • Met with Ten Strands and Strategic Energy Innovations on incorporating environmental literacy into Career Technical Education programs • Met with Tree People to discuss support of Water Energy Education Alliance and implementing community service projects

	<ul style="list-style-type: none"> • Spoke with Orange County Business Council (OCBC) who agreed to send Water Energy Education Alliance surveys out to OCBC partner educators and water and energy industry educators • Participated in Metropolitan Water District of Southern California's bi-weekly Member Agency Education Coordinator's Meetings • Attended Department of Water Resources Water Education Committee meeting • Attended Las Virgenes Municipal Water District's Tap-In 2020 - Sustainable Education - Balancing the New Norm 2nd session • Coordinated member agency approval of additional eligible schools to receive the MWDOC Choice K-12 School Programs
Special Projects	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Participated in the Orange County Water Summit Committee Meeting with Orange County Water District • Attended and presented at the Metropolitan Water District of Southern California's Public Information Officer Workgroup Meeting on communicating during the pandemic • Met with Hashtag Pinpoint to develop video content for MWDOC outreach programs and campaigns • Attend California Association of Public Information Official's Webinar: Search Engine Optimization for Public Agencies • Met with LA Design Studios on Search Engine Optimization strategy and application for MWDOC • Researched and coordinated media contact platforms • Published several website updates • Met with Metropolitan Water District of Southern California staff to discuss collaboration on Boy and Girl Scouts Merit Badge and Patch clinics • Completed Boy Scouts of America Counselor Certification training • Participated in IT coordination for Director Joan Finnegan's retirement • Produced resolutions celebrating the retirements of Director Joan Finnegan and Karl Seckel • Assisted Spirit Squad in coordinating MWDOC staff Holiday Party • Attended CalDesal Outreach and Communications Committee <p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Staffed the WACO Planning meeting • Worked with Metropolitan staff to line up speakers and letters of support for the Delta Conveyance Project • Drafted background and recommended next steps for a special election to fill the vacancy for ISDOC 3rd Vice President • Staffed the ISDOC Executive Committee Meeting • Provided an update to MWDOC's Met directors on outreach/speakers for the upcoming Met Board meeting

	<ul style="list-style-type: none"> • Staffed the monthly WACO meeting featuring speakers on Mesa Water District's Pipeline Integrity Program • Drafted the ISDOC 3rd VP Call for Candidates notice to be mailed to all Orange County Special Districts
Legislative Affairs	<p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Drafted a memo with feedback on Metropolitan's 2021 Legislative Platform for MWDOC's Met Directors • Met with CSDA legislative staff to discuss CSDA federal priorities and federal lobbying • Met with IRWD staff to discuss their legislative proposal for 2021 • Drafted a departmental Year in Review article for eCurrents