

Bighorn-Desert View Water Agency

Board of Directors

Judy Corl-Lorono, President
J. Dennis Staley, Vice President
Terry Burkhart, Secretary
Michael McBride, Director
J. Larry Coulombe, Director

Marina D West, P.G., General Manager



A Public Agency

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PLANNING/LEGISLATIVE/ENGINEERING GRANT & SECURITY STANDING COMMITTEE MEETING AGENDA

BOARD MEETING OFFICE
1720 N. Cherokee Trail, Landers, CA 92285
Wednesday, August 6, 2014 - 9:15 a.m.

**Committee Members: Director Corl-Lorono & Director Staley
(Director Burkhart absent with prior notice)**

The BDVWA Planning / Legislative / Engineering / Grant & Security Committee meeting will be conducted in strict compliance with the Brown Act. Members of the Board not assigned to this Committee who attend may do so only as observers and may not participate in the meeting.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Agenda**

Discussion and Action Items - The Committee and Staff will discuss the following items and provide direction to staff, if so inclined.

The Public is invited to comment on any item on the agenda during discussion of that item.

When giving your public comment, please have your information prepared. If you wish to be identified for the record then please state your name. Due to time constraints, each member of the public will be allotted three-minutes to provide their public comment.

5. Conference Call With Mojave Water Agency's Legal/Legislative and Public Information Committee

Committee to participate via teleconference for an update by the State Advocate of Issues at the State Level, as well as an update by the Federal Advocate of Issues at the Federal Level.

6. Update on Dissolution of CSA 70/W-1 and Annexation to BDVWA

7. Consent Items - The following is expected to be routine and non-controversial and will be acted on by the Committee members at one time without discussion, unless a member of the Public or a Committee member requests that an item be held for discussion or further action.

- a. Regular PLEGS Committee Meeting Report, June 4, 2014

8. Public Comment Period

Any person may address the Committee on any matter within the Agency's jurisdiction on items not appearing on this agenda.

When giving your public comment, please have your information prepared. If you wish to be identified for the record then please state your name. Due to time constraints, each member of the public will be allotted three-minutes to provide their public comment. State Law prohibits the Committee from discussing or taking action on items not included on the agenda.

9. Verbal Reports

- a. Committee Members - Comments/Report
- b. General Manager Report

10. Items for Next Agenda

11. Adjournment

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the Bighorn-Desert View Water Agency, 622 S. Jemez Trail, Yucca Valley, CA not less than 72 hours if prior to a Regular meeting, date and time above; or in accordance with California Government Code Section 54956 this agenda has been posted not less than 24 hours if prior to a Special meeting, date and time above.

As a general rule, agenda reports or other written documentation has been prepared or organized with respect to each item of business listed on the agenda.

Copies of these materials and other discloseable public records in connection with an open session agenda item, are also on file with and available for inspection at the Office of the Agency Secretary, 622 S. Jemez Trail, Yucca Valley, California, during regular business hours, 8:00 A.M. to 4:30 P.M., Monday through Friday. If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Bighorn-Desert View Water Agency.

Internet: Once uploaded, agenda materials can also be viewed at www.bdvwa.org.

Public Comments: You may wish to submit your comments in writing to assure that you are able to express yourself adequately.

Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, should contact the Board's Secretary at 760-364-2315 during Agency business hours.

AGENDA ITEM # 5



**PUBLIC
AFFAIRS**

TO: Legal, Legislative and Public Information Committee

FROM: Ed Manning
Carolyn Jensen

RE: KP Public Affairs Agenda

1. Legislative Update

A. Legislative Calendar:

- i. August 4th --- Legislature reconvenes following Summer Recess
- ii. August 15th --- Deadline for fiscal bills to pass to the floor
- iii. August 18th – August 31st --- Floor Session Only
- iv. August 31st --- Last day for each house to pass bills
- v. September 1st --- Final Recess

B. Groundwater Legislation:

- i. AB 1739 (Dickinson)
- ii. SB 1168 (Pavley)

C. Water Bond

2. Emergency Drought Regulations

07/30/14

Water Bond, Groundwater Top Agenda When Legislature Returns

With the Legislature set to return from summer recess on Aug. 4, all eyes will be on the state Capitol as lawmakers debate and potentially act on bills regarding the 2014 water bond, groundwater sustainability and other key topics.

Here is a look at priority issues awaiting action in the final four weeks of the 2013-'14 legislative session, which adjourns on Aug. 31.

2014 Water Bond

Though legislative leaders had hoped to finish work on a modified water bond before adjourning for summer recess on July 3, more time was needed to reach bipartisan agreement on a downsized measure to replace the existing \$11.14 billion bond currently set for the November ballot.

Discussions continue in both houses, and the bond has emerged as a top priority when legislators return to the Capitol. On the Senate side, Sen. Lois Wolk (D-Davis) amended her SB 848 just before the summer recess. The measure was reduced from a \$10.5 billion bond to a \$7.5 billion bond in reaction to the \$6 billion initial proposal Gov. Jerry Brown put on the table in late June.

Notably, the proposed storage funding in SB 848 has been reduced to \$2 billion, continuously appropriated, which is \$1 billion short of ACWA's \$3 billion number and the number that Republicans have been advancing. The July 3 amendments also reduced funding for the Delta. ACWA has recommended funding at the \$2.25 billion level. However, the governor is proposing that the bond be BDCP neutral and is suggesting an even smaller number for Delta sustainability, \$500 million. The appropriate level of Delta funding will be one of the key issues when the Legislature returns on Aug. 4. ACWA currently has an oppose-unless amended position on SB 848 and is reviewing the latest version of the bill, which is awaiting action on the Senate floor.

Meanwhile in the Assembly, under the leadership of Assembly Speaker Toni Atkins (D-San Diego) and Assembly Republican Leader Connie Conway (R-Tulare), Assembly Members Anthony Rendon (D-Lakewood), Henry Perea (DFresno), and Frank Bigelow (R-O'Neals) have been working with the chair of Assembly Appropriations Committee (Assembly Member Mike Gatto) to reach agreement on an Assembly version of the water bond. This merged proposal may go into AB 2686 (Perea), which is currently at \$10.75 billion but it is likely to be downsized to about \$8.2 billion.

ACWA has a support position on the current version of the bill, which is in the Assembly Appropriations Committee.

Groundwater Legislation

ACWA continues to actively engage in shaping the groundwater bills moving this year in the Legislature. ACWA staff, along with Dave Orth, general manager of the Kings River Conservation District and a member of ACWA's Board of Directors, testified June 24 on AB 1739 (Dickinson) in the Senate Natural Resources and Water Committee and on SB 1168 (Pavley) in the Assembly Water, Parks and Wildlife Committee. ACWA currently has a support-if-amended position on both bills as ACWA and other stakeholders work to align the bills with the recommendations made in ACWA's recent document, "Recommendations for Achieving Groundwater Sustainability." The Brown Administration has

convened a small group of stakeholders to work through the process of consolidating the two bills along with the governor's proposal for groundwater sustainability. The small group process has given ACWA the opportunity to be at the table and actively involved in the consolidation process.

In addition to the small group, the Administration has held a series of three stakeholder meetings to gather input during the month of July from all those interested in sustainable groundwater management. The issues raised through the stakeholder meetings are being addressed by the small group in order to minimize the issues left unresolved.

Both bills have moved through their respective policy committees in the second house, and once the Legislature returns in August the measures will have two more stops in the legislative process before going to the governor for signature.

The Brown Administration is parking a potential budget trailer bill in the Legislature, awaiting positive progress on the groundwater sustainability legislation. The budget trailer bill has a shelf life that will last until the Legislature gavel down at the end of August, which means it could be taken up, debated and voted upon until the close of session.

The groundwater budget trailer bill will not advance if the Legislature keeps moving the groundwater sustainability bills through the process. If the policy bills stall, the Administration will likely explore the option of activating the budget trailer bill. ACWA's strong preference is for reasonable and effective groundwater legislation to be developed in the regular legislative process as opposed to in a budget trailer bill.

Integrated Regional Water Management (IRWM) Plans

Originally AB 1249 (Salas) proposed to require that IRWM plans covering an area identified as a nitrate high-risk area by the State Water Resources Control Board or an area that has arsenic, perchlorate or chromium-6 contamination include an explanation of how the plan addresses (or does not address) the contamination. This was problematic since IRWM plans set forth objectives for grant funding and are not a regulatory program.

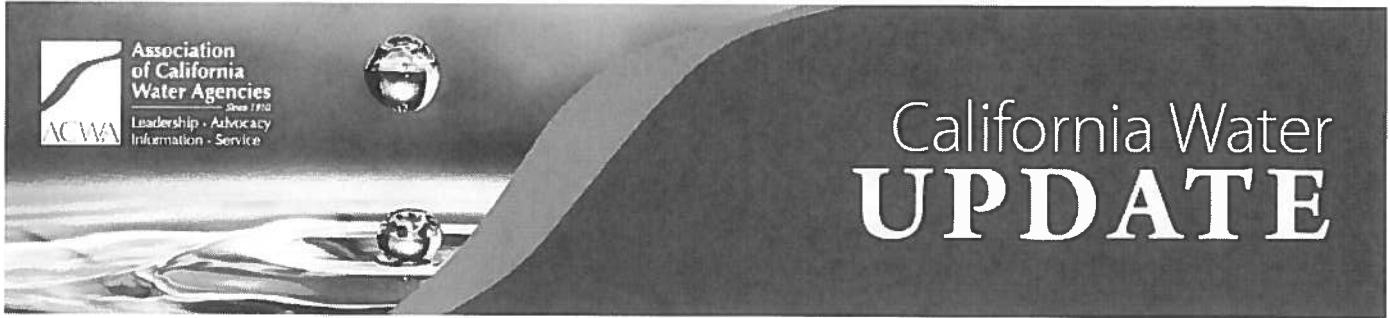
AB 1249 also proposed that the Department of Water Resources, in granting IRWM funding, give an automatic preference to projects that implement IRWM plans that address the contamination. Although well-intended, the proposal was problematic because a planning region may have a higher priority need (e.g., to address salt water intrusion that threatens a drinking water supply).

The State Legislative Committee took a support-if-amended position on this bill, and members of the committee and staff developed amendments to address these issues. The ACWA-negotiated amendments are now reflected in the June 30 version of the bill. AB 1249 is set for hearing on Aug. 4 in the Senate Appropriations Committee.

Mokelumne River Wild and Scenic Designation

SB 1199 (Hancock) would add specified segments of the Mokelumne River to the California Wild and Scenic Rivers Act. Although the bill has been amended to address some issues raised by water agencies, several ACWA members continue to have concerns with the potential impact to water supply. The Amador Water Agency is in the midst of securing water rights from the Mokelumne River through the State Water Resources Control Board process, and is very concerned that the designation of the river would have an adverse effect on its efforts. ACWA currently has an oppose-unless amended position on SB 1199.

ACWA News
July 25, 2014



May 2013

ACWA Outlines Priorities for 2014 Water Bond

ACWA is supporting modifications to the current 2014 water bond to protect key priority areas and aid its passage next year.

At its March 29 meeting, ACWA's Board of Directors approved guidelines for the modifications and directed staff to support some reductions to the bond while prioritizing funding for elements that have statewide significance. The guidelines stem from a statewide California Water Finance Task Force convened by ACWA this year to explore options for improving the bond's viability in 2014. The task force, which includes Board members from all 10 ACWA regions and is supported by a diverse working group of member agency experts, worked through a deliberative process to formulate its recommendations to the ACWA Board.

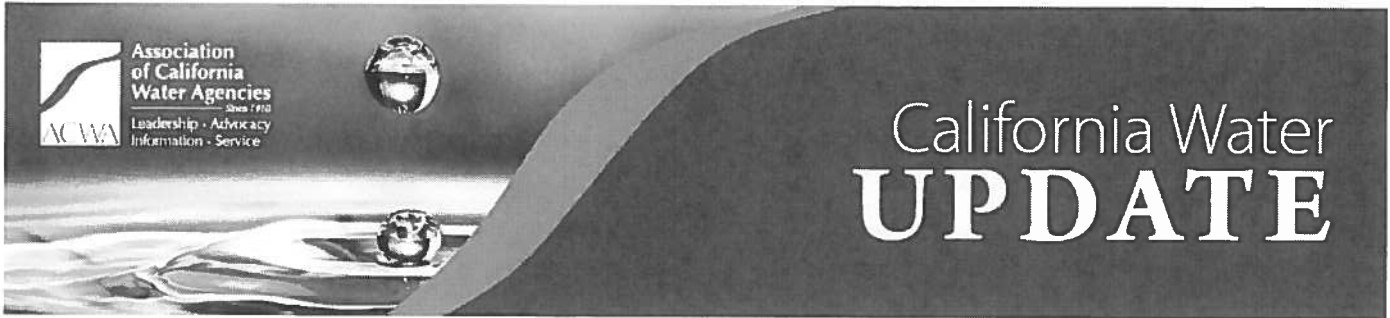
Based on the Board's action and further discussion by the task force, ACWA's go-forward direction includes:

- Supporting a smaller bond that focuses on key statewide priority areas;
- Avoiding "earmarks" that allocate funds for specific projects without a competitive process;
- Rejecting statewide fees on water to pay for statewide public benefits;
- Protecting current bond funding levels for the public benefits of water storage projects, Delta ecosystem restoration, and assistance for disadvantaged communities;
- Supporting substantial funding for local resources development projects, including Integrated Regional Water Management programs in both urban and rural areas, water recycling / conservation, and groundwater cleanup; and;
- Providing additional funding at the local / regional level for local projects by looking at new tools and approaches that work for local water agencies.

Legislative leaders have indicated that modifications to the bond may be taken up later this year after passage of the state budget. ACWA will continue to play a leadership role in water bond discussions over the coming months.

For questions, contact ACWA Executive Director Timothy Quinn at 916-441-4545 or timq@acwa.com.

(Revised 5/15/13)



April 2013

Frequently Asked Questions about ACWA and the 2014 Water Bond

Q: What direction is ACWA taking on the 2014 water bond?

A: ACWA is supporting modifications to the current 2014 water bond to protect key priority areas and aid its passage next year. At its March 29 meeting, the ACWA Board of Directors approved guidelines for modifying the measure and provided direction to staff to support some reductions to the bond while prioritizing funding for elements that have statewide significance. Those elements include water storage, Delta ecosystem restoration, assistance for disadvantaged communities, and substantial support for local resources development.

The guidelines stem from a statewide California Water Finance Task Force convened by ACWA this year to explore options for improving the bond's viability in 2014. The task force, which includes Board members from all 10 ACWA regions and is supported by a diverse working group of member agency experts, worked through a deliberative process to formulate its recommendations to the ACWA Board.

Q. What guidelines will ACWA follow as it engages in water bond discussions this year?

A. ACWA will be guided by the following concepts as it considers modifications to the bond this year:

- Avoiding "earmarks" that allocate funds for specific projects without a competitive process;
- Rejecting statewide fees on water to pay for statewide public benefits;
- Protecting current bond funding levels for the public benefits of water storage projects, Delta ecosystem restoration and assistance for disadvantaged communities;
- Supporting substantial funding for local resources development, including Integrated Regional Water Management programs in both urban and rural areas, water recycling / conservation, and groundwater cleanup; and
- Providing additional funding at the local / regional level for local projects by looking at new tools and approaches that could work for local water agencies.

Q: Why is ACWA supporting reductions to the bond?

A. It has become clear that significant changes are needed to secure passage of a water bond in 2014. Changes such as reducing the overall size of the existing bond and addressing the perception that the current bond contains too much "pork" are widely seen as necessary to aid the bond's passage next year. As a statewide organization, ACWA is prioritizing funding for elements of the bond that have true statewide importance. From the perspective of ACWA's Board, that means placing a priority on funding for the following areas:

- Public benefits of water storage
- Delta ecosystem restoration

(Revised 4/23/13)

- Assistance for disadvantaged communities
- Integrated Regional Water Management programs for both urban and rural areas
- Water recycling / conservation and groundwater cleanup

ACWA continues to support substantial funding in the bond for local resources development and will look for ways to maximize funding at the regional level.

Q: What parts of the current bond are being considered for reduction?

A: The current bond would authorize \$11.14 billion in general obligation bond funding in three broad areas: local resources development (\$4.01 billion); Delta ecosystem restoration and watersheds (\$4.035 billion); and storage for the coequal goals (\$3 billion.)

Since reductions are needed to improve the bond's viability next year, ACWA's Board has made a policy decision to prioritize funds for elements of statewide importance while considering lower dollar amounts in some categories in accordance with the Board-adopted guidelines. At the same time, ACWA is looking at ways to strengthen some funding areas through local and regional approaches.

ACWA's position on the revised bond provides substantial funding for all of the investment categories included in the 2009 water package: \$2.15 billion for local resources development; \$3.05 billion for Delta ecosystem restoration and watershed management; and \$3 billion for the public benefits of storage. In effect, this level and distribution of funding takes the water bond back to the levels prevailing a few weeks prior to the end of the 2009 legislative session, before the substantial additions late in the session that have been widely criticized in the media.

Q: Why would ACWA support a reduction in local resources development funding?

A: ACWA continues to call for substantial investments in local resources development projects and strategies such as IRWM programs, water recycling, conservation and groundwater cleanup. The \$2.15 billion in local resources development funding identified in the scenario above represents a significant infusion of grant and loan dollars for these kinds of projects that, combined with previously authorized bond funds that have not yet been spent, would provide critically needed support for local water agency investments in this area for years to come.

ACWA is also committed to strengthening local resources development efforts wherever possible by working to develop new tools and approaches that can advance projects while creating more autonomy at the local and regional level.

Q: What happens next?

A: Legislative leaders have indicated that modifications to the bond may be taken up later this year after passage of the state budget. ACWA will continue to play a leadership role in water bond discussions over the coming months.

Q: How can ACWA members weigh in on the process?

A: ACWA has scheduled a town hall on the water bond and potential modifications at the upcoming ACWA 2013 Spring Conference & Exhibition in Sacramento. The session is set for 1:45 p.m. to 2:45 p.m. on Thursday, May 9.

ACWA members with questions or comments may contact ACWA Executive Director Timothy Quinn at 916-441-4545 or timq@acwa.com.

*Innovative Federal Strategies*_{LLC}

Comprehensive Government Relations

MEMORANDUM

To: Mojave Water Agency Legal, Legislative and Public Information Committee

From: Letitia White and Heather Hennessey

Date: July 30, 2014

Re: July Monthly Legislative Update

Election year politics took an extreme toll on Capitol Hill during July, preventing even crisis legislation from moving forward. At the time of this writing, none of the must-do items for the month have been accomplished. State transportation departments are going to start receiving reduced distributions from the Highway Trust Fund beginning on August 1st, but the House and Senate have not finalized a funding patch. The ongoing border crisis continues to capture headlines and stress the resources of the agencies responsible for housing and transporting the migrant children, but Congress has not taken the first vote on funding or policy changes to address the problem. Against this backdrop, the arrival of the August recess on Friday the 1st will come as a tremendous relief.

Drought Legislation Fails to Advance during July

It was disappointing to see July come and go with no progress on the California drought legislation. As you recall from our previous reports, outside pressures from environmentalists as well as disputes within the California Congressional delegation were problematic during May and June. But we had still been hopeful that Senator Feinstein and House Republicans would be able to hash out an agreement before the beginning of August recess. The best option now is that a conference can move forward during September. But with Congress only in session very briefly during September, the timetable will be limited.

Federal Funding Outlook

Congress will need to enact a Continuing Resolution (CR) to fund the government past the end of the Fiscal Year on September 30th. As you recall, this year began on a high note, with a budget agreement already in place which removed the need for a contentious and protracted fight over funding levels. Both the House and Senate Appropriations Committees began work in the spring under aggressive schedules with the goal of passing all of the FY 2015 funding bills before October 1st. However, hot-button issues in this election year became problematic early and have remained troublesome for some bills. Also, Democrats have maintained that funding levels are too low, even though they conform to the budget agreement. "I've got a full plate and a wallet that's more like a Lean Cuisine," Senate Chairwoman Barbara Mikulski (D-MD) told reporters several weeks ago.

Innovative Federal Strategies LLC

Consequently, none of the Senate bills have come to the floor for consideration, mostly due to amendments that would be offered by Republicans which would be problematic for vulnerable Senate Democrats who are up for reelection in November. Senate leadership had previously announced that two weeks of July would be devoted to spending bills on the Senate floor. And in the House, work has stalled now that the Interior and Environment bill was due for consideration. While it was passed by the full committee two weeks ago, it has not yet come to the House floor. In all, the House has passed seven of the twelve annual spending bills so far. We understand that the House will devote part of its floor schedule in September to appropriations, some of which will be consumed by debate on the CR.

Appropriators are also currently distracted from work on the FY 2015 regular bills because of the White House's request for emergency funding due to the ongoing child migrant crisis. Having said all of this, a CR will be the top legislative priority for September. Most likely, it will last for about two months to allow the November elections to come and go and give some weeks for negotiations to take place on the spending bills. The House will likely go first in passing the CR, as is customary.

EPA's Waters of the US Rulemaking Continues to Draw Fire from Congress

Congress has held at least half a dozen hearings this year regarding the EPA's ongoing efforts to expand its jurisdiction under the Clean Water Act. The House is working on a bill to stop the rulemaking and start again using a different process, and it has also included a funding prohibition for the rule in the EPA's appropriations bill. With public comments on the rulemaking due to the EPA by October 15th, this issue will remain on the front burner for the next few months. Even some Democrats are critical of EPA in this situation. Ranking Member of the House Transportation and Infrastructure Committee Peter DeFazio (R-OR) told reporters, "[EPA keeps] telling us what it doesn't do. If you write a rule and have to keep telling people what it doesn't do, then maybe your rule needs a lot of work." Agriculture groups have been especially critical of the rule, to the point that rural Democrats are beginning to worry about consequences on election day. The Obama Administration has already withdrawn this rulemaking once because of political fears from stakeholders.

Outlook for August

Congress will be in recess from August 1st until September 8th.

AGENDA ITEM # 7

Bighorn-Desert View Water Agency



Board of Directors

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PLANNING/LEGISLATIVE/ENGINEERING GRANT & SECURITY COMMITTEE REGULAR MEETING REPORT

BOARD MEETING OFFICE
1720 N. Cherokee Trail, Landers, CA 92285
Wednesday, June 6, 2014 - 9:15 a.m.

COMMITTEE MEMBERS: Director Corl-Lorono & Director Burkhart

Call to Order

Director Burkhart called the meeting to order at 9:00 a.m.

Pledge of Allegiance

Led by Glen Goslaw

Roll Call

Directors: Judy Corl-Lorono
Terry Burkhart

Staff: Marina West
Michelle Corbin

Approval of the Agenda

Director Corl-Lorono and Director Burkhart approved the agenda as presented.

Conference Call with Mojave Water Agency's Legal/Legislative and Public Information Committee

Carolyn Jensen of KP Public Affairs gave an update on the State budget and the Water Bond as well as various legislative bills. Ms. Jensen also reported the Drinking Water Program will move out of the Department of Public Health and into the State Water Control Board.

Heather Hennessy of Innovative Federal Strategies reported on the California drought. Senator Feinstein's revised Drought Bill was passed by the Senate. The Bill included zero funding which contributed to its passing. Senator Feinstein's Bill will now go to the

Conference Committee along with the House Bill. Ms. Hennessy also reported on the Water Infrastructure Finance and Innovation Act (WIFIA) as well as funding the Hi-Desert Water District and Victor Valley Wastewater Reclamation Authority received from the Bureau of Reclamation Title XVI Project monies.

No public comment.

Adjourned for a Break at 9:41 am - Reconvened from Break at 9:46 am

Update on Dissolution of CSA 70/W-1 and Annexation to BDVWA

General Manager West reported Special Districts requested an extension to the Local Agency Formation Commission June 12th deadline because they're in the middle of working on budgets and have not had the time to address this issue. West also received a direct phone call from Special District Director Jeff Rigney whom admitted their budget is complete so she is not sure why they still requested the extension. West also notified Mr. Rigney the cellular read meters he is installing in CSA 70/W-1 is not only very expensive, it also is a meter Bighorn-Desert View Water Agency would not use.

Public comment:

Anonymous stated he feels the Special District expenditure on water meters is an attempt to defund CSA 70/W-1.

Update – Integrated Regional Water Management Plan

General Manager West gave a brief update. West reiterated she is currently serving as the Vice Chair on the Small Systems Sub Committee. A work plan has been drafted and is being circulated. Mojave Water Agency has budgeted funds for a Cal Rural Water technical support representative. This person will work in the region helping with assessments and training for the disadvantaged small water and wastewater systems.

No public comment.

CONSENT ITEMS

- a. Regular PLEGS Meeting Report, April 2 2014

No public comment.

Director Burkhardt and Director Cori-Lorono approved the report.

PUBLIC PARTICIPATION

No public comment.

VERBAL REPORTS

Committee Members Comments/Reports- No Reports

General Managers Report – No Report

ITEMS FOR NEXT AGENDA – No items suggested.

ADJOURNMENT - Director Burkhardt adjourned the meeting at 12:02 p.m.