

Bighorn-Desert View Water Agency

Board of Directors

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

Marina D West, P.G., General Manager



A Public Agency

Agency Office

622 S. Jemez Trail
Yucca Valley, CA 92284-1440

760/364-2315 Phone

760/364-3412 Fax

www.bdvwa.org

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

Tuesday, April 18, 2017 – 9:15 a.m.

Board Meeting Office

1720 N. Cherokee Trail, Landers, CA 92285

Committee Members: Director Judy Corl-Lorono & Director Burkhardt

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. Review Resolution 14R-06 Establishing An Agency Meeting Agenda Preparation Policy.

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, February 21, 2017

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 disclosable 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.bdvwva.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



Legal, Legislative and Public Information Committee


AGENDA

**Mojave Water Agency
Board Room
13846 Conference Center
Drive
Apple Valley, CA 92307**

April 18, 2017

09:30 a.m.

-
- 1. Approve Agenda**
 - 2. Approve Meeting Summary from the Legal, Legislative, and Public Information Committee Meeting of March 21, 2017**

 Meeting Summary

- 3. Update by State Advocate of Issues at the State Level (teleconference)**

 State Report

- 4. Update by Federal Advocate of Issues at the Federal Level (teleconference)**

 Federal Report

 Federal Matrix

- 5. Update on Delta Water Supply Reliability (oral report)**

 PowerPoint

6. Discuss Resolution in Support of ACWA's Policy Statement on Bay-Delta Flow Requirements

 Staff Report

 Resolution

7. Public Information Update

8. General Manager's Report

9. Public Participation

10. Comments/Discussion Items for Next or Future Agendas

11. 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.

Please visit our Facebook page at <http://www.facebook.com/mojavewater>



LEGAL, LEGISLATIVE, AND PUBLIC INFORMATION COMMITTEE MEETING

MEETING SUMMARY March 21, 2017

CALL TO ORDER:

Chairperson Beverly Lowry called the meeting to order at 9:30 a.m.

ATTENDANCE:

- ↓ Committee – Chairperson Beverly Lowry, Director Richard Hall, and Ex officio member Director Mike Page
- ↓ Absent – Director Thurston "Smitty" Smith
- ↓ Staff – General Manager Kirby Brill, Community Liaison Officer Yvonne Hester, and Public Information Specialist Gloria Golike
- ↓ Consultants – State Advocate Carolyn Jensen, KP Public Affairs and Federal Advocates Letitia White and Jean Denton, Innovative Federal Strategies LLC joined by teleconference
- ↓ Others – Four 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 February 21, 2017**

The meeting summary was agreed upon as presented.

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

Ms. Jensen provided an update on the legislative calendar. She mentioned that Mojave Water Agency has sent letters in support of AB 366 and AB 367 bills to the Assembly Water, Parks, and Wildlife Committee. She also reported on AB 313 and SB 49 bills, which could be of interest to the Agency. She concluded with an update on the Delta Stewardship Council and the Little Hoover Commission.

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

Ms. Denton gave an update on several activities happening in Washington, D.C. such as, the Fiscal Year 2017-18 budget, appropriations bills, Title XVI, infrastructure, and more.

Ms. White mentioned that the advocates would be in California for a visit during the second week of April.

5. **Public Information Update**

Ms. Hester gave a PowerPoint presentation providing an overview of the 2017 High Desert Water Summit held on March 8. She also mentioned a few upcoming events; such as,

Water Education Day at Joshua Basin Water District, the bi-monthly ABC's of Water, and the Water Awareness Expo held in conjunction with the Spring Home Show at the Victorville Events Center.

6. **General Manager's Report**

Mr. Brill gave an additional report on the Delta Stewardship Council. He also gave a brief introduction of the new General Manager of the State Water Contractors.

7. **Public Participation**

None.

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

None noted.

9. **Adjournment**

Chairperson Lowry adjourned the meeting at 10:34 a.m.

Submitted by: _____
Gloria Golike
Public Information Specialist

Attachments on-file:

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



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

1. Legislative Calendar

- A. April 6th – April 17th: Spring Recess
- B. April 28th: Deadline for policy committees to hear fiscal bills

2. Legislative Update

- A. AB 366 (Obernolte) Water Supply: New Residential Development: Building Permits
- B. AB 367 (Obernolte) Water Supply: Building Permits
- C. AB 472 (Frazier) Water Transfers: Cover Crops on Idled Ag Land
- D. AB 791 (Frazier) Sacramento-San Joaquin Delta: SWP/CVP: new conveyance facility
- E. AB 792 (Frazier) Sacramento-San Joaquin Delta: Delta Plan: certification of consistency
- F. AB 793 (Frazier) Sacramento-San Joaquin Delta: financing
- G. Safe Drinking Water: Funding
 - SB 623 (Monning)
 - SB 778 (Hertzberg)

3. Governor Brown's Framework for Making Conservation a Way of Life

4. Delta Stewardship Council Update

- A. Delta Plan Amendment

4/12/2017

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Comprehensive Government Relations

MEMORANDUM

To: Kirby Brill, Gloria Golike, Yvonne hester

From: Letitia White

Date: March 31, 2017

Re: March Monthly Legislative Update

President Trump Presents Congress with 'Skinny Budget'

President Donald Trump's first installment of his fiscal 2018 budget request, the so-called skinny budget typical for new presidents, was released on March 16. New President's often release a bare bones budget early in their presidency which serves as a top-line blueprint for their budget desires. While President Trump's skinny budget does not offer in-depth line item proposals, (those are not expected until late-May,) it does provide a look into the President's budgetary priorities and the potential fights facing congress.

President Trump is proposing historically deep budget cuts that would touch almost every federal agency and program and dramatically reorder government priorities to boost defense and security spending. Some of the deepest cutbacks are reserved for the agencies and programs Trump has often derided. The State Department would be hit with a 28 percent reduction below fiscal 2016 levels that mainly targets international aid and development assistance; the Environmental Protection Agency would face a 30 percent reduction. Additionally, at least 61 other federal programs would face elimination or budgetary cuts. Programs which enjoy widespread support such as Community Development Block Grants, the Economic Development Administration, Transportation Tiger Grants, and Corporation for Public Broadcasting are proposed to have their funding eliminated.

Some of the budget proposals biggest winners and losers can be seen in the graph below. While these numbers can certainly be concerning, it is important to note that this budget request is simply the beginning of the debate and has received dramatic pushback from members of both political parties.

Republican spending panel members also made clear that they, rather than Trump, would be shaping the bills needed to fund the government. "As I always say, the president proposes and Congress disposes," said Representative Robert Aderholt, an Alabama Republican who chairs the House subcommittee that writes the USDA funding bill. He said he knows cuts need to be made but plans on tailoring them.

Senior Senators Lindsey Graham, [R-SC] and John McCain [R-AZ] both called the proposed cuts "dead on arrival." Democrats are expected to oppose the cuts uniformly, with Senate Minority Leader Chuck Schumer [D-NY] issuing a statement saying the plans would be

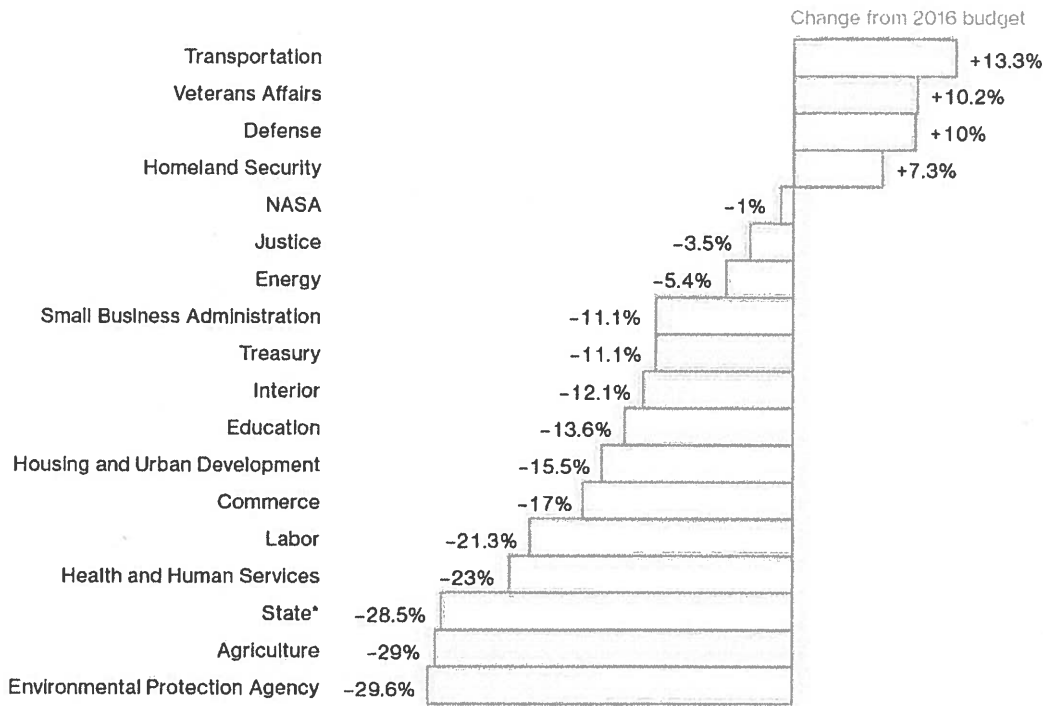
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“devastating to the middle class” and that Democrats will “emphatically” oppose the cuts and urge Republicans to oppose them as well.

Speaker of the House Paul Ryan [R-WI] said in a statement Thursday he welcomed the Trump blueprint because it “turns the page from the last eight years” of President Barack Obama, though he made it clear that this was just the beginning of the budgetary process and the final product would likely look nothing like President Trump’s proposal.

Winners and Losers in the Trump Budget

Proposed change in spending for select federal departments and agencies.



*Includes USAID and Treasury international programs
Source: The Office of Management and Budget

Bloomberg

House of Representatives Fails to Pass Affordable Care Act Replacement Legislation

House Republican leadership abandoned its first attempt at repealing and replacing the Affordable Care Act after being unable to secure the necessary votes to pass the legislation through the House on Friday, March 24th. After delays earlier in the week and an unpromising whip count, President Donald Trump gave a do-or-die ultimatum to House Republicans, hold a vote and replace Obamacare or leave it alone. Ultimately at the last minute it was clear there were not the votes to pass the legislation and Speaker Ryan pulled the bill from consideration on the floor.

The inability to repeal and replace Obamacare has raised doubts about Speaker Ryan and President Trump’s ability to deliver on the rest of their agenda. “I will not sugarcoat this: This is

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a disappointing day for us," Ryan told reporters after pulling the legislation from the floor. "But it is not the end of the story." While President Trump expressed praise for Speaker Ryan in public, sources inside the White house claim Trump blames the speaker for the bill's embarrassing defeat. President Trump also took to twitter to publicly blame the House Freedom Caucus, a group of conservative lawmakers, for the failure.

House Republicans have publicly claimed that the experience was a learning lesson about the difficulty of becoming the governing party. Representative Steve Womack [R-AR] stated "We have moderates and we have ultra-conservative people in the conference. We have to re-educate ourselves in mathematics and basic arithmetic, we have to learn that we're not just the party of no. We have to learn how to govern." Representative Andy Barr [R-KY] echoed a similar sentiment stating "I think that this is a learning lesson and we've made this shift from an opposition party to a governing party, and I hope that we do learn from this experience and that we are able to not make the perfect the enemy of the good, because this is not a game."

Following the loss Republican leaders have stated that they will now refocus their attention on tax reform. Ways and Means Chairman Kevin Brady [R-TX] released a statement that Republicans on his panel "are moving full speed ahead with President Trump on the first pro-growth tax reform in a generation." However, some members have discussed not giving up on healthcare legislation just yet and bringing it back before the House at some point this spring.

Congressional Focus Shifts to Trump Infrastructure Promises

Following the failure of Republicans to pass legislation repealing and replacing the Affordable Care Act, congressional Republicans have begun shifting their attention towards other issues on President Donald Trump's agenda, including infrastructure, an area many believe they may be able to find bipartisan compromise on. Prior to the failure of Obamacare repeal, Office of Management and Budget Director Mick Mulvaney stated that "the infrastructure program is something we've just recently started. It won't probably come until summer or maybe even early fall. We have to do Obamacare repeal and replace first, then tax reform second. That leaves infrastructure probably third, which may come after the August recess in Congress." However, with Republicans looking for an opportunity expedite their agenda, some lawmakers are considering coupling infrastructure funding with tax reform.

A bipartisan group of lawmakers, Reps. John Delaney (D-Md.), Ted Yoho (R-FL) and Rodney Davis (R-IL) have pushed the concept for years. But now the group — who came to Congress together in 2013 — might have their best shot yet. Trump, who is assembling a \$1 trillion infrastructure package, signaled for the first time in a recent White House meeting that he is considering using a "repatriation" tax holiday to pay for part of his plan. The process involves taxing corporate earnings that are being stored abroad when that money returns to the U.S.

Delaney, Yoho and Davis are seizing on that momentum and renewing their effort to link international tax reform with infrastructure spending. The group introduced two bills this month aimed at tapping into cash overseas that would use the money to upgrade U.S. roads, bridges and other public works. An estimated \$2 trillion in earnings is stashed overseas, they say.

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The idea appears to be gaining momentum in Congress and the White House. On March 28th, White House spokesman Sean Spicer would not rule out the possibility of linking the major policy items. Meanwhile, Senate Majority Whip John Cornyn [R-TX] and Senate Commerce, Science and Transportation Chairman John Thune [R-S.D.] both expressed an openness to the idea, with Thune telling reporters, "I always thought an infrastructure bill could hitch a ride on tax reform. They could take them up separately. But I suspect it means it could get more attention and be considered earlier than was previously thought."

Congress Votes to Revoke Broadband Privacy Rules

The House and Senate both passed Congressional Review Act Resolutions in March to revoke the FCC's broadband privacy rules, sending legislation to the White House that would undo the Federal Communications Commission's (FCC) broadband privacy rules. House Republicans passed the measure on March 28th by a vote of 215-205 against fierce opposition from Democrats who were supportive of the Obama-era regulations. Representative Marshall Blackburn [R-TN] led the fight against the regulations stating "These rules are unnecessary and just another example of big government overreach."

The White House has signaled support for the measure and is expected to sign it, undoing one of President Barack Obama's top internet policy achievements. The FCC's previous Democratic majority approved the rules last October on a party-line 3-2 vote, after the agency gave itself more authority over broadband companies via its 2015 net neutrality rules.

Outlook for April

Congress is scheduled to be in session for two weeks of April, with a two-week Easter recess scheduled from April 10th-21st. Despite the two-week recess, Members will have quite a bit on their plate during the month. Congress will first have to deal with funding the government for the remainder of Fiscal Year 2017 as the current Continuing Resolution (CR) will expire on April 28th. Congress has expressed an optimism that they will be able to pass the necessary legislation, with Senator Jerry Moran [R-KS] stating that the house and Senate are "very close" to a deal on an omnibus at already-agreed-upon spending levels. Additionally, Speaker Paul Ryan recently stated "We're not going to have a government shutdown, the president doesn't want to shut down the government." Majority Leader Kevin McCarthy is not planning on giving his colleagues much time to pass the critical legislation, though, as he does not intend to schedule a vote on the legislation until April 24th.

In addition to dealing with the expiring CR, following the failure of the American Health Care Act, Speaker Ryan stated House Republican's attention will turn to overhauling the U.S. tax code, though he did concede that the health bill's failure "does make tax reform more difficult ... but it doesn't in any way make it impossible." Lawmakers and administration officials seem inclined to take more time on tax legislation than they did with the health care legislation. House leaders have said they hope to pass a bill by August. Top Republican senators say it may take even longer than that, though April will likely signal the beginning of the conversation. Despite House leadership and the administration stating a desire to move to tax reform, there are still a few in the Republican caucus who have suggested that the GOP may still try to move on healthcare in early April, though Majority Whip Steve Scalise (R-LA) has denied that this was the case.

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The Senate will continue to hold hearings and votes on confirmations for Presidential appointees. Labor Secretary nominee Alexander Acosta, US Department of Agriculture Secretary Nominee Sonny Perdue and FDA Director Nominee Scott Gottlieb will all receive Senate scrutiny in April. The highest profile vote the Senate will take in April will be on the confirmation of Supreme Court Nominee Judge Neil Gorsuch. That vote is currently scheduled for April 7th, though the drama leading up to the vote will be around whether Senate Majority Leader Mitch McConnell will be forced to use the "Nuclear Option" and change the rules governing the Senate to pass Gorsuch with only a Majority vote.

Federal Legislation of Significance

Bill Number	Sponsor	Title and/or Summary	Summary/Status																
H.R. 2028	Sen. Mitch McConnell (R-KY)	FY17 Continuing Resolution Package	<p>A continuing resolution funding the federal government was passed by the House and Senate in early December and was signed into law on December 10, 2016. The CR provides funding for all federal agencies except for Military Construction and Veterans Affairs through April 28, 2017.</p> <p>In March the House of Representatives passed the FY17 Defense Spending bill. Speaker Paul Ryan (R-WI) then announced that the House would not be taking up any more individual spending bills and it would be up to Majority leader Mitch McConnell (R-KY) to figure out how to package the remaining spending bills before the current CR expires.</p>																
		FY17 Energy and Water Development and Related Agencies Appropriations legislation	<p>As the House and Senate Appropriations Committee staff renew efforts to produce a FY17 Energy and Water Bill it is helpful to review what progress was made with the legislation in 2016.</p> <table border="1"> <thead> <tr> <th>Program</th><th>President' Budget</th><th>House Report</th><th>Senate Report</th></tr> </thead> <tbody> <tr> <td>Title XVI</td><td>\$21.5 million</td><td>\$24 million</td><td>\$21.5 million</td></tr> <tr> <td>WaterSMART</td><td>\$23.4 million</td><td>\$24 million</td><td>\$23.4 million</td></tr> <tr> <td>Western Drought</td><td>\$0</td><td>\$0</td><td>\$100 million</td></tr> </tbody> </table> <p>It is anticipated that this could be one of the first FY17 bills completed this spring. We will continue to push for additional funding for the WaterSMART and Title XVI grants, and work to ensure that additional discretionary funding is included in the final agreement. If discretionary funding is included, we will work again this year to request that the funding be used to supplement all of the programs under the WaterSMART umbrella so that more money is available for individual grants when individual awards are made.</p> <p>Among other things the legislation would require regulators to comply with the Bay-Delta Accord. The measure has been referred to the House Committee on Natural Resources and the Committee on Agriculture. At this time, it is our understanding that there isn't much of an appetite to revisit California drought legislation after just including language in the Water Resource Development Act passed at the end of 2016.</p>	Program	President' Budget	House Report	Senate Report	Title XVI	\$21.5 million	\$24 million	\$21.5 million	WaterSMART	\$23.4 million	\$24 million	\$23.4 million	Western Drought	\$0	\$0	\$100 million
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H.R. 23	Rep. David Valadao (R-CA)	Gaining Responsibility on Water Act of 2017																	

	Rep. Bill Shuster (R-PA) /Sens. Jim Inhofe (R-WY) and Kamala Harris (D-CA)	Infrastructure Package	<p>Congressional hearings continue on the topic of an infrastructure package. During February both the House Transportation and Infrastructure Committee and the Senate Environment and Public Works Committee held a hearings on modernizing the nation's infrastructure. The Senate Commerce, Science and Transportation Committee is scheduled to hold a hearing on infrastructure access issues on March 1. We anticipate that both the House and Senate will continue to get feedback from stakeholders throughout the country as they continue to consider crafting an infrastructure package.</p> <p>While discussions continue the Republican leadership has indicated that the legislation will likely not gain momentum until Congress concludes action regarding the Affordable Care Act and tax reform legislation.</p>
	Rep. Ken Calvert (R-CA) / Sen. Lisa Murkowski (R-AK)	FY17 Interior, Environment, and Related Agencies Appropriations legislation	<p>As House-Senate negotiators work to conference the FY17 Interior Appropriations legislation we will be monitoring provisions included in the House passed bill. In addition to the normal funding, the legislation included provisions aimed at curbing the environmental agenda of the Obama Administration. Those provisions include:</p> <ul style="list-style-type: none"> • prohibiting the implementation of the "waters of the United States" regulatory definition (currently on hold by the courts); • prohibiting EPA from implementing new greenhouse gas regulations for new or existing power plants; • eliminating funding for greenhouse gas "New Source Performance Standards"; • prohibiting EPA from changing the definition of "fill materials"; • prohibitions on new methane requirements; and • prohibitions on changes to the "stream buffer rule". <p>The Senate bill, which passed out of the Senate Appropriations Committee along party lines also included a prohibition to the implementation of the "waters of the United States" regulatory definition. The Senate legislation has not been considered on the floor.</p>
H.R. 1663	Rep. Grace Napolitano (D-CA) / Rep. Rob Wittman (R/VA)	Water Resources Research Amendments Act	<p>This legislation would extend a Federal-State partnership aimed at addressing state and regional water problems, promoting distribution and application of research results, and providing training and practical experience for water-related scientists and engineers. H.R. 1663 would authorize \$9,000,000 annually over five years for grants to water resources research institutes and require two-to-one matching with non-federal funds. It would also promote exploration of new ideas, expand research to reduce energy consumption, and bolster reporting and accountability requirements.</p>

H.R. 497/ S.357	Rep. Paul Cook/ Sen. Dianne Feinstein	Santa Ana River Wash Plan Land Exchange Act	<p>The bill has been introduced in the House Committee on Natural Resources and no actions have yet been scheduled on it.</p> <p>This bill directs the Department of the Interior: (1) to quitclaim to the San Bernardino Valley Water Conservation District in California approximately 327 acres of identified federal land administered by the Bureau of Land Management, and (2) in exchange for such land, to accept from the Conservation District a conveyance of approximately 310 acres of its land.</p> <p>The Bill is scheduled for a hearing in front of the Federal Lands subcommittee of the House Natural Resources Committee. The bill has bipartisan, bicameral support.</p>
S. 32	Sen. Dianne Feinstein	California Desert Protection and Recreation Act	<p>This bill would designate important wilderness in the California desert and protect lands for recreation, wildlife and tourism. Aspects of the bill include:</p> <ul style="list-style-type: none"> • Mandate study and protection of Native American cultural trails along the Colorado River. • Designate 230,000 acres of additional wilderness area between the Avawatz Mountains near Death Valley to Imperial County's Milpitas Wash. • Add 43,000 acres to Death Valley and Joshua Tree national parks. • Create a 75,000-plus acre special management area at Imperial County's Vinagre Wash. • Designate Inyo County's Alabama Hills as a National Scenic Area. • Prohibit new mining claims on 10,000 acres in Imperial County considered sacred by the Quechan Tribe. <p>Additionally, the bill protects 140,000 acres of existing off-road vehicle riding areas from mining, energy development, military base expansion or other decisions that would close them to vehicle use.</p>

Mojave Water Agency

DATE: April 18, 2017
TO: Legal, Legislative, and Public Information
FROM: Kirby Brill, General Manager
BY: Yvonne Hester, Community Liaison Officer
SUBJECT: Discuss Resolution in Support of ACWA's Policy Statement on Bay-Delta Flow Requirements

RECOMMENDATION

Review and consider support of the Association of California Water Agencies' Policy Statement on the Bay-Delta Flow Requirements.

BACKGROUND AND ANALYSIS

ACWA's Board of Directors has adopted a strong policy statement urging the State Water Resources Control Board to set aside its problematic "unimpaired flow" approach to setting new water quality objectives in the Bay-Delta watershed.

The statement, adopted in a special meeting by conference call on March 10, calls on the State Water Board to heed Gov. Jerry Brown's call for negotiated agreements, which have proven successful in achieving positive ecological outcomes while maintaining water supply reliability. ACWA believes the state's policy on flows should embrace a collaborative, comprehensive approach that protects and promotes both water supply reliability and ecosystem health.

FISCAL IMPACT

None

ATTACHMENT

None

ACTION

Recommend to move to the Board of Directors for adoption.

Resolution No. XXXX

In Support of the Association of California Water Agencies' Policy Statement on Bay-Delta Flow Requirements

WHEREAS, California is facing a defining moment in water policy that will be substantially impacted by the State Water Resources Control Board's approach to water quality objectives under the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta; and

WHEREAS, the State Water Board has the responsibility for updating the Bay-Delta Plan in a manner that establishes water quality objectives that ensure the reasonable protection of all beneficial uses of water in a way that is consistent with the coequal goals of improving water supply reliability. In addition, protecting, restoring, and enhancing the Delta ecosystem with respect to the commitments made in the California Water Action Plan; and

WHEREAS, the State Water Board staff's current proposal, which focuses singularly on an "unimpaired flow" approach, is irreconcilable with a policy of coequal goals of improving both water supply reliability and ecosystem health; it is also inconsistent with the broader water policy objectives of the Brown Administration; and

WHEREAS, the ACWA Board of Directors has unanimously adopted a strong policy statement that calls for a better approach that can more effectively achieve ecological objectives while maintaining water supply reliability. The statement calls on the State Water Board to set aside its "unimpaired flow" approach and heed Gov. Jerry Brown's call for negotiated agreements, which have been successful on many rivers and tributaries in California.

WHEREAS, the ACWA statement notes that to be successful, the state's flow policy must be consistent with the principles of collaboration, comprehensive solutions, science, functional flows, economic considerations, consistency with state policy, and leadership; and

WHEREAS, California's local urban and agricultural water managers are united in their vision for a future that includes a vibrant California economy as well as healthy ecosystems and fish populations, and believe that vision is best achieved through a comprehensive and collaborative approaches;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Mojave Water Agency hereby support ACWA's Policy Statement on Bay-Delta Flows and encourage the State Water Resources Control Board to embrace the approach articulated in ACWA's policy statement.

ADOPTED this ____ day of ____.

Kimberly Cox, President

ATTEST:

Carl Coleman, Secretary

AGENDA ITEM # 6

**BIGHORN-DESERT VIEW WATER AGENCY STANDING COMMITTEE
PLANNING/LEGISLATIVE/ENGINEERING/GRANTS/SECURITY
AGENDA ITEM SUBMITTAL**

Meeting Date: April 18, 2017

To: PLEGS Committee Members

Budgeted: N/A

Budgeted Amount: N/A

From: Marina D. West

General Counsel Approval: N/A

CEQA Compliance: N/A

Subject: Review Resolution No. 17R-XX *Establishing an Agency Meeting Agenda Preparation Policy* Rescinding Existing Resolution No. 14R-06

SUMMARY

The Board of Directors acts by motion, resolution or ordinance. Staff is bringing this policy before the Committee to review and discuss the “*official*” agenda posting sites.

RECOMMENDATION

That the Committee considers taking the following action(s):

1. Review the draft Resolution No. 17R-XX Establishing an Agency Meeting Agenda Preparation Policy; and
2. Recommend Resolution No. 17R-XX move to the full Board of Directors for Adoption.

BACKGROUND/ANALYSIS

No further analysis provided.

PRIOR RELEVANT BOARD ACTION(S)

4/22/2014 Adoption of Resolution No. 14R-06 Establishing An Agency Meeting Agenda Preparation Policy.

4/28/2009 Policy Statement No. 09P-02 A statement establishing an Agency meeting agenda preparation policy.

**RESOLUTION 14R-06
BIGHORN-DESERT VIEW WATER AGENCY**

**ESTABLISHING AN AGENCY MEETING
AGENDA PREPARATION POLICY**

WHEREAS, The Board of Directors of the Bighorn-Desert View Water Agency hereby sets the following policy which will establish the process by which the agendas for Agency meetings will be generated.

WHEREAS, the Agency Regular and Special Meeting Agenda Preparation Policy of the Bighorn-Desert View Water Agency is as follows:

1. The General Manager, in cooperation with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors.
2. In regards to the regularly scheduled monthly meeting, the following process and timeline for agenda preparation shall be followed:
 - Directors may request and seek majority consensus for appropriate items to be placed on the agenda at the regular Board meeting.
 - Tuesday prior to the meeting – Director's deadline for adding appropriate items to the agenda will be the end of business Tuesday. The Board President shall make any final determinations as to what constitutes an appropriate item to be agendized for the Board meeting.
 - Wednesday prior to the meeting – Before days end, staff shall have the first draft of the agenda available for review, if requested.
 - 12:00 Noon Thursday prior to the meeting – Directors' revisions should be delivered to the General Manager.
3. Upon completion of the Board Agenda with the backup material packet on the Friday prior to the meeting- A field representative shall hand deliver agenda binders to Directors and post agendas.
4. The official posting location for the purposes of meeting the requirements of the Ralph M. Brown Act will be the Agency Office at 622 S. Jemez Trail and website: www.bdvwa.org.

As a courtesy the agenda shall also be posted at the following locations-

- 1720 North Cherokee Trail- Agency Meeting Hall
- Bulletin board located at 1131 Old Woman Springs Road
- Halliday's Market
- Hero Market
- Johnson Valley Improvement Association
- Landers Homeowners Association- Belfield Hall
- Mojave Market

In addition, the agenda will be emailed to the "Agenda Notification List" maintained by the agency staff. This list includes the following:

- Z107.7 Radio Station
- Hi-Desert Star Newspaper

WHEREAS, pursuant to the Brown Act Section 54957.5(a) once the agenda and related materials have been prepared office staff shall make available upon request, and without delay, the agenda and related materials for public viewing during regular business hours. However, this shall not include any writing exempt from public disclosure under Section 6253.5, 6254.7, or 6254.22.

WHEREAS, complete agendas with backup material packets will be made available, and without delay, for public viewing during regular business hours at the agency business office.

WHEREAS, complete agendas without the backup material packet shall be made available at the agency administrative office and shall be provided upon request at no charge to the requester.

WHEREAS, any member of the public can purchase a complete agenda packet, with backup material at the then current per page copy charge outlined in the Agency's Rates, Fees and Charges for public information requests pursuant to the California Public Records Act. Hard copies of presentations made or materials distributed at Agency meetings will thereafter be subject to the California Public Records Act.

WHEREAS, the Agency Standing Committee Meeting Agenda Preparation Policy of the Bighorn-Desert View Water Agency is as follows:

1. The General Manager, in cooperation with the Standing Committee Chair, shall prepare an agenda for each Standing Committee meeting.
2. Any Director may contact the Committee Chair to place any appropriate item on the Committee meeting agenda no later than Tuesday prior to the agenda mail out day which is scheduled for the Friday before the scheduled time and date of the meeting. The Chair shall make any final determinations as to what constitutes an appropriate item to be agendized for the Standing Committee meeting.

WHEREAS, the Agency Workshop Board Meeting Agenda Preparation Policy of the Bighorn-Desert View Water Agency is as follows:

- Board workshops shall be scheduled and the agenda set by the Board of Directors at the regular or special meeting of the Board or by the Board President.

NOW, THEREFORE, THE BOARD OF DIRECTORS HEREBY RESOLVES:

- 1) Resolution 14R-06 establishes the policy for preparation of the agenda for meetings of the Board of Directors or Standing Committees thereof; and
- 2) Policy No. 09P-02 is hereby rescinded in its entirety.

PASSED, APPROVED AND ADOPTED by the Board of Directors of Bighorn-Desert View Water Agency this 22nd day of April 2014.

By Judy Corl-Lorono
Judy Corl-Lorono, President

ATTEST:

Terry Burkhardt
Terry Burkhardt, Secretary

**RESOLUTION 17R-XX
BIGHORN-DESERT VIEW WATER AGENCY
ESTABLISHING AN AGENCY MEETING
AGENDA PREPARATION POLICY**

WHEREAS, The Board of Directors of the Bighorn-Desert View Water Agency hereby sets the following policy which will establish the process by which the agendas for Agency meetings will be generated.

WHEREAS, the Agency Regular and Special Meeting Agenda Preparation Policy of the Bighorn-Desert View Water Agency is as follows:

1. The General Manager, in cooperation with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors.
2. In regards to the regularly scheduled monthly meeting, the following process and timeline for agenda preparation shall be followed:
 - Directors may request and seek majority consensus for appropriate items to be placed on the agenda at the regular Board meeting.
 - Tuesday prior to the meeting – Director's deadline for adding appropriate items to the agenda will be the end of business Tuesday. The Board President shall make any final determinations as to what constitutes an appropriate item to be agendized for the Board meeting.
 - Wednesday prior to the meeting – Before days end, staff shall have the first draft of the agenda available for review, if requested.
 - 12:00 Noon Thursday prior to the meeting – Directors' revisions should be delivered to the General Manager.
3. Upon completion of the Board Agenda with the backup material packet on the Friday prior to the meeting- A field representative shall hand deliver agenda binders to Directors and post agendas.
4. The official posting location for the purposes of meeting the requirements of the Ralph M. Brown Act will be the Agency Office at 622 S. Jemez Trail and website: www.bdvwva.org.

As a courtesy the agenda shall also be posted at the following locations-

- 1720 North Cherokee Trail- Agency Meeting Hall
- Johnson Valley Well 10
- Landers Homeowners Association- Belfield Hall
- Landers Post Office – Board Near Bus Stop

In addition, the agenda will be emailed to the "Agenda Notification List" maintained by the agency staff. This list includes the following:

- Z107.7 Radio Station
- Hi-Desert Star Newspaper

WHEREAS, pursuant to the Brown Act Section 54957.5(a) once the agenda and related materials have been prepared office staff shall make available upon request, and without delay, the agenda and related materials for public viewing during regular business hours. However, this shall not include any writing exempt from public disclosure under Section 6253.5, 6254.7, or 6254.22.

WHEREAS, complete agendas with backup material packets will be made available, and without delay, for public viewing during regular business hours at the agency business office.

WHEREAS, complete agendas without the backup material packet shall be made available at the agency administrative office and shall be provided upon request at no charge to the requester.

WHEREAS, any member of the public can purchase a complete agenda packet, with backup material at the then current per page copy charge outlined in the Agency's Rates, Fees and Charges for public information requests pursuant to the California Public Records Act. Hard copies of presentations made or materials distributed at Agency meetings will thereafter be subject to the California Public Records Act.

WHEREAS, the Agency Standing Committee Meeting Agenda Preparation Policy of the Bighorn-Desert View Water Agency is as follows:

1. The General Manager, in cooperation with the Standing Committee Chair, shall prepare an agenda for each Standing Committee meeting.
2. Any Director may contact the Committee Chair to place any appropriate item on the Committee meeting agenda no later than Tuesday prior to the agenda mail out day which is scheduled for the Friday before the scheduled time and date of the meeting. The Chair shall make any final determinations as to what constitutes an appropriate item to be agendized for the Standing Committee meeting.

WHEREAS, the Agency Workshop Board Meeting Agenda Preparation Policy of the Bighorn-Desert View Water Agency is as follows:

- Board workshops shall be scheduled and the agenda set by the Board of Directors at the regular or special meeting of the Board or by the Board President.

NOW, THEREFORE, THE BOARD OF DIRECTORS HEREBY RESOLVES:

- 1) Resolution 17R-XX establishes the policy for preparation of the agenda for meetings of the Board of Directors or Standing Committees thereof; and
- 2) Resolution No. 14R-06 is hereby rescinded in its entirety.

PASSED, APPROVED AND ADOPTED by the Board of Directors of Bighorn-Desert View Water Agency this 25nd day of April 2017.

By _____
Michael McBride, President (Pro tem)

ATTEST:

Judy Corl-Lorono, Secretary

Resolution No. 17R-XX

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



Agency Office

622 S. Jemez Trail
Yucca Valley, CA 92284-1440

760/364-2315 Phone

760/364-3412 Fax

Marina D West, P.G., General Manager

A Public Agency

www.bdvwa.org

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

Board Meeting Office
1720 N. Cherokee Trail, Landers, CA 92285
Tuesday, February 21, 2017 - 9:15 a.m.

Committee Members: Director Corl-Lorono & Director Burkhart

Call to Order

Director Corl-Lorono called the meeting to order at 9:18 a.m.

Pledge of Allegiance

Led by Michelle Corbin

Roll Call

Directors: Judy Corl-Lorono
Terry Burkhart

Staff: Marina West
Michelle Corbin

Approval of the Agenda

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

Update on SB 415 (Hueso) Voter Participation

General Manager West gave the staff report. West reported the Agency is now required to schedule the Board of Directors' elections during even-numbered years. Senate Bill 415 (Hueso) Voter Participation requires all state, county, special and school districts with "odd-numbered year" election cycles, with historically low voter turn-out, move their elections to the "even-numbered year" cycles. West is recommending the Committee move this item to the next Board of Directors' Meeting for possible adoption. The Committee agreed and suggested the Agency begin the process to move all future

elections to the November General Election “even-numbered” year cycles. The Committee also acknowledged that beginning the process at this time will extend both the year-ending 2017 and year-ending 2019 term limits out one additional year for each Director.

Public comment: No public comment.

The Committee requested a resolution proposing the change of election year, be agendaized at the next Board of Directors’ Meeting for possible adoption.

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

Carolyn Jensen of KP Public Affairs reported on a number of “spot” bills at the California Legislature that are due to the large amount of rainfall within California this season. Ms. Jensen also reported on Assemblyman Olberholte’s two hauled water bills, Senate Bill 366 and Senate Bill 367. The bills have not been assigned to committee at this time. Ms. Jensen stated she will continue to give updates on both bills as they move forward within the legislature.

Ed Manning of KP Public Affairs reported on a reduction of reliance of the Delta Plan. Mr. Manning stated as the Delta language is currently interpreted, the current draft penalizes state contractors like Mojave Water Agency for trying to take more water. Mr. Manning announced they are drafting an agreed upon joint letter to be signed by all the state water contractors. Lastly, Mr. Manning said he will continue to work towards “nudging” the Delta Council to consider looking at the export system as a whole compared to focusing on individual agency allocations.

Carolyn Jensen also reported on legislation relating to Proposition 218 reform and Assembly Bill 401 (Dodd) dealing with implementation and recommendations for Rate Assistance for Low Income Water Users. Legislatures are also considering the creation of a water tax for the Safe Drinking Water Fund.

Letitia White of Innovative Federal Strategies reported the Fiscal Year 2017 Appropriations Bills related to Title 16 funding are almost complete. Congressman Paul Cook may be testifying on behalf of the Title 16 funding. Ms. White also reported water infrastructure may become included with major infrastructure funding. Lastly, Ms. White reported on the “Water of the United States” stating the President is expected to sign an executive order ending this rule.

Public comment: No public comment.

Update on SB 366 (Olberholte) Hauled Water New Construction

General Manager West reported on Senate Bill 366 (Olberholte). This bill focuses on once again, allowing Californians to build a up to 10 homes on an existing parcel, where the source of water is hauled water. Previous bill, SB 1263 (Wieckowski) prohibited any new building if the source of water is hauled water the only exception being the rebuilding of a home destroyed during a natural disaster. Senator Olberholte’s office is requesting resolutions of support of the bill.

No public comment.

The Committee recommended staff bring a Resolution in Support of Senate Bill 366 (Olbernote) for possible adoption.

Consent Items

- a. Regular PLEGS Meeting Report, October 18, 2016

Public comment: No public comment.

Director Corl-Lorono and Director Burkhart approved the report.

Public Participation

No public comment.

Verbal Reports

COMMITTEE MEMBERS' COMMENTS/REPORTS

No Reports.

GENERAL MANAGER'S REPORT

General Manager West reported Kirby Brill of Mojave Water Agency announced his retirement. GM West also gave a brief review and update on the status of a \$50K grant she had applied for. West has requested the grant funds might be used for uranium treatment options. West also reported on the benefits of keeping the Goat Mountain Water System separate from the Bighorn and Desert View Water System.

Adjournment - Director Corl-Lorono adjourned the meeting at 11:05 a.m.