

Bighorn-Desert View Water Agency

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A Public Agency

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Planning/Legislative/Engineering Grant & Security Standing Committee Special Meeting Agenda

September 20, 2016 – 9:15 a.m.

Board Meeting Office
1720 N. Cherokee Trail, Landers, CA 92285

COMMITTEE MEMBERS: Director Corl-Lorono & Director Burkhart

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. STATUS OF PROPOSITION 1 GRANT APPLICATIONS

6. 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.

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 21, 2016

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'S REPORT

10. 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.bdvw.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 # 6



Legal, Legislative and Public Information Committee

AGENDA

Mojave Water Agency

Board Room

**13846 Conference Center
Drive**

Apple Valley, CA 92307

September 20, 2016

09:30 a.m.

-
- 1. Approve Agenda**
 - 2. Approve Meeting Summary from the Legal, Legislative, and Public Information Committee Meeting of July 19, 2016**
 - Meeting Summary*
 - 3. Update by State Advocate of Issues at the State Level (teleconference)**
 - Staff Report*
 - Bill Report*
 - 4. Update by Federal Advocate of Issues at the Federal Level (teleconference)**
 - Staff Report*
 - 5. Public Information Update**

6. General Manager's Report

7. Public Participation

8. Comments/Discussion Items for Next or Future Agendas

9. Adjournment

Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in the above-agendized public meeting, should be directed to the Agency's General Manager's office at (760) 946-7008 at least 24 hours prior to said meeting.

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LEGAL, LEGISLATIVE, AND PUBLIC INFORMATION COMMITTEE MEETING

MEETING SUMMARY July 19, 2016

CALL TO ORDER:

Chairperson Doug Shumway called the meeting to order at 9:30 a.m.

ATTENDANCE:

- ☛ Committee – Chairperson Doug Shumway, Director Kimberly Cox, and Director Richard Hall
- ☛ Absent – None
- ☛ Staff – Community Liaison Officer Yvonne Hester and Public Information Specialist Gloria Golike
- ☛ Consultants – State Advocates Ed Manning and Carolyn Jensen, KP Public Affairs and Federal Advocates Jean Denton and Drew Tatum, Innovative Federal Strategies LLC joined by teleconference
- ☛ Others – Five guests were in the audience and four were online

1. **Approve Agenda**

The agenda was agreed upon as presented.

2. **Approve Meeting Summary from the Legal, Legislative, and Public Information Committee Meeting of June 21, 2016**

The meeting summary was agreed upon as presented.

3. **Update by State Advocate of Issues at the State Level**

Ms. Jensen mentioned that the first two weeks of August will be busy for the legislature passing Senate and Assembly bills off the floor to the governor, and the last two weeks of August the legislatures will be in floor sessions. She reviewed the status of some of the current bills in legislation.

Mr. Manning gave a brief report on Senator Wolk's bill SB 885 regarding contracts.

Ms. Jensen concluded with a brief report on the upcoming Little Hoover Commission hearing, which will consist of a look at Special Districts.

4. **Update by Federal Advocate of Issues at the Federal Level**

Ms. Denton spoke about the schedule of congress for the next couple of months. She gave an update on the status of appropriation bills.

Mr. Tatum gave a brief update on a few bills including Flake's bill, the drought, and the Water Resources Development Act. He mentioned that it is going to be rather quiet in Washington until September due to the Republican and Democrat debates and getting ready for the election season.

5. **Public Information Update**

Ms. Hester gave a PowerPoint presentation on the results of the 2016 Inland Empire Annual Survey prepared by the Institute of Applied Research at Cal State University in San Bernardino.

6. **General Manager's Report**

Mr. Brill was not present, but Ms. Hester reported on his behalf that Proposition 53 will appear on the November 8 ballot. It could undermine local control and water projects. She stated that ACWA opposes the "Cortopassi Initiative" on the ballot.

The Committee agreed to recommend this initiative to the Board to take a position of opposition.

7. **Public Participation**

None.

8. **Comments/Discussion Items for Next or Future Agendas**

None noted.

9. **Adjournment**

Chairperson Shumway adjourned the meeting at 10:27 a.m.

Submitted by: _____
Gloria Golike
Public Information Specialist

Attachments on-file:

Item No. 5 - Public Information Report - PowerPoint
Sign-in sheet

KP

**PUBLIC
AFFAIRS**

TO: Legal, Legislative and Public Information Committee
FROM: Ed Manning and Carolyn Jensen
RE: KP Public Affairs Agenda

1. Legislative Update

- A. Legislative Calendar
 - August 31st - Legislature Adjourned into Final Recess
 - September 30th - Governor Veto Deadline
- B. Legislative Update – Attachment 1

2. Upcoming Hearings

- A. Update on Little Hoover Commission Study on Special Districts

9/12/16

Mojave Water Agency - Short List as of 9/12/2016

- AB 1588** (**Mathis R**) **Water and Wastewater Loan and Grant Program.**
Current Text: Enrollment: 8/30/2016 [pdf](#) [html](#)
Introduced: 1/6/2016
Last Amend: 8/16/2016
Status: 8/30/2016-Enrolled and presented to the Governor at 4 p.m.
Location: 8/30/2016-A. ENROLLED
Summary: Would, to the extent funding is made available, authorize the State Water Resources Control Board to establish a program to provide funding to counties and qualified nonprofit organizations to award low-interest loans and grants to eligible applicants for specified purposes relating to drinking water and wastewater treatment. This bill would authorize a county or qualified nonprofit organization to apply to the board for a grant to award loans or grants, or both, to residents of the county, as prescribed.
- AB 1613** (**Committee on Budget**) **Budget Act of 2016.**
Current Text: Enrollment: 9/9/2016 [pdf](#) [html](#)
Introduced: 1/7/2016
Last Amend: 8/30/2016
Status: 9/9/2016-Enrolled and presented to the Governor at 2:30 p.m.
Location: 9/9/2016-A. ENROLLED
Summary: The Budget Act of 2016 made appropriations for the support of state government for the 2016-17 fiscal year. This bill would amend the Budget Act of 2016 by amending and adding items of appropriation and making other changes. This bill contains other related provisions.
- AB 1707** (**Linder R**) **Public records: response to request.**
Current Text: Amended: 3/28/2016 [pdf](#) [html](#)
Introduced: 1/25/2016
Last Amend: 3/28/2016
Status: 4/22/2016-Failed Deadline pursuant to Joint Rule 61(b)(5). (Last location was A. L. GOV. on 3/29/2016)
Location: 4/22/2016-A. DEAD
Summary: The California Public Records Act requires state and local agencies to make public records available for inspection, unless an exemption from disclosure applies. The act requires a response to a written request for public records that includes a denial of the request, in whole or in part, to be in writing. This bill instead would require the written response demonstrating that the record in question is exempt under an express provision of the act also to identify the type or types of record withheld and the specific exemption that justifies withholding that type of record.
- AB 1713** (**Eggman D**) **Sacramento-San Joaquin Delta: peripheral canal.**
Current Text: Introduced: 1/26/2016 [pdf](#) [html](#)
Introduced: 1/26/2016
Status: 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 4/27/2016)
Location: 5/27/2016-A. DEAD
Summary: Current law requires various state agencies to administer programs relating to water supply, water quality, and flood management in the Sacramento-San Joaquin Delta. The bill would prohibit the construction of a peripheral canal, as defined, unless expressly authorized by an initiative voted on by the voters of California on or after January 1, 2017, and would require the Legislative Analyst's Office to complete a prescribed economic feasibility analysis prior to a vote authorizing the construction of a peripheral canal.
- AB 1755** (**Dodd D**) **The Open and Transparent Water Data Act.**
Current Text: Enrollment: 9/2/2016 [pdf](#) [html](#)
Introduced: 2/2/2016
Last Amend: 8/1/2016
Status: 9/2/2016-Enrolled and presented to the Governor at 12 p.m.
Location: 9/2/2016-A. ENROLLED
Summary: Would enact the Open and Transparent Water Data Act. The act would require the Department of Water Resources, in consultation with the California Water Quality Monitoring Council, the State Water Resources Control Board, and the Department of Fish and Wildlife, in accordance with a specified schedule, to create, operate, and maintain a statewide integrated water data platform that, among other things, would integrate existing water and ecological data information from multiple databases and provide data on completed water transfers and exchanges. This bill contains other existing laws.

- AB 2087** (**Levine D**) **Regional conservation investment strategies.**
Current Text: Enrollment: 9/9/2016 [pdf](#) [html](#)
Introduced: 2/17/2016
Last Amend: 8/31/2016
Status: 9/9/2016-Enrolled and presented to the Governor at 2:30 p.m.
Location: 9/9/2016-A. ENROLLED
Summary: Would authorize the Department of Fish and Wildlife, or any other public agency, to propose a regional conservation investment strategy, to be developed in consultation with applicable local agencies that have land use authority, for the purpose of informing science-based nonbinding and voluntary conservation actions and habitat enhancement actions that would advance the conservation of focal species and providing voluntary nonbinding guidance for various activities.
- AB 2304** (**Levine D**) **California Water Market Clearinghouse.**
Current Text: Amended: 5/11/2016 [pdf](#) [html](#)
Introduced: 2/18/2016
Last Amend: 5/11/2016
Status: 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. on 5/12/2016)
Location: 5/27/2016-A. DEAD
Summary: Would require the clearinghouse, on or before December 31, 2018, to create a centralized water market platform on its Internet Web site that provides ready access to information that has been provided about water available for transfer or exchange and information about the process for transferring or exchanging water. The bill would require the Secretary of the Natural Resources Agency to convene a Water Market Clearinghouse Task Force, composed as prescribed, and would require the task force to make recommendations to the clearinghouse, as specified.
- AB 2480** (**Bloom D**) **Source watersheds: financing.**
Current Text: Enrollment: 9/7/2016 [pdf](#) [html](#)
Introduced: 2/19/2016
Last Amend: 8/15/2016
Status: 9/7/2016-Enrolled and presented to the Governor at 12 p.m.
Location: 9/7/2016-A. ENROLLED
Summary: Would declare it to be state policy that source watersheds are recognized and defined as integral components of California's water infrastructure. The bill would state the particular importance to maintaining the reliability, quantity, timing, and quality of California's environmental, drinking, and agricultural water supply as climate change advances of source watersheds that supply the majority of the state's drinking and irrigated agricultural water.
- AB 2550** (**Patterson R**) **State Water Resources Control Board: instream flow curtailments: compensation.**
Current Text: Introduced: 2/19/2016 [pdf](#) [html](#)
Introduced: 2/19/2016
Status: 4/22/2016-Failed Deadline pursuant to Joint Rule 61(b)(5). (Last location was A. W., P. & W. on 3/8/2016)
Location: 4/22/2016-A. DEAD
Summary: Would require the State Water Resources Control Board to financially compensate a person who is unable to divert the full amount of water authorized under his or her permit or license due to a board-issued instream flow curtailment, and a person who is required to file a statement of diversion and use and is unable to divert the same amount of water in the succeeding year due to a board-issued instream flow curtailment. The bill would only apply this requirement to instream flow curtailments issued by the board on and after January 1, 2017. This bill contains other related provisions.
- AB 2561** (**Irwin D**) **Water supply planning: projects: photovoltaic or wind energy generation facility.**
Current Text: Enrollment: 9/1/2016 [pdf](#) [html](#)
Introduced: 2/19/2016
Last Amend: 8/31/2016
Status: 8/31/2016-In Assembly. Concurrence in Senate amendments pending. Assembly Rule 63 suspended. Urgency clause adopted. Senate amendments concurred in. To Engrossing and Enrolling.
Location: 8/31/2016-A. ENROLLMENT
Summary: Current law, until January 1, 2017, exempts from the definition of "project" a proposed photovoltaic or wind energy generation facility that would demand no more than 75 acre-feet of water annually. This bill would, until January 1, 2018, exempt the above-described proposed photovoltaic or wind energy generation facilities from the definition of "project." The bill would thereby extend the duties on local agencies with respect to determining whether a project is subject to the water supply assessment requirements, thereby imposing a state-mandated local program. This bill contains other

related provisions and other existing laws.

AB 2583 (Frazier D) Sacramento-San Joaquin Delta Reform Act of 2009.

Current Text: Amended: 3/17/2016 [pdf](#) [html](#)

Introduced: 2/19/2016

Last Amend: 3/17/2016

Status: 4/22/2016-Failed Deadline pursuant to Joint Rule 61(b)(5). (Last location was A. W.,P. & W. on 3/28/2016)

Location: 4/22/2016-A. DEAD

Summary: Would add a definition of the California Water Fix to the Sacramento-San Joaquin Delta Reform Act of 2009. This bill would eliminate certain provisions applicable to the BDCP and would revise other provisions to instead refer to a new Delta water conveyance project for the purpose of exporting water. This bill would require new Delta water conveyance infrastructure to be considered as interdependent parts of a system and to be operated in a way that maximizes benefits for each of the coequal goals. This bill contains other related provisions and other existing laws.

AB 2594 (Gordon D) Stormwater resources: use of captured water.

Current Text: Enrollment: 9/2/2016 [pdf](#) [html](#)

Introduced: 2/19/2016

Last Amend: 8/17/2016

Status: 9/2/2016-Enrolled and presented to the Governor at 12 p.m.

Location: 9/2/2016-A. ENROLLED

Summary: Current law, the Stormwater Resource Planning Act, authorizes one or more public agencies to develop a stormwater resource plan that meets specified standards to address the capture of stormwater, as defined, and dry weather runoff, as defined. This bill would authorize a public entity that captures stormwater from urban areas, in accordance with a stormwater resource plan, before the water reaches a natural channel to use the captured water under certain circumstances.

AB 2909 (Levine D) Water: transfer or exchange: expedited review.

Current Text: Amended: 8/1/2016 [pdf](#) [html](#)

Introduced: 3/9/2016

Last Amend: 8/1/2016

Status: 8/12/2016-Failed Deadline pursuant to Joint Rule 61(b)(14). (Last location was APPR. on 8/11/2016)

Location: 8/12/2016-S. DEAD

Summary: The State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Current law provides procedures for a permittee or licensee to temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights, as specified. These temporary transfers are defined as transfers of one year or less. This bill would require the board to develop and implement an expedited 30-day review process for approval of petitions under those provisions to temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if the transfer is for a reoccurring water transfer, as defined, or an environmentally beneficial transfer, as defined.

ACA 8 (Bloom D) Local government financing: water facilities and infrastructure: voter approval.

Current Text: Introduced: 2/18/2016 [pdf](#) [html](#)

Introduced: 2/18/2016

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was L. GOV. on 6/23/2016)

Location: 8/31/2016-A. DEAD

Summary: Would create an additional exception to the 1% limit for a rate imposed by a city, county, city and county, or special district to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of wastewater treatment facilities and related infrastructure, potable water producing facilities and related infrastructure, nonpotable water producing facilities and related infrastructure, and stormwater treatment facilities and related infrastructure, that is approved by 55% of the voters of the city, county, city and county, or special district, as applicable, if the proposition meets specified requirements, and would authorize a city, county, city and county, or special district to levy a 55% vote ad valorem tax. This bill contains other related provisions and other existing laws.

SB 163 (Hertzberg D) Bail: pretrial release.

Current Text: Amended: 8/18/2016 [pdf](#) [html](#)

Introduced: 2/4/2015

Last Amend: 8/18/2016

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was E.S. & T.M. on

8/18/2016)

Location: 8/31/2016-A. DEAD

Summary: Current law provides for the procedure of approving and accepting bail, and issuing an order for the appearance and release of an arrested person. This bill would require, notwithstanding any other law, and upon the appearance before a competent court or magistrate of a person charged with a criminal offense, the court or magistrate to hold a specified hearing and take one of several actions, including, among others, releasing the person on his or her own recognizance or upon execution of an unsecured appearance bond, unless the court or magistrate determines that release pursuant to that provision will not reasonably assure the appearance of the person as required or will endanger the safety of any other person or the community.

SB 552 (**Wolk D**) **Public water systems: disadvantaged communities: consolidation or extension of service: administrative and managerial services.**

Current Text: Enrollment: 9/8/2016 [pdf](#) [html](#)

Introduced: 2/26/2015

Last Amend: 8/19/2016

Status: 9/8/2016-Enrolled and presented to the Governor at 5 p.m.

Location: 9/8/2016-S. ENROLLED

Summary: Would authorize the State Water Resources Control Board to order consolidation where a public water system or a state small water system is serving, rather than within, a disadvantaged community, and would limit the authority of the state board to order consolidation or extension of service to provide that authority only with regard to a disadvantaged community. This bill would make a community disadvantaged for these purposes if the community is in a mobilehome park even if it is not in an unincorporated area or served by a mutual water company. This bill contains other related provisions and other existing laws.

SB 554 (**Wolk D**) **Delta levee maintenance.**

Current Text: Enrollment: 9/1/2016 [pdf](#) [html](#)

Introduced: 2/26/2015

Last Amend: 8/17/2016

Status: 9/1/2016-Enrolled and presented to the Governor at 5 p.m.

Location: 9/1/2016-S. ENROLLED

Summary: Current law establishes a delta levee maintenance program pursuant to which a local agency may request reimbursement for costs incurred in connection with the maintenance or improvement of project or nonproject levees in the Sacramento-San Joaquin Delta. This bill would extend the authorization to reimburse eligible local agencies under the program and advance funds until July 1, 2020. This bill contains other related provisions and other existing laws.

SB 885 (**Wolk D**) **Contracts: design professionals: indemnity.**

Current Text: Amended: 6/16/2016 [pdf](#) [html](#)

Introduced: 1/19/2016

Last Amend: 6/16/2016

Status: 7/1/2016-Failed Deadline pursuant to Joint Rule 61(b)(13). (Last location was JUD. on 6/16/2016)

Location: 7/1/2016-A. DEAD

Summary: Would specify, with certain exceptions, for contracts and amendments to them entered into on or after January 1, 2017, that a design professional, as defined, only has the duty to defend himself or herself from claims or lawsuits that arise out of, or pertain or relate to, negligence, recklessness, or willful misconduct of the design professional. The bill would prohibit these provisions from being construed to affect any duty of a design professional to defend any claims brought against him or her on an ongoing basis during their pendency or the design professional's obligation to reimburse reasonable defense costs incurred by other persons or entities, limited to the design professional's degree of fault, as determined by a court, arbitration, or negotiated settlement.

SB 1262 (**Pavley D**) **Water supply planning.**

Current Text: Enrollment: 8/30/2016 [pdf](#) [html](#)

Introduced: 2/18/2016

Last Amend: 6/15/2016

Status: 8/30/2016-Enrolled and presented to the Governor at 1:30 p.m.

Location: 8/30/2016-S. ENROLLED

Summary: The Sustainable Groundwater Management Act authorizes the State Water Resources Control Board to designate a basin as a probationary basin if the state board makes a certain determination and to develop an interim plan for the probationary basin. This bill would require a city or county that determines a project is subject to the California Environmental Quality Act to identify any water system whose service area includes the project site and any water system adjacent to the project site. This bill would provide that hauled water is not a source of water for the purposes of a water supply assessment, as specified.

SB 1263 (Wieckowski D) Public water system: permits.

Current Text: Enrollment: 9/8/2016 [pdf](#) [html](#)

Introduced: 2/18/2016

Last Amend: 8/19/2016

Status: 9/8/2016-Enrolled and presented to the Governor at 5 p.m.

Location: 9/8/2016-S. ENROLLED

Summary: Would require a person submitting an application for a permit for a proposed new public water system to first submit a preliminary technical report to the State Water Resources Control Board at least 6 months before initiating construction of any water-related improvement, as defined. Because a misstatement in the report could be a crime under the provision described above, this bill would impose a state-mandated local program by expanding the scope of a crime.

SB 1298 (Hertzberg D) Local government: fees and charges.

Current Text: Amended: 8/11/2016 [pdf](#) [html](#)

Introduced: 2/19/2016

Last Amend: 8/11/2016

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was INACTIVE FILE on 8/31/2016)

Location: 8/31/2016-A. DEAD

Summary: Articles XIII C and XIII D of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Current law, the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with Articles XIII C and XIII D of the California Constitution and defines terms for these purposes. This bill would define the term "sewer" for these purposes.

SB 1317 (Wolk D) Groundwater extraction permit.

Current Text: Amended: 6/20/2016 [pdf](#) [html](#)

Introduced: 2/19/2016

Last Amend: 6/20/2016

Status: 7/1/2016-Failed Deadline pursuant to Joint Rule 61(b)(13). (Last location was L. GOV. on 6/20/2016)

Location: 7/1/2016-A. DEAD

Summary: Would prohibit a groundwater extraction facility in a high- or medium-priority basin from being developed without a valid groundwater extraction permit, with certain exceptions. The bill would not require a city or county overlying a medium- or high-priority basin to have a process for the issuance of a groundwater extraction permit for the development of a groundwater extraction facility on or after January 31, 2022, or once the department has evaluated a groundwater sustainability plan for the basin the city or county overlies and determined the plan to be adequate and likely to achieve the sustainability goal for the basin, whichever comes first.

SB 1318 (Wolk D) Local government: drinking water infrastructure or services: wastewater infrastructure or services.

Current Text: Amended: 6/1/2016 [pdf](#) [html](#)

Introduced: 2/19/2016

Last Amend: 6/1/2016

Status: 7/1/2016-Failed Deadline pursuant to Joint Rule 61(b)(13). (Last location was L. GOV. on 6/9/2016)

Location: 7/1/2016-A. DEAD

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation and change of organization of cities and special districts. This bill would additionally authorize a local agency formation commission to initiate a proposal by resolution of application for the annexation of a disadvantaged unincorporated community, as specified. This bill contains other related provisions and other current laws.

SB 1340 (Wolk D) Water Conservation in Landscaping Act.

Current Text: Enrollment: 8/30/2016 [pdf](#) [html](#)

Introduced: 2/19/2016

Last Amend: 6/21/2016

Status: 8/30/2016-Enrolled and presented to the Governor at 1:30 p.m.

Location: 8/30/2016-S. ENROLLED

Summary: The Water Conservation in Landscaping Act, requires the Department of Water Resources to update a specified model water efficient landscape ordinance by regulation and prescribes various requirements for the updated model ordinance. Current law requires each local agency to adopt either the updated model water efficient landscape ordinance or an ordinance that is at least as effective in conserving water as the updated model ordinance. If the local agency does not make a selection, the

model ordinance shall apply within the jurisdiction of the local agency. This bill, on or after July 1, 2018, would require a local agency to require a permit for the installation of specified automatic irrigation systems, or the expansion of the same specified automatic irrigation systems to increase the irrigated area by 25% or more, for a landscape project.

SB 1386 **(Wolk D) Resource conservation: working and natural lands.**

Current Text: Enrollment: 8/30/2016 [pdf](#) [html](#)

Introduced: 2/19/2016

Last Amend: 8/1/2016

Status: 8/30/2016-Enrolled and presented to the Governor at 1:30 p.m.

Location: 8/30/2016-S. ENROLLED

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

Total Measures: 25

Total Tracking Forms: 144

Innovative Federal Strategies LLC

Comprehensive Government Relations

MEMORANDUM

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

From: Letitia White

Date: August 31, 2016

Re: August Monthly Legislative Update

Appropriations Update

Even as public momentum continues to build for a 6-month continuing resolution (CR), there is a strong push behind the scenes for a funding measure that only runs through mid-December. Senior Members on the House Appropriations and Armed Services Committees, in concert with several of their colleagues, are drafting a letter to House Leadership advocating strongly for a 3-month CR with the intent of ending the year with some combination of stand-alone, “minibus” and/or omnibus bills to complete annual appropriations and other key legislation. The prevailing wisdom is that leadership on both sides will want to hold the CR until the very end of September to keep pressure on the process to move as much legislation as possible right up to the end of the fiscal year.

To that end, we are hearing that the Senate intends to make another attempt at bringing Defense Appropriations to the floor in September. As you may recall, Senate Republicans attempted to advance the legislation multiple times before the break, but were unable to garner the 60 votes necessary to invoke cloture. The planned Senate action on an individual appropriations bill means that little progress has been made on mediating out appropriations conference positions during the recess. Regardless of the outcome, we expect staff will start conferencing appropriations positions either after the legislation passes, or barring that, when Members return to the campaign trail in October.

During the recess, the Office of Management and Budget dealt a major blow to the individual appropriations bills advanced by the House Appropriations Committee. In its mid-year assessment, the OMB reported that the 12 annual spending bills in the House would violate the discretionary spending caps set by law and require a new round of sequestration if enacted. The report noted that based on the spending levels contained in the legislation, defense programs would need to be cut by \$17 million and non-defense programs would face \$775 million in cuts. The Senate bills, by contrast, would fall under the discretionary spending limit by \$2.2 billion.

Administration Calls for Supplemental Appropriations Bill for Zika, Flooding, Troops

The Administration has crafted a supplemental appropriations request totaling between \$6 and \$7 billion that is expected to be transmitted to Congress in early September. As you will remember, the Zika supplemental previously submitted to Congress was not approved as part of an

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appropriations package before Congress left town over objections to how Republicans offset nearly half of the spending. The new supplemental request is likely to be split roughly in half between both domestic spending—for Zika response and Louisiana flood relief—and defense—to cover the additional costs for the troop levels in Afghanistan. Committees hope to take action before the end of September, with the package possibly serving as the legislative vehicle for a continuing resolution to fund the government beyond September 30.

In addition to calling for supplemental funding to address the Zika virus in the United States, the Food and Drug Administration has issued a new advisory recommending all U.S. blood banks screen donated blood for the Zika virus. Announced on Friday, August 26, this is a major expansion of the screening procedures. Previously, the requirement was limited to areas with active Zika transmissions.

Outlook for September

With only 4 weeks remaining until the end of the current fiscal year, Congress will have to decide how long to enact a continuing resolution to avoid a government shutdown. The House is scheduled to recess through the election by September 30, leaving 17 scheduled days in session for the month. The Senate is scheduled to be in session during the first week of October, but all spending decisions will have to be made before the House leaves Washington.

Aside from passing a continuing resolution, the House has set forth an ambitious agenda for September. In an email to his colleagues on August 31, House Majority Leader Kevin McCarthy (R-CA) put forth the following items:

- **Better Way Agenda:**
While largely a legislative blueprint for the next Congress, the House will likely consider legislation under the theme of rebalancing the separation of powers. Specifically, the House is scheduled to consider the Regulatory Integrity Act that requires agencies to publish information about proposed regulations on their website, a bill to allow Congress to disapprove of “Midnight Regulations” issued in an administration’s lame duck term, and legislation that would prohibit major rulemaking that cost more than \$1 billion from going into effect until pending legislation against the rule is finalized.
- **Innovation:**
The House will consider legislation to accelerate private sector innovation and encourage the same within government.
- **Iran:**
The House is expected to consider a number of measures related to anti-terrorism and Iran. Specifically, the House will hold multiple hearings on the \$400 million in cash paid to Iran as part of a settlement agreement. During August, the administration admitted to withholding it as leverage until hostages were released, leading many to criticize it as a ransom payment. Additionally, the House will consider legislation that would require reporting on the financial assets acquired by Iranian leaders.
- **Appropriations:**
In addition to finalizing a continuing resolution, the House may also consider a new supplemental appropriations request that would provide emergency funding for additional defense spending required to maintain troop levels in Afghanistan, money to help with the Louisiana flooding, and funding to address the Zika virus.

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The Senate has not announced a detailed schedule for September, but we expect to see possible action during the first week on the Zika supplemental package and a move to pass the Defense Appropriations bill. Both bills were blocked in July when Democrats filibustered the measures.

AGENDA ITEM # 7

Bighorn-Desert View Water Agency

Board of Directors

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



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A Public Agency

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Planning/Legislative/Engineering Grant & Security Committee Regular Meeting Report

Board Meeting Office
1720 N. Cherokee Trail, Landers, CA 92285
Tuesday, June 21, 2016 - 9:15 a.m.

Committee Members: Director Corl-Lorono & Director Burkhart

Call to Order

Director Corl-Lorono called the meeting to order at 9:15 a.m.

Pledge of Allegiance

Led by Director Corl-Lorono

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.

Bureau of Land Management (BLM) Lease Update

General Manager West reported the Agency had lost an appeal with the Bureau of Land Management (BLM). The appeal was focused on the 400% increase of the right-a-way grant rental fees for Agency infrastructure running along BLM lands. The Agency then applied for a hardship waiver. West is looking to amend or re-apply for the right-a-way grant application. In doing so West would attempt to reduce the size of the lands the Agency currently pays rent towards.

No public comment.

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

Carolyn Jensen of KP Public Affairs began with an update on the legislative calendar. Ms. Jensen reported on the bills known as "show me the water bills" such as SB 552 which address the needs of drinking water in disadvantaged communities. Other such bills include SB 1263, SB 1262 and SB 1318 which was reported as dropped. Lastly Ms. Jensen reported on the state budget.

Eugene Tatum of Innovative Federal Strategies reported the Title 16 and Water Smart grants. Mr. Tatum also reported on the Energy and Water Appropriations bills and the various drought bills.

No public comment.

Status of Grant Applications

General Manager West reported that of the three remaining planning/funding grants. The Agency has pulled the Lookout Pipeline Replacement grant. Agency staff has decided to replace this pipeline in-house.

The two inter-tie projects involving the newly annexed Goat Mountain Territory and Hi-Desert Water District have been combined into one grant request. West reported she is in the middle of gathering power outage information from Southern California Edison for the Transfer Switch grant.

Lastly West reported on grants that are being made available to property owners in obtaining new wells.

Director Burkhart suggested the Agency hold a Board of Directors Meeting at the Landers Association Building to help bolster public awareness of Agency issues.

Public Comment:

Anonymous commented the public needs to be aware of how a portion of the proposed rate increase is partly due to the rise in land lease fees.

Consent Items

- a. Regular PLEGS Meeting Report, April 19, 2016

No public comment.

Director Corl-Lorono and Director Burkhart approved the report.

Public Participation

Anonymous commented on how future public comments should be handled.

Verbal Reports

Committee Members' Comments/Reports

No reports.

General Manger's Report

GM West reported the Pipeline Commission voted to pay off early the Mojave Water Agency Morongo Basin Pipeline General Obligation.

Adjournment - Director Corl-Lorono adjourned the meeting at 10:50 a.m.

Pending Committee Approval