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Legislative Advocacy Committee Members:

*Karen Paull, Chair
Mary L. Adams
Ian Oglesby*

Alternate:

Alvin Edwards

Staff Contact

*David J. Stoldt,
General Manager*

*Roger Gwinn, The
Ferguson Group
(Federal Consultant)*

*John Arriaga, JEA &
Associates
(State Consultant)*

*Joel G. Pablo,
Board Clerk*

After staff reports have been distributed, if additional documents are produced by the District and provided to the Committee regarding any item on the agenda they will be made available on the District's website prior to the meeting. Documents distributed at the meeting will be made available upon request and posted to the District's website within five days following the meeting.

Agenda
**Legislative Advocacy Committee
of the Monterey Peninsula Water Management District**

Thursday, March 9, 2023 at 10:30 a.m. [PST] | *Virtual Meeting*

Join the meeting at this link:

<https://mpwmd-net.zoom.us/j/82706852480?pwd=TkFNTmk0anJRcm02MWd1Nmd1eUF4dz09>

Or paste the link into your browser, or join at zoom.us

Webinar ID: 827 0685 2480

Meeting password: 03092023

Participate by phone: (669) 900-9128

For detailed instructions on connecting to the Zoom meeting see page 2 of this agenda.

Call to Order / Roll Call

Comments from Public - *The public may comment on any item within the District's jurisdiction. Please limit your comments to three minutes in length.*

Action Items – *Public comment will be received on all Action Items. Please limit your comments to three minutes in length.*

1. Consider Adoption of the December 7, 2021 and June 16, 2022 Committee Meeting Minutes

Discussion Items – *Public comment will be received on all Discussion Items. Please limit your comments to three minutes in length.*

2. Report from The Ferguson Group on Federal Legislative and Regulatory Activities (*Verbal Report*)
3. Report from JEA & Associates on Legislative Status and Bill Tracking
4. Report from General Manager on Recent or Upcoming Legislative Actions (*Verbal Report*)
5. Discuss and Recommend a Legislative Outreach Plan for 2023

Other Items

6. Suggest Items to Place on a Future Committee Agenda

Adjournment

Accessibility

In accordance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Please send a description of the requested materials and preferred alternative format or auxiliary aid or service at least 48 hours prior to the scheduled meeting date/time. Requests should be forwarded to: (1) Joel G. Pablo by e-mail at joel@mpwmd.net, or at (831) 658-5652; and (2) Sara Reyes by e-mail at sara@mpwmd.net or at (831) 658-5610.

Provide Public Comment at the Meeting

Attend via Zoom (For detailed instructions, please see “Instructions for Connecting to the Zoom Meeting” below.)

- (a) Computer Audio Connection: Select the “raised hand” icon. When you are called on to speak, you may identify yourself for the record.
- (b) Phone audio connection **with** computer to view meeting: Select the “raised hand” icon. When you are called on to speak, dial *6 to unmute and you may identify yourself for the record.
- (c) Phone audio connection only: Press *9. Wait for the clerk to unmute your phone and you may identify yourself for the record and provide your comment. Press *9 to end the call.

Submission of Public Comment via E-mail

Send comments to comments@mpwmd.net with one of the following subject lines "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT – ORAL COMMUNICATIONS." Staff will forward correspondence received to the Board. Correspondence is not read during public comment portion of the meeting. However, all written public comment received becomes part of the official record of the meeting and placed on the District’s website as part of the agenda packet for the meeting.

Submission of Written Public Comment

All documents submitted by the public must have no less than thirteen (10) copies to be received and distributed by the **Clerk** prior to the Meeting. [*Applies to only In-Person or Hybrid Committee Meetings*]

Instructions for Connecting to the Zoom Meeting

Note: If you have not used Zoom previously, when you begin connecting to the meeting you may be asked to download the app. If you do not have a computer, you can participate by phone.

Begin: Within 10 minutes of the meeting start time from your computer click on this link: <https://mpwmd-net.zoom.us/j/82706852480?pwd=TkFNTmk0anJRcm02MWd1NmdeUeU4dz09> or paste the link into your browser.

DETERMINE WHICH DEVICE YOU WILL BE USING
(PROCEED WITH ONE OF THE FOLLOWING INSTRUCTIONS)

USING A DESKTOP COMPUTER OR LAPTOP

1. In a web browser, type: <https://www.zoom.us>
2. Hit the enter key
3. At the top right-hand corner, click on “Join a Meeting”
4. Where it says “Meeting ID”, type in the Meeting ID# above and click “Join Meeting”
5. Your computer will begin downloading the Zoom application. Once downloaded, click “Run” and the application should automatically pop up on your computer. (If you are having trouble downloading, alternatively you can connect through a web browser – the same steps below will apply).
6. You will then be asked to input your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.
7. From there, you will be asked to choose either ONE of two audio options: Phone Call or Computer Audio:

COMPUTER AUDIO

1. If you have built in computer audio settings or external video settings – please click “Test Speaker and Microphone”.
2. The client will first ask “Do you hear a ringtone?” •If no, please select “Join Audio by Phone”.
•If yes, proceed with the next question:
3. The client will then ask “Speak and pause, do you hear a replay?” •If no, please select “Join Audio by Phone”
•If yes, please proceed by clicking “Join with Computer Audio”

PHONE CALL

1. If you do not have built in computer audio settings or external video settings – please click “Phone Call”
2. Dial one of the numbers listed below using a phone. Select a phone number based on your current location for better overall call quality.

+1 669-900-9128 (San Jose, CA)

+1 253-215-8782 (Houston, TX)

+1 346-248-7799 (Chicago, IL)

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+1 312-626-6799 (Seattle, WA)

+1 646-558-8656 (Maryland)

3. Once connected, it will ask you to enter the Webinar ID No. and press the pound key
4. It will then ask you to enter your participant ID number and press the pound key.
5. You are now connected to the meeting.

USING AN APPLE/ANDROID MOBILE DEVICE OR SMART PHONE

1. Download the Zoom application through the Apple Store or Google Play Store (the application is free).
2. Once download is complete, open the Zoom app.
3. Tap “Join a Meeting”
4. Enter the Meeting ID number
5. Enter your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.
6. Tap “Join Meeting”
7. Tap “Join Audio” on the bottom left hand corner of your device
8. You may select either ONE of two options: “Call via Device Audio” or “Dial in”

DIAL IN

1. If you select “Dial in”, you will be prompted to select a toll-free number to call into.
2. You may select any of the numbers listed below:

+1 669-900-9128 (San Jose, CA)

+1 253-215-8782 (Houston, TX)

+1 346-248-7799 (Chicago, IL)

+1 301-715-8592 (New York, NY)

+1 312-626-6799 (Seattle, WA)

+1 646-558-8656 (Maryland)

3. The phone will automatically dial the number, and input the Webinar Meeting ID No. and your Password.
4. Do not hang up the call, and return to the Zoom app
5. You are now connected to the meeting.

Refer to the Meeting Rules of the Monterey Peninsula Water Management District (Revised August 2022) at <https://www.mpwmd.net/who-we-are/board-of-directors/meeting-rules-of-the-mpwmd/>

LEGISLATIVE ADVOCACY COMMITTEE

ITEM: ACTION ITEM

1. CONSIDER ADOPTION OF THE DECEMBER 7, 2021 AND JUNE 16, 2022 COMMITTEE MEETING MINUTES

Meeting Date: March 9, 2023

From: David J. Stoldt,
General Manager

Prepared By: Joel G. Pablo

CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: The Committee meeting minutes for the December 7, 2021 (**Exhibit 1-A**) and June 16, 2022 (**Exhibit 1-B**) Committee meeting minutes have been drafted and are attached for your review and approval.

RECOMMENDATION: The Committee will review, provide suggested edits and consider adopting the meeting minutes for December 7, 2021 and June 16, 2022 by motion.

EXHIBITS

1-A Draft Minutes of the December 7, 2021 Committee Meeting

1-B Draft Minutes of the June 16, 2022 Committee Meeting



EXHIBIT 1-A

Draft Minutes

**Legislative Advocacy Committee of the
Monterey Peninsula Water Management District
Tuesday, December 7, 2021 at 2:00 p.m.**

*As a precaution to protect public health and safety, and pursuant to provisions of AB 361 (Rivas),
this meeting will be conducted via Zoom Video/Teleconference only.*

Call to Order

Chair Riley called the meeting to order at 2:00 p.m.

Committee members present: George Riley, Chair
Karen Paull
Safwat Malek

Committee members absent: None

Staff members present: David J. Stoldt, General Manager
Joel G. Pablo, Board Clerk

District Counsel present: David C. Laredo with De Lay and
Laredo

Legislative Consultant: John Arriaga, JEA & Associates
Laurie Johnson, JEA & Associates
Roger Gwinn, The Ferguson Group
Chris Kearney, The Ferguson Group
Stephanie Missert, The Ferguson Group
Rebecca Bliss, The Ferguson Group

Comments from the Public: No comments were directed to the committee.

Action Item

1. Consider Adoption of May 25, 2021 Committee Meeting Minutes

Chair Riley introduced the item and suggested one editorial change.

Chair Riley opened public comment. No comments were directed to the committee.

A motion was made by Riley with a second by Paull to approve the May 25, 2021 Committee Meeting Minutes. The motion passed on a roll-call vote of 3-Ayes (Riley, Paull and Malek), 0-Noes and 0-Abstain.

Discussion Items

2. Report from JEA & Associates on Legislative Status and Bill Tracking

John Arriaga provided introductory remarks. Arriaga commented 2021 has been quite the productive year for the California State Legislature with a \$100 billion surplus, a healthy revenue stream and addressing statewide issues to include climate change, fires, drought and the COVID-19 pandemic. Arriaga and his group have been working with ACWA and explained efforts are being had to funnel monies into climate resiliency and housing programs through 2021 and well into 2022.

Johnson provided an overview of the MPWMD 2021 End of the Year Report. She informed the committee SB 129 provides for a Climate Resiliency package worth \$2.4 billion for general funding in areas such as wastewater, water recycling, dams and more. Johnson stated she intends to bring further updates on: (1) discussions had with Senator Laird's office in respect to environmental priorities; (2) funding opportunities and (3) new and carry-over legislation.

Stoldt added the District: (1) signed a letter of support for IRWM funding; (2) had submitted a members request (earmark) with Laird's office to obtain funding for Deep Injection Well No. 4 and (3) will track down additional funding mechanisms with JEA and Associates. *In response to a question raised by Riley*, Stoldt mentioned agencies can jointly apply for grants on projects such as Pure Water Monterey and Expansion of Pure Water Monterey.

Johnson noted efforts to mitigate Condition II of the Cease-and-Desist Order in regards to the housing requirement have been ongoing issue. Johnson said she has been in contact with and worked with the State Water Resources Control Board, State Housing and Community Development Department and Sen. Laird's office just to name a few on gaining traction on the matter. Stoldt added he is drafting a letter on behalf of Sen. Laird's office requesting a status on the appeal and requesting a workshop on the matter.

Opened public comments; no comments were directed to the Committee.

3. Report from The Ferguson Group on Federal Legislative and Regulatory Activities

David J. Stoldt, General Manager provided introductory remarks and directed attention to Exhibit 3-A and 3-B.

Roger Gwinn with The Ferguson Group informed the committee federal legislators are working together to increase the nation's debt ceiling by \$2 Trillion to fund the federal government through the mid-term elections in 2022.

Chris Kearney provided a verbal status report on the Infrastructure Investment and Jobs Act, Reconciliation Bill (e.g. touches upon immigration, healthcare, tax deductions/incentives and various social program) and believes the latter bill be vetted out and likely to be adopted. Mark Limbaugh informed the board of a number of reoccurring/new grants to include: (1) the WaterSmart Grant Program (for water conservation/management); of which, \$100 million is to be allocated for nature based features that conserve waterbed features; (2) Watershed Management Project; (3) Aquatic Ecosystem Restoration Grant; (4) Fish passage resources via the Fish and Wildlife Service; and (5) Department of transportation.

Rebecca Bliss stated the President signed a resolution on December 3, 2022 effectively averting a government shutdown while Congress works on moving through and adopting appropriation bills. She stated she will be working with the District soon on project priorities for Fiscal Year 2023 and noted appropriations for 2022 will be completed during the Spring.

Opened public comments; no comments were directed to the Committee.

4. Report from General Manager on Recent or Upcoming Legislative Actions

David J. Stoldt, General Manager directed attention to Exhibit 3-A and 3-B. He provided a summary of the funding and grant opportunities offered through the Infrastructure Investment and Jobs Act and the criterion used would effectively rule out the District in those opportunities and others would be competitively evaluated among the applicant pool. Stoldt stated he will continue working jointly with Monterey One Water to apply for and secure funding for the State Revolving Fund and WIFIA loan through the Bureau of Reclamation. He mentioned the District signed onto a letter with the Alliance for Water Efficiency on language contained within the Build Back Better Act adding a federal tax on water rebates.

Opened public comments; no comments were directed to the Committee.

5. Suggest Items to be Placed on Future Agendas

None

Adjournment: There being no further business, Chair Riley adjourned the meeting at 2:58 p.m.

/ s/ Joel G. Pablo

Joel G. Pablo, Board Clerk to the
MPWMD Legislative Advocacy Committee

Approved by the MPWMD Legislative Advocacy Committee on October XX, 2022
Received by the MPWMD Board of Director's on November XX, 2022



EXHIBIT 1-B

Draft Minutes Legislative Advocacy Committee of the Monterey Peninsula Water Management District Thursday, June 16, 2022

Pursuant to AB 361, the meeting was conducted with virtual participation via Zoom.

Call to Order

Chair Paull called the meeting to order at 11:00 a.m.

Committee members present: Karen Paull, Chair
Alvin Edwards
Safwat Malek

Committee members absent: None

Staff members present: David J. Stoldt, General Manager
Joel G. Pablo, Board Clerk

District Counsel present: David C. Laredo with De Lay and
Laredo

Legislative Consultant: None

Comments from the Public: No comments were directed to the committee.

Action Items

1. Consider Adoption of March 29, 2022 Committee Meeting Minutes

Chair Paull introduced the matter.

Opened Public Comment; no comments were directed to the Committee.

A motion was offered by Edwards with a second from Malek to approve the March 29, 2022 Committee meeting minutes. The motion passed on a roll-call vote of 3-Ayes (Paull, Edwards and Malek), 0-Noes and 0-Absent.

Discussion Items

2. Discuss Federal Lobbyist Consultant Contract

David J. Stoldt, General Manager introduced the matter, provided a brief overview of past accomplishments by The Ferguson Group (TFG) and answered committee questions. He commented TFG would like to continue working with the District and they recognized the needs of the District has been reduce thus they have agreed to reduce their monthly fixed rate fee to \$6,000.

Based on discussions had, Director Paull and Edwards are comfortable with keeping TFG as the District's federal lobbyist. Director Edwards stated he would like for the District to conduct an RFP for a federal lobbyist in the future and who can provide grant writing services to find funding opportunities for replenishment in the Seaside Basin. *In response to Committee Member Edwards*, Stoldt commented TFG can be tasked with writing grants on behalf of the District. After much deliberation, committee consensus was reached to keep TFG as the District's federal lobbyist for the current Fiscal Year.

Opened Public Comment; no comments were directed to the Committee.

3. Discuss State Lobbyist Consultant Contract

David J. Stoldt, General Manager provided introductory remarks, provided a brief overview of past accomplishments by JEA and Associates with the District and the Association of California Water Agencies, and answered committee questions. Director Edwards requested for JEA and Associates to provide: (1) Grant Writing Services; and (2) lobby and attempt to receive funding to subsidize replenishment water in the Seaside Basin. After much deliberation, committee consensus was reached to keep JEA and Associates as the District's state lobbyist for the current Fiscal Year.

Opened Public Comment; no comments were directed to the Committee.

4. Update on Recent Legislative and Regulatory Activities

David J. Stoldt, General Manager introduced the item, provided an overview of his staff note and answered committee questions. The following points were made:

1. SB1157 (Hertzberg): The District signed onto a coalition letter of opposition to the bill. The bill changes the standards for interior water use and commented going from 52 to 42 would difficult to achieve.
2. Edwards requested clarification on Exhibit 4-A: Proposed Water Resources Development Act (WRDA) language. *In response to Edwards*, Stoldt commented the bill is moving along in the process with the House and Senate working out their differences in the various versions submitted and deliberated on. If successful further discussion with the Army Corps of Engineers will be had and access to the funding to be made available in the Fiscal 2024 appropriation.
3. Stoldt stated the District previously submitted and was denied for a fish barrier removal grant offered through the California Fish Passage Forum. He noted the District intends to apply for a similar grant funding opportunity through the National Marine Fisheries Services.

Other Items

5. Suggest Items to Place on a Future Committee Agenda

Chair Paull remarked that she would like to hear an update on funding to subsidize replenishment water in the Seaside Basin.

Adjournment:

There being no further business, Chair Paull adjourned the meeting at 12:20 p.m.

/ s/ Joel G. Pablo, Board Clerk for the MPWMD Legislative Advocacy Committee

LEGISLATIVE ADVOCACY COMMITTEE

ITEM: DISCUSSION ITEM

3. REPORT FROM JEA & ASSOCIATES ON LEGISLATIVE STATUS AND BILL TRACKING

Meeting Date: March 9, 2023

**From: David J. Stoldt,
General Manager**

Prepared By: David J. Stoldt

SUMMARY: JEA & Associates will provide an update on activities related to California legislation and regulatory activities, as described in **Exhibit 3-A** and **Exhibit 3-B** bill tracker.

EXHIBITS

3-A JEA Associates 2023 Report

3-B Sacramento Bill Tracker



EXHIBIT 3-A

Date: March 29, 2023

To: Dave Stoldt, General Manager, Monterey Peninsula Water Management District

From: John E. Arriaga and Laurie Johnson, JEA & Associates

RE: Legislative Committee – March 9, 2022

Legislative Update

The Legislature met its 2023 bill introduction deadline on February 13th, with over 2600 bills introduced. *(Full Legislative Track Attached)*

JEA & Associates will actively monitor identified bills as they move forward through their first policy committee and will bring back to the Legislative Committee for position recommendations.

Budget Update

In the second week of January, the Governor released his proposal for the 2023-24 Budget. Unlike the last several years, the state is now faced with a multi-year shortfall while facing unprecedented obligations. Here are the details:

- \$297 Billion Budget - \$223 Billion from General Fund
- \$22.5 Billion Shortfall
- \$35.6 Billion in Reserves
 - \$22.4 Billion in Rainy Day Fund
 - \$8.5 Billion in Public Education Rainy Day Fund
 - \$3.8 Billion in SWFEU (Emergency Line of Credit)
 - \$900 Million in Safety Net Fund

As the Budget Stabilization Account balance is at its constitutional maximum amount, a total of \$951 million is required to be dedicated to infrastructure investments in 2023-24.

The Budget accelerates the paydown of state retirement liabilities as required by Proposition 2, with \$1.9 billion in additional payments in 2023-24 and approximately \$5.3 billion projected to be paid over the next three years.

The Governor’s Budget economic forecast does not project a recession. If economic and revenue conditions deteriorate in the spring, then the Administration may propose withdrawals from reserve accounts, as well as additional program reductions. Conversely, if conditions improve, then the Administration would not have to propose reserve withdrawals and would also reconsider proposed spending delays and reductions. The balanced plan reflected in the Governor’s Budget to close the projected shortfall includes:

- **Funding Delays—\$7.4 billion.** The Budget delays funding for multiple items across the 2021-22 through 2023-24 fiscal years and spreads it across the multi-year without reducing the total amount of funding through the multi-year.
- **Reductions/Pullbacks—\$5.7 billion.** The Budget reduces spending for various items across the 2021-22 through 2023-24 fiscal years and pulls back certain items that were included in the 2022 Budget Act to provide additional budget resilience. Significant items in this category include the \$3 billion included in the 2022 Budget as an inflationary adjustment, and a \$750 million Unemployment Trust Fund payment in the 2023-24 fiscal year.
- **Fund Shifts—\$4.3 billion.** The Budget shifts certain expenditures in the 2022-23 and 2023-24 fiscal years from the General Fund to other funds. These include (1) shifting various California State University (CSU) capital outlay projects to CSU issued debt with the state providing support for the underlying debt service, (2) reverting certain bonds to cash projects from the 2022 Budget Act back to bonds, and (3) shifting certain Zero Emission Vehicle commitments to the Greenhouse Gas Reduction Fund.
- **Trigger Reductions—\$3.9 billion.** The Budget reduces funding for certain items in the 2020-21 through 2023-24 fiscal years and places them in a “trigger” that would restore the reductions at the 2024 Governor’s Budget if it is determined that sufficient funds will be available to cover certain commitments. These commitments include

baseline adjustments, enrollment, caseload, and population adjustments, constitutional obligations, as well as the cost of funding all of the items included in the trigger. These items are primarily in the areas of Climate and Transportation (\$3.1 billion), Housing (\$600 million), Parks (\$106 million) and Workforce Training (\$55 million).

- Limited Revenue Generation and Borrowing—\$1.2 billion. The Budget augments General Fund resources in the 2023-24 fiscal year. The majority of the funds in this category are derived from loans from special funds and from the renewal of the Managed Care Organization Tax.

Despite the state’s fiscal shortfalls, the Governor will continue its multi-year investments in the areas of public education, homelessness, housing affordability, wildfires/droughts/flood, economic development, increased access to health care and public safety.

Water & Drought

The state will continue its \$8.6 Billion in its multi-year investments.

- \$3.9 Billion – Drinking water and water supply
- \$1.9 Billion – Habitat and watersheds
- \$1.5 Billion – Immediate drought support
- \$738 Million – Flood Protection
- \$521 Million – Conservation/agriculture

\$202 Million in new flood investments –

- \$136 Million – Urban flood risk reduction
- \$41 Million – Delta levees
- \$25 Million – Central Valley flood protection

Other significant adjustments:

- 2023 Drought Contingency—\$125 million General Fund one-time as a drought contingency set-aside to be allocated as part of the spring budget process, when additional water data will be available to inform future drought needs.
- Planning and Permitting for New Water Supplies—\$4.7 million Waste Discharge Permit Fund in 2023-24, and \$5.7 million Waste Discharge Permit Fund and \$408,000 Safe Drinking Water Account ongoing to support planning and permitting for projects that produce new water supplies.

- Modernizing Water Rights—\$31.5 million General Fund one-time in 2023-24 to continue development of the Updating Water Rights Data for California Project to enhance California’s water management capabilities. • Urban Water Use Objectives—\$7 million General Fund over four years to implement Chapter 679, Statutes of 2022, (SB 1157), which established a new foundation for long-term improvements in water conservation and drought planning to adapt to climate change and the resulting longer and more intense droughts. This approach is based on water use efficiency standards for certain categories of water use, including indoor residential water use.
- San Joaquin River Basin Groundwater Recharge: Water Availability Analysis and Technical Assistance—\$4.9 million General Fund over five years to continue to provide local water districts methodologies and tools to conduct water availability analyses, which will help facilitate groundwater recharge, one of the core pillars of the Water Supply Strategy.
- Stream Gages—\$4.7 million General Fund over two years to begin reactivation of historical stream gages, consistent with the SB 19 Stream Gaging Prioritization Plan and as called for in the Water Supply Strategy.

ACWA Bond and Storage Coalitions

JEA & Associates have been actively participating in several of ACWA’s internal stakeholder groups, including funding policy priorities for a possible upcoming water bond and recommendations on the state’s water storage policy. Due to the fact that, that these are still internal working documents, we cannot share the entirety. However, here are a few overarching recommendations:

Bond

There is a strong legislative interest in putting forth a water bond this year, rather than relying on the General Fund as in previous years. Discussion has been about a larger bond, somewhere between \$10-\$15 billion. While water will be the dominant focus, there will be funding for wildfires and forest management. ACWA’s infrastructure recommendations total \$7.5 billion at this time.

Funding categories include: dam safety, water storage, conveyance, recycling, groundwater, safe drinking water, conservation and flood protection.

Storage

Supply strategy Goals – Policy Framework

1. ACWA generally supports the Supply Strategy's goal of increasing above and below ground storage and available water supply to work toward climate adaptation and increase future water supplies. It is unclear if the specific goals in the supply strategy go far enough to address climate adaptation needs. ACWA supports State collaboration with institutions of higher learning and Federal agencies to research and develop the State's response to a range of climate change scenarios to inform policymakers.
2. While storage is a critical component of climate adaptation, an “all of the above” approach to climate change will be critical to meeting the State's needs. Continued investment and planning for increased supply is crucial and must continue to be prioritized. ACWA will continue to ensure policymakers understand current and future supplies and challenges. Further, there is existing funding through Proposition 1 and progress is being made toward design and permitting for the awarded projects.
3. The State's role in modernizing our supply and conveyance water system should include the following:
 - Providing funding;
 - Addressing and streamlining regulatory challenges and ensuring consistent application of the rules across the Administration;
 - Partnering with local agencies, where appropriate, on projects that benefit statewide supply and conveyance;
 - Recognizing regional differences and playing a significant role in helping with supply and conveyance modernization; and,
 - Providing consistent messaging about the need for continued investment in water infrastructure.
4. Local agencies will continue to invest in and plan for more resilient water supplies through a variety of activities tailored to the resources and needs of their specific region. Public agency stakeholders must play an integral role in helping to better define and implement these bigger statewide goals.

Governor's Executive Order

In the upcoming weeks, we are anticipating the SWRCB releasing their water conservation regulations and the Governor issuing a new Executive Order on the state's water conservation measures. As you are aware, the Governor mandated that all water

agencies be moved to Stage 2 restrictions. MPWMD has always advocated for a regional approach to these water orders, rather than a “one size fits all” approach that the state has routinely taken. Given our region’s severe storms this winter, MPWMD has moved far beyond drought status, and feel that any continuation of this restriction is unnecessary and counterproductive. If the Governor does not rescind the Stage 2 restrictions, MPWMD will be requesting a meeting with the Governor’s office and submit a letter advocating otherwise.

Relationship Development

In late January, after a meeting with the City of Watsonville, Senator Padilla’s State Director and the Senator’s regional staff requested additional assistance in scheduling water, flooding and agriculture meetings. JEA & Associates reached out to MPWMD’s General Manager, to which we facilitated scheduling a tour of the Pure Water Project.

Furthermore, we have also scheduled a briefing of MPWMD issues and a tour of the Pure Water Project with newly elected Assemblymember Dawn Addis on March 16th.

EXHIBIT 3-B

**MPWMD Legislative Track
as of March 9, 2023**

Measure	Author	Topic	Brief Summary	Notes
<u>AB 45</u>	<u>Boerner</u> <u>Horvath D</u>	Coastal resources: coastal development permits: blue carbon demonstration projects: new development: greenhouse gas emissions.	The California Coastal Act of 1976, among other things, requires anyone wishing to perform or undertake any development in the coastal zone, except as specified, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a coastal development permit from the California Coastal Commission, as provided. This bill would authorize the commission to authorize blue carbon demonstration projects, as defined, in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies. The bill would, among other things, authorize the commission to require an applicant with a project that impacts coastal wetland, subtidal, intertidal, or marine habitats or ecosystems to build or contribute to a blue carbon demonstration project.	
<u>AB 62</u>	<u>Mathis R</u>	Statewide water storage: expansion.	Would establish a statewide goal to increase above- and below-ground water storage capacity by a total of 3,700,000 acre-feet by the year 2030 and a total of 4,000,000 acre-feet by the year 2040. The bill would require the State Water Resources Control Board, in consultation with the Department of Water Resources, to design and implement measures to increase statewide water storage to achieve the statewide goal. The bill would require the state board, beginning July 1, 2027, and on or before July 1 every 2 years thereafter until January 1, 2043, in consultation with	ACWA Support

			the department, to prepare and submit a report to the Legislature on the progress made in designing and implementing measures to achieve the statewide goal.	
<u>AB 66</u>	<u>Mathis R</u>	Natural Resources Agency: water storage projects: permit approval.	Current law establishes the Natural Resources Agency, composed of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state's natural and cultural resources. Current law establishes in the agency the Department of Water Resources, which manages and undertakes planning with regard to water resources in the state. This bill would require the agency, and each department, board, conservancy, and commission within the agency, to approve the necessary permits for specified projects within 180 days from receiving a permit application, and would deem those permits approved if approval does not occur within this time period.	
<u>AB 305</u>	<u>Villapudua D</u>	California Flood Protection Bond Act of 2024.	Under current law, various general obligation bond acts have been approved by the voters to provide funds for water projects, facilities, and programs. This bill would express the intent of the Legislature to enact subsequent legislation for a flood protection general obligation bond act, in an unspecified amount, that would be known as the California Flood Protection Bond Act of 2024, and would be submitted to the voters at the next general election.	
<u>AB 345</u>	<u>Wilson D</u>	Habitat restoration: flood control: advance payments.	Would authorize the Department of Water Resources to provide advance payments, as defined, to local agencies for projects that restore habitat for threatened and endangered species under state or federal law or improve flood protection, as provided. The bill would prohibit the amount of funds advanced by the department to the local agency at any one time from exceeding 25% of the entire amount authorized to be provided under the funding agreement between the department and the local agency.	
<u>AB 460</u>	<u>Bauer-Kahan D</u>	State Water Resources	The State Water Resources Control Board and the California regional water quality control boards are required to set forth water quality	

		Control Board: interim relief.	objectives in state and regional water quality control plans. Current law establishes the Water Rights Fund, which consists of various fees and penalties. The moneys in the Water Rights Fund are available upon appropriation by the Legislature for the administration of the board's water rights program. Current law requires that the owner of any dam allow sufficient water at all times to pass through a fishway, or in the absence of a fishway, allow sufficient water to pass over, around, or through the dam, to keep in good condition any fish that may be planted or exist below the dam, as specified. This bill would authorize the board to issue, on its own motion or upon the petition of an interested party, an interim relief order in appropriate circumstances to implement or enforce these and related provisions of law. The bill would provide that a person or entity that violates any interim relief order issued by the board would be liable to the board for a civil penalty in an amount not to exceed the sum of \$10,000 for each day in which a violation occurs and \$5,000 for each acre-foot of water diverted in violation of the interim relief order. The bill would require these funds to be deposited in the Water Rights Fund.	
<u>AB 541</u>	<u>Wood D</u>	California Safe Drinking Water Act: wildfire aftermath: benzene testing.	Would direct the State Water Resources Control Board, on or after January 1, 2024, to require a public water system, water corporation, or water district that has experienced a major wildfire event within their service territory to test their water source for the presence of benzene immediately following that major wildfire event.	
<u>AB 557</u>	<u>Hart D</u>	Open meetings: local agencies: teleconferences.	Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health, as specified. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, existing law requires a legislative body to make specified	

			findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. Current law requires a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option. Current law prohibits a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. This bill would extend the above-described abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely.	
<u>AB 779</u>	<u>Wilson D</u>	Groundwater: adjudication.	Would require the court to invite a representative from the department or the State Water Resources Control Board to provide technical assistance or expert testimony on the amount of water in the basin subject to adjudication, equitable and sustainable pumping allocations for the basin, and sustainable groundwater management best practices and recommendations. The bill would require the court to take into account the needs of small farmers and disadvantaged communities, as those terms are defined, when entering a judgment. This bill contains other related provisions and other existing laws.	
<u>AB 805</u>	<u>Arambula D</u>	Drinking water: consolidation.	The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order consolidation with, or extension of service from, a receiving water system in either of the following	

			<p>circumstances: (1) a public water system or state small water system, serving a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water, or is an at-risk water system, or 2) a disadvantaged community, in whole or in part, is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water, or are at-risk domestic wells. This bill would state the intent of the Legislature to enact subsequent legislation to authorize the board to order consolidation of wastewater.</p>	
<u>AB 817</u>	<u>Pacheco D</u>	Local government: open meetings.	<p>Current law, the Ralph M. Brown Act, requires each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. This bill would make nonsubstantive changes to a provision of the Ralph M. Brown Act.</p>	
<u>AB 828</u>	<u>Connolly D</u>	Sustainable groundwater management: managed wetlands.	<p>The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. Current law defines various terms for purposes of the act. This bill would add various defined terms for purposes of the act, including the term “managed wetland.”</p>	
<u>AB 830</u>	<u>Soria D</u>	Water: general state powers.	<p>The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law declares it to be the established policy of the state that every human being has the</p>	

			right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This bill would make a nonsubstantive change to the latter provision.	
<u>AB 838</u>	<u>Connolly D</u>	California Water Affordability and Infrastructure Transparency Act of 2023.	Would require, on January 1, 2025, and annually thereafter, public water systems to provide specified information and data related to customer water bills and efforts to replace aging infrastructure to the State Water Resources Control Board. By requiring information and data to be provided to the state board, this bill would expand the scope of a crime and create a state-mandated local program.	
<u>AB 896</u>	<u>Aguiar-Curry D</u>	The California Water Plan.	Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as The California Water Plan. This bill would make nonsubstantive changes to those provisions.	
<u>AB 900</u>	<u>Bennett D</u>	Aquifer recharge: grant program: streamlined permitting.	Current law authorizes the Department of Water Resources to investigate any natural situation available for reservoirs or reservoir systems for gathering and distributing flood or other water not under beneficial use in any stream, stream system, lake, or other body of water. Current law also authorizes the department to ascertain the feasibility of projects for those reservoirs or reservoir systems, the supply of water that may thereby be made available, and the extent and character of the areas that may be thereby irrigated, as well as the cost of those projects. The bill would require the department to prepare and produce a report outlining best practices for aquifer recharge. The bill would require the report to include guidelines for a streamlined permitting process for aquifer recharge projects that implement the best practices outlined in the report.	
<u>AB 1024</u>	<u>Aguiar-Curry D</u>	Water rights: small irrigation use: lake or streambed	The Water Rights Permitting Reform Act of 1988 requires the registration of water use to be made upon a form prescribed by the State Water Resources Control Board that requires, among other things, a certification that the registrant has contacted a representative of the	

		alteration agreements.	Department of Fish and Wildlife and has agreed to comply with conditions set forth by the department. The act requires the board to establish reasonable general conditions to which all appropriations made pursuant to the act are required to be subject, including, among other things, that all conditions lawfully required by the department are conditions upon the appropriations. The act provides that the board is not required to adopt general conditions for small irrigation use until the board determines that funds are available for that purpose, and that a registration for small irrigation use pursuant to the act is not authorized until the board establishes general conditions for small irrigation use to protect instream beneficial uses, as specified. This bill would require the board to give priority to adopting, on or before June 30, 2027, except as provided, general conditions that permit a registrant to store water for small irrigation use during times of high streamflow in exchange for the registrant reducing diversions during periods of low streamflow, as specified. The bill would require that the actions of the board under these provisions be deemed an action taken for the protection of the environment for purposes of specified California Environmental Quality Act guidelines, if those actions do not result in the relaxation of streamflow standards.	
<u>AB 1196</u>	<u>Villapudua D</u>	Water Quality, Supply, and Infrastructure Improvement Act of 2014.	The Water Quality, Supply, and Infrastructure Improvement Act of 2014, a bond act approved by the voters as Proposition 1 at the November 4, 2014, statewide general election, authorizes the issuance of general obligation bonds to finance a water quality, supply, and infrastructure improvement program, as specified. Under the bond act, \$520,000,000 is available, upon appropriation by the Legislature, for expenditures, grants, and loans for projects that improve water quality or help provide clean, safe, and reliable drinking water to all Californians. Current law requires projects eligible for this funding to help improve water quality for a beneficial use. This bill would make a nonsubstantive change to the latter	

			provision.	
<u>AB 1205</u>	<u>Bauer-Kahan D</u>	Water: permits and licenses: temporary changes: water or water rights transfers.	Current law authorizes the State Water Resources Control Board to consider a petition for a long-term water or water rights transfer involving a change of point of diversion, place of use, or purpose of use. Current law requires a long-term transfer to be for a period over one year. Existing law requires, after the expiration of that long-term transfer period, all rights to automatically revert to the original holders of the right without any action by the board. This bill would make a nonsubstantive change to that later provision.	
<u>AB 1272</u>	<u>Wood D</u>	State Water Resources Control Board: drought planning.	Would require the State Water Resources Control Board to establish a program, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds, as specified, during times of water shortage for drought preparedness and climate resiliency. The bill would require that the principles and guidelines provide for the development of watershed-level plans to support public trust uses, public health and safety, and the human right to water in times of water shortage, among other things. The bill also would require the state board, prior to adopting those principles and guidelines, to allow for public comment and hearing, as provided.	
<u>AB 1337</u>	<u>Wicks D</u>	State Water Resources Control Board: water shortage enforcement.	Would authorize the State Water Resources Control Board to adopt regulations for various water conservation purposes, including, but not limited to, to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, and to implement these regulations through orders curtailing the diversion or use of water under any claim of right. The bill would require the board to provide notice and an opportunity to be heard before issuing an order, except where an opportunity to be heard before the issuance of an order would be impractical given the likelihood of harm to the purposes of the various water conservation regulations. The bill would provide that a person or entity may be civilly liable for a violation of any regulation or order issued	

			by the board pursuant to these provisions in an amount not to exceed \$1,000 for each day in which the violation has occurred and \$2,500 for each acre-foot of water diverted or used in violation of the applicable requirement. The bill would authorize the imposition of this civil liability by the superior court, as specified, or administratively by the board. The bill would provide that a regulation or order issued by the board pursuant to these provisions, or by emergency regulation, is exempt from the California Environmental Quality Act (CEQA).	
<u>AB 1348</u>	<u>Grayson D</u>	Local government: open meetings.	Current law, the California Public Records Act, requires state agencies and local agencies to make public records available for inspection, subject to specified criteria, and with specified exceptions. Current law, the Ralph M. Brown Act, requires the meetings of the legislative body of a local agency to be conducted openly and publicly, with specified exceptions. Current law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. This bill would make nonsubstantive changes to the public record provisions governing the writings related to agendas of public meetings.	
<u>AB 1364</u>	<u>Carrillo, Juan D</u>	Fish and wildlife protection and conservation: lake or streambed alterations.	Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or from depositing or disposing of certain material where it may pass into any river, stream, or lake, without first notifying the Department of Fish and Wildlife of that activity, and entering into a lake or streambed alteration agreement if required by the department to protect fish and wildlife resources, except as specified. This bill would make nonsubstantive changes to these provisions.	
<u>AB 1488</u>	<u>Wallis R</u>	California Environmental Quality Act:	The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project	

		water conveyance or storage projects: judicial review.	would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. This bill would require the Judicial Council to adopt rules of court applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification or adoption of an environmental impact report for water conveyance or storage projects, as defined, or the granting of project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to those projects. The bill would require the lead agency to prepare the record of proceedings for a water conveyance or storage project, as provided, and to include a specified notice in the draft EIR and final EIR for the water conveyance or storage project. By imposing additional duties on lead agencies, the bill would impose a state-mandated local program.	
<u>AB 1563</u>	<u>Bennett D</u>	Groundwater sustainability agency: groundwater extraction permit: verification.	Existing law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval. This bill would instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval. This bill contains other related provisions and other existing laws.	
<u>AB 1567</u>	<u>Garcia D</u>	Safe Drinking Water, Wildfire	The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as	ACWA Support if

		Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2023.	Proposition 68 at the June 5, 2018, statewide primary election, authorizes the issuance of bonds in the amount of \$4,100,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. Article XVI of the California Constitution requires measures authorizing general obligation bonds to specify the single object or work to be funded by the bonds and further requires a bond act to be approved by a 2/3 vote of each house of the Legislature and a majority of the voters. This bill would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2023, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,105,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs. This bill contains other related provisions.	Amended – refer to Bond section of Leg Com memo
<u>AB 1572</u>	<u>Friedman D</u>	Potable water: nonfunctional turf.	(1)Existing law establishes various state water policies, including the policy that the use of water for domestic purposes is the highest use of water. This bill would make legislative findings and declarations concerning water use, including that the use of potable water to irrigate nonfunctional turf is wasteful and incompatible with state policy relating to climate change, water conservation, and reduced reliance on the Sacramento-San Joaquin Delta ecosystem. The bill would direct all appropriate state agencies to encourage and support the elimination of irrigation of nonfunctional turf with potable water. This bill contains other related provisions and other existing laws.	ACWA Oppose unless Amended – amendments focus on appropriate role of local agencies vs. the state
<u>AB 1573</u>	<u>Friedman D</u>	Water conservation: landscape plants: nonfunctional	Current law, the Water Conservation in Landscaping Act, requires the Director of Water Resources to convene a working group comprised of representatives from the landscape nursery industry, the agricultural community, the landscape retail industry, environmental organizations,	

		turf.	urban water agencies, and other professionals to examine the current state of consumer information available and accessible regarding water use associated with landscape plants and to explore and identify options for improving the availability, accessibility, and quality of consumer information regarding water use associated with landscape plants, as specified. This bill would delete that requirement.	
<u>AB 1631</u>	<u>Schiavo D</u>	Water resources: permit to appropriate: application procedure: mining use.	Under existing law, the State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Existing law requires an application for a permit to appropriate water to include, among other things, sufficient information to demonstrate a reasonable likelihood that unappropriated water is available for the proposed appropriation. Existing law requires the board to issue and deliver a notice of an application as soon as practicable after the receipt of an application for a permit to appropriate water that conforms to the law. Existing law allows interested persons to file a written protest with regard to an application to appropriate water and requires the protestant to set forth the objections to the application. Existing law declares that no hearing is necessary to issue a permit in connection with an unprotested application, or if the undisputed facts support the issuance of the permit and there is no disputed issue of material fact, unless the board elects to hold a hearing. This bill, if the board has not rendered a final determination on an application for a permit to appropriate water for a beneficial use or uses that include mining use within 30 years from the date the application was filed, would require the board to issue a new notice and provide an opportunity for protests before rendering a final determination, with specified exceptions.	
<u>AB 1684</u>	<u>Maienschein D</u>	California Safe Drinking Water Act: public water systems:	Existing law, the California Safe Drinking Water Act, provides for the operation of public water systems, as defined, and imposes on the State Water Resources Control Board various responsibilities and duties. The act prohibits a person from operating a public water system without a	

		exemptions.	permit from the state board. The act exempts from its provisions a public water system that meets specified conditions, including, but not limited to, a public water system that obtains all of its water from, but is not owned or operated by, a public water system subject to the act. This bill would make nonsubstantive changes to the provision exempting certain public water systems from the act.	
<u>ACA 2</u>	<u>Alanis R</u>	Public resources: Water and Wildfire Resiliency Act of 2023.	Would establish the Water and Wildfire Resiliency Fund within the State Treasury, and would require the Treasurer to annually transfer an amount equal to 3% of all state revenues that may be appropriated as described from the General Fund to the Water and Wildfire Resiliency Fund. The measure would require the moneys in the fund to be appropriated by the Legislature and would require that 50% of the moneys in the fund be used for water projects, as specified, and that the other 50% of the moneys in the fund be used for forest maintenance and health projects, as specified.	
<u>SB 3</u>	<u>Dodd D</u>	Discontinuation of residential water service: community water system.	The Water Shutoff Protection Act prohibits an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, from discontinuing residential service for nonpayment, as specified, and requires specified procedures before it can discontinue residential service for nonpayment. Current law defines a community water system as a public water system that serves at least 15 service connections used by yearlong residents or regularly serves at least 25 yearlong residents of the area served by the system. This bill would expand the scope of the Water Shutoff Protection Act by requiring that it instead apply to a community water system, defined to have the same meaning as existing law. The bill would require a community water system that supplies water to 200 service connections or fewer to comply with the act's provisions on and after August 1, 2024.	
<u>SB 23</u>	<u>Caballero D</u>	Water supply and flood risk	Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from	ACWA Sponsored

		reduction projects: expedited permitting.	the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, except under specified conditions, including requiring the entity to send written notification to the Department of Fish and Wildlife regarding the activity in the manner prescribed by the department. This bill would require a project proponent, if already required to submit a notification to the department, to complete and submit environmental documentation to the department for the activity in the notification.	
<u>SB 315</u>	<u>Hurtado D</u>	Sustainable Groundwater Management Act.	The Sustainable Groundwater Management Act (the act), provides for the sustainable management of groundwater basins, and provides local groundwater agencies with the authority and the technical and financial assistance necessary to sustainably manage groundwater, among other purposes of the act. This bill would express the intent of the Legislature to enact future legislation that would assist groundwater sustainability agencies in fostering discussions among diverse water management interests and local agencies as they strive to implement the act.	ACWA Watch/Possible Amendments
<u>SB 361</u>	<u>Dodd D</u>	Water resources: stream gages.	Would require the Department of Water Resources and the State Water Resources Control Board, upon appropriation of funds by the Legislature, to reactivate, upgrade, and install new stream gages, as provided. The bill would require the department and board to use the recommendations and data provided in the California Stream Gaging Prioritization Plan 2022 to complete specified actions by 2030. The bill would require the data from all stream gages operating with any public money to be published as provisional data within 10 days of collection and made publicly available on the state's open water data platforms. The bill would require the department and board to develop and adopt a set of standards and processes for assessing, tracking, and reporting the accuracy of stream gages, evapotranspiration data, water meters, and other critical data inputs for water management, as provided. The bill	ACWA Support

			would require the department and the board to consult with interested stakeholders to develop a plan to identify the gaps in the network of automated weather stations and eddy covariance towers to ensure accurate and comprehensive data collection.	
<u>SB 366</u>	<u>Caballero D</u>	The California Water Plan: long-term supply targets.	Would make legislative findings and declarations and state the intent of the Legislature to enact future legislation that modernizes the California Water Plan, including the establishment of long-term water supply targets.	
<u>SB 389</u>	<u>Allen D</u>	State Water Resources Control Board: determination of water right.	Current law provides that it is the intent of the Legislature that the state take vigorous action to enforce the terms and conditions of permits, licenses, certifications, and registrations to appropriate water, to enforce state board orders and decisions, and to prevent the unlawful diversion of water. This bill would authorize the State Water Resources Control Board to investigate the diversion and use of water from a stream system to determine whether the diversion and use are based upon appropriation, riparian right, or other basis of right, as specified.	
<u>SB 411</u>	<u>Portantino D</u>	Open meetings: teleconferences: bodies with appointed membership.	Current law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body.	

			This bill would authorize a legislative body to use alternate teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. The bill would alternatively define “legislative body” for this purpose to mean a board, commission, or advisory body of a local agency, the membership of which board, commission, or advisory body is appointed and which board, commission, or advisory body is otherwise subject to the Ralph M. Brown Act.	
<u>SB 414</u>	<u>Allen D</u>	Drought-tolerant landscaping: local incentive programs: synthetic grass: artificial turf.	Current law prohibits a city, including a charter city, county, and city and county, from enacting or enforcing any ordinance or regulation that prohibits the installation of drought-tolerant landscaping, synthetic grass, or artificial turf on residential property, as specified. The Personal Income Tax Law and the Corporation Tax Law, in conformity with federal income tax law, generally defines “gross income” as income from whatever source derived, except as specifically excluded. Current law provides, among other exclusions, an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a public water system, as defined, local government, or state agency for participation in a turf replacement water conservation program. This bill would prohibit a city, including a charter city, county, city and county, or special district, from issuing a rebate, voucher, or other financial incentive for the use of synthetic grass or artificial turf that contains contaminants, including zinc, plastic, or perfluoroalkyl and polyfluoroalkyl substances (PFAS).	ACWA Support
<u>SB 649</u>	<u>Hurtado D</u>	California Endangered Species Act: incidental take permits.	The California Endangered Species Act requires the Department of Fish and Wildlife to adopt regulations for issuance of incidental take permits. Existing law prohibits the department from issuing an incidental take permit if issuance of the permit would jeopardize the continued existence of the species. Existing law requires the department to make this determination based on the best scientific and other information that is	

			reasonably available, and to include consideration of the species' capability to survive and reproduce, and any adverse impacts of the taking on those abilities in light of (1) known population trends; (2) known threats to the species; and (3) reasonably foreseeable impacts on the species from other related projects and activities. This bill would require the department to make that decision based on a real-time monitoring system, rather than a calendar-based schedule, and to additionally consider the proximity of the species relative to the operation of a facility subject to the permit conditions and the known location of the population relative to the facility subject to the permit.	
<u>SB 659</u>	<u>Ashby D</u>	Groundwater recharge: minimum requirement.	Would establish that it is the policy of the state to recharge groundwater by a minimum of 10 million acre-feet of water annually. The bill would require the department to promulgate regulations necessary to implement this policy.	
<u>SB 706</u>	<u>Caballero D</u>	Public contracts: progressive design-build: local agencies.	Current law defines "progressive design-build" as a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the project. Current law, until January 1, 2029, authorizes local agencies, defined as any city, county, city and county, or special district authorized by law to provide for the production, storage, supply, treatment, or distribution of any water from any source, to use the progressive design-build process for up to 15 public works projects in excess of \$5,000,000 for each project, similar to the progressive design-build process authorized for use by the Director of General Services. Current law requires a local agency that uses the progressive design-build process to submit, no later than January 1, 2028, to the appropriate policy and fiscal committees of the Legislature a report on the use of the progressive design-build process containing specified information, including a description of the projects awarded using the progressive design-build process. Current law requires the	

			design-build entity and its general partners or joint venture members to verify specified information under penalty of perjury. This bill would remove the 15 project maximum and would authorize all cities, counties, city and counties, or special districts to use the progressive design-build process for other projects in addition to water-related projects.	
<u>SB 737</u>	<u>Hurtado D</u>	Groundwater: recharge.	Would state the intent of the Legislature to enact subsequent legislation to capture floodwater to recharge groundwater basins and to require the Department of Water Resources and the State Water Resources Control Board to work together to expedite the regulatory steps necessary to store significant rainfall and excess water underground, while still ensuring protections for the environment and other water users as required by state law.	
<u>SB 745</u>	<u>Cortese D</u>	The Drought-Resistant Buildings Act.	Would require the California Building Standards Commission to develop and propose mandatory building standards to reduce the designed potable water demand of new buildings by 25% from current mandatory design requirements and to minimize the use of potable water for nonpotable uses. The bill would require the commission to adopt mandatory building standards that require new buildings to be designed to capture graywater and use alternative water sources for nonpotable building and landscaping water uses, as specified.	ACWA Oppose unless Amended
<u>SB 861</u>	<u>Dahle R</u>	California Environmental Quality Act: water conveyance or storage projects: judicial review.	The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that the lead agency proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the	

			environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. This bill would require the Judicial Council to adopt rules of court applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification or adoption of an environmental impact report for water conveyance or storage projects, as defined, or the granting of project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to those projects.	
<u>SB 867</u>	<u>Allen D</u>	Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023.	Would enact the Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023, which, if approved by the voters, would authorize the issuance of bonds in an unspecified amount pursuant to the State General Obligation Bond Law to finance projects for drought and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, and park creation and outdoor access programs.	ACWA Support if Amended – refer to Bond section of Leg Com memo

Total Measures: 46

Total Tracking Forms: 46

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LEGISLATIVE ADVOCACY COMMITTEE

ITEM: DISCUSSION ITEM

5. DISCUSS AND RECOMMEND A LEGISLATIVE OUTREACH PLAN FOR 2023

Meeting Date: March 9, 2023

**From: David J. Stoldt,
 General Manager**

Prepared By: David J. Stoldt

SUMMARY: Attached as **Exhibit 5-A** is a draft 2023 Legislative Advocacy Plan. The Committee should discuss state and federal priorities for the year.

RECOMMENDATION: Staff recommends that the Committee provide comments and recommend the Board of Directors review the Legislative Advocacy Plan and adopt it by consent at the March 20th board meeting.

EXHIBIT

5-A Draft 2023 Legislative Advocacy Plan

EXHIBIT 5-A



2023 DRAFT Legislative Advocacy Plan

Purpose

The purpose of the Plan is to guide District officials and staff in considering legislative or regulatory proposals that are likely to have an impact on the District, and to allow for a timely response to important legislative issues. Although the expenditure of public funds for the purpose of supporting or opposing a ballot measure or candidate is prohibited, the expenditure of public funds is allowed to advocate for or against proposed legislation or regulatory actions which will affect the public agency expending the funds.

The purpose for identifying legislative advocacy procedures is to provide clear direction to District staff with regard to monitoring and acting upon bills during state and federal legislative sessions. Adherence to such procedures will ensure that legislative inquiries and responses will be administered consistently with “one voice” as to the identified advocacy priorities adopted by the Board of Directors. The advocacy priorities will provide the District General Manager, or other designee, discretion to advocate in best interests in a manner consistent with the goals and priorities adopted by the Board of Directors. This Plan is intended to be manageable, consistent, and tailored to the specific needs and culture of the District.

Plan Goals

- Advocate the District’s legislative interests at the State, County, and Federal levels.
- Inform and provide information to the Board and staff on the legislative process and key issues and legislation that could have a potential impact on the District.
- Serve as an active participant with other local governments, the Association of California Water Agencies (ACWA), the California Special Districts Association (CSDA), and local government associations on legislative and regulatory issues that are important to the District and the region.
- Seek grant and funding assistance for District projects, services, and programs to enhance services for the community.

Plan Principles

The Board recognizes the need to protect District interests and local control, and to identify various avenues to implement its strategic and long-term goals. It is the policy of the District to proactively monitor and advocate for legislation as directed by the advocacy priorities and by the specific direction of the Board of Directors.

This Plan provides the District General Manager, or other designee, the flexibility to adopt positions on legislation in a timely manner, while allowing the Board of Directors to set advocacy priorities to provide policy guidance. The Board of Directors shall establish various advocacy priorities and, so long as the position fits within the advocacy priorities, staff is authorized to take a position without board approval.

Whenever an applicable advocacy priority does not exist pertaining to legislation affecting the District, the matter shall be brought before the Board of Directors at a regularly scheduled board meeting for formal direction from the Board of Directors. The Board of Directors has chosen to establish a standing committee of three Directors, known as the “Legislative Advocacy Committee”, with the authority to adopt a position when consideration by the full Board of Directors is not feasible within the time-constraints of the legislative process.

Generally, the District will not address matters that are not pertinent to the District’s local government services, such as social issues or international relations issues.

Legislative Advocacy Procedures

It is the Plan of the District to proactively monitor and advocate for legislation as directed by the advocacy priorities and by the specific direction of the Board of Directors. This process involves interaction with local, state, and federal government entities both in regard to specific items of legislation and to promote positive intergovernmental relationships. Accordingly, involvement and participation in regional, state, and national organizations is encouraged and supported by the District.

Monitoring legislation is a shared function of the Board of Directors and General Manager or designated staff. Legislative advocacy procedures are the process by which staff will track and respond to legislative issues in a timely and consistent manner. The General Manager, or other designee, will act on legislation utilizing the following procedures:

1. The General Manager or other designee shall review requests that the District take a position on legislative issues to determine if the legislation aligns with the district’s current approved advocacy priorities.
2. The General Manager or other designee will conduct a review of positions and analysis completed by ACWA, CSDA, WateReuse, and other local government associations when formulating positions.
3. If the matter aligns with the approved priorities, District response shall be supplied in the form of a letter to the legislative body reviewing the bill or measure. Advocacy methods utilized on behalf of the District, including but not limited to letters, phone calls, emails, and prepared forms, will be communicated through the General Manager or designee. The General Manager or designee shall advise staff to administer the form of advocacy, typically via letters signed by the General Manager, or designee, on behalf of the Board of Directors.

4. All draft legislative position letters initiated by the General Manager or designee shall state whether the district is requesting “support”, “support if amended”, “oppose”, or “oppose unless amended” action on the issue, and shall include adequate justification for the recommended action. If possible, the letter should include examples of how a bill would specifically affect the district, e.g. “the funding the district will lose due to this bill could pay for X capital improvements.”
 - a. Support – legislation in this area advances the district’s goals and priorities.
 - b. Oppose – legislation in this area could potentially harm, negatively impact or undo positive momentum for the district, or does not advance the district’s goals and priorities.
5. The General Manager may also provide a letter of concern or interest regarding a legislative issue without taking a formal position on a piece of legislation. Letters of concern or interest are to be administered through the General Manager or designee.
6. When a letter is sent to a state or federal legislative body, the appropriate federal or state legislators representing the District shall be included as a copy or “cc” on the letter. The appropriate contacts at ACWA or the CSDA and other local government associations, if applicable, shall be included as a cc on legislative letters.
7. A position may be adopted by the General Manager or designee if any of the following criteria is met:
 - a. The position is consistent with the adopted advocacy priorities;
 - b. The position is consistent with that of organizations to which the District is a member, such as ACWA or CSDA; or
 - c. The position is approved by the Board of Directors or the Legislative Advocacy Committee.
8. All legislative positions adopted via a process outside of a regularly scheduled Board Meeting shall be communicated to the Board of Directors at the next regularly scheduled Board Meeting. When appropriate, the General Manager or other designee will submit a report (either written or verbal) summarizing activity on legislative measures to the Board of Directors.

Advocacy Priorities

Revenue, Finances, and Taxation

Ensure adequate funding for the Districts’ safe and reliable core local service delivery. Protect Districts’ resources from the shift or diversion of revenues without its consent. Promote financial independence and afford access to revenue opportunities equal to that of other types of local agencies. Protect and preserve the Districts’ property tax allocation and local flexibility with revenue and diversify local revenue sources.

Support opportunities that allow the District to compete for its fair share of regional, state, and

federal funding, and that maintain funding streams. Opportunities may include competitive grant and funding programs. Opportunities may also include dedicated funding streams at the regional, state, or federal levels that allow the District to maximize local revenues, offset and leverage capital expenditures, and maintain District goals and standards.

Governance and Accountability

Enhance the Districts' ability to govern as an independent, local government body in an open and accessible manner. Encourage best practices that avoid burdensome, costly, redundant or one-size-fits all approaches. Ensure local services meet the unique needs, priorities, and preferences of the community.

Oppose additional public meeting and records requirements that unnecessarily increase the burden on public resources without effectively fostering public engagement and enhancing accountability of government agencies.

Promote local-level solutions, decision-making, and management concerning service delivery and governance structures while upholding voter control.

Human Resources and Personnel

Promote policies related to hiring, management, and benefits and retirement that afford flexibility, contain costs, and enhance the ability to recruit and retain highly qualified, career-minded employees to public service. As public agency employers, support policies that foster productive relationships between management and employees.

Maintain the Districts' ability to exercise local flexibility by minimizing state-mandated contract requirements. Oppose any measure that would hinder the ability of special districts to maximize local resources and efficiencies through the use of contracted services.

Infrastructure, Innovation, and Investment

Encourage prudent planning for investment and maintenance of innovative long-term infrastructure. Support the contracting flexibility and fiscal tools and incentives needed to help special districts meet California's changing demands. Promote the efficient, effective, and sustainable delivery of core local services.

Prevent restrictive one-size-fits-all public works requirements that increase costs to taxpayers and reduce local flexibility.

Federal Delegation



Senator Dianne Feinstein



Senator Alex Padilla



Rep. Jimmy Panetta, 19th Dist.

Federal Strategy

1) Continue relationship and services with The Ferguson Group

- Identifying legislation or proposed regulatory changes that may impact the District.
- Submit and pursue WRDA earmarks; Work with Army Corps of Engineers San Francisco regional office.
- Consider additional requests under Community Project Funding program.
- Consult with staff to develop positions on relevant legislation.
- Advocate the District's position on bills and matters of interest.
- Identify funding opportunities and notify of timing, requirements, and advocate on behalf of District or District's partners (e.g. WaterSMART) for, but not limited to:
 - ✓ Fisheries and watersheds
 - ✓ Pure Water Monterey Expansion
- Prepare materials for briefing – talking points, briefing books, letters, as necessary
- Coordinate with other water district lobbyists and organizations
- Maintain close relationships with Monterey legislative delegation

2) Maintain Washington DC profile:

- Work with The Ferguson Group to organize timely trips as needed, but at least once a year separate from ACWA trip
- Both Congressional delegation and regulatory departments related to water, including but not limited to BLM, NOAA (NMFS), USBR, USDA, and EPA.
- Develop relationships with new legislative staff.
- Attend ACWA trip each year or every other year
- Direct contact with associations including ACWA, WateReuse, etc.

3) Provide support for relevant legislation.

4) Perform on existing federal grants:

- \$10.3 million Pure Water Monterey Expansion USBR Title XVI grant – M1W

- WIFIA loan through the EPA – M1W
- Salinas and Carmel Rivers Basin Study (\$900,000 USBR to be completed in 2023)

State of California Delegation



John Laird, Senate District 17



Dawn Addis, Assembly District 30

Also: Anna Caballero (Senate District 12) and Robert Rivas (Assembly District 29)

State of California Strategy

- 1) Monitor and pursue grant opportunities:
 - \$11.94 Million Urban Community Drought Relief Grant – MPWMD
 - \$4.8 Million Budget Act of 2022 (Governor’s 2022-23 Budget earmark) – MPWMD
 - \$15 Million State Revolving Fund grant for PWM Expansion – M1W
 - Fisheries Restoration Grant Program (FRGP): Position the District for a 2023 application for Monitoring Watershed Restoration (MO) for Carmel River in the aftermath of the San Clemente dam removal.
 - IRWM: Will maintain our effort to attain State funding in the next IRWM round
- 2) Maintain Sacramento profile:
 - Work with JEA Associates to organize timely trips as needed, but at least once a year separate from needs-based visits.
 - Follow through on the “Water for Housing” application to SWRCB and develop and execute advocacy plan.
 - Pursue other grant and/or special legislation opportunities.
 - Visit w/ Governor Newsom’s appointee’s in relevant key positions
 - Meet with legislative team locally
 - Attend CSDA, ACWA, and/or WateReuse legislative days
- 3) Provide support/opposition for relevant legislation.
 - Maintain JEA bill-tracking
 - Provide letters of support or opposition on legislation and regulations that affect the water industry. Current effort on proposed SWRCB regulations.

4) Develop helpful relationships: ACWA, WateReuse, others

Local Strategy

1) Maintain District role in regional water issues related to:

- Pure Water Monterey expansion
- Los Padres Dam and Reservoir studies
- Manage local IRWM and WRDA efforts
- Groundwater Sustainability
- Regionalism in water, generally

2) Encourage information flow and public participation in Rule 19.8/Measure J feasibility analysis where possible.

3) Participate in County-wide efforts (CEQA, OES, Water planning, Carmel River/Lagoon)

4) Maintain outreach to local associations government affairs committees (Chambers, MCAR, MCHA, Coalition of Peninsula Businesses, jurisdictions' mayors and councils); Meet new councilmembers and board members.

5) Better articulate CPUC activities to local ratepayer groups