

AB 1234 Report

Director Name: Kathy Colley

AB1234 Report for Mtg May 15, 2018

ACWA Spring 2018 Conference

May 8-11, 2018

Points of Interest: The connected theme of this conference, CA Water: Building for the Future, was looking towards the future and the challenges we are facing. I had the good fortune to attend many different seminars on a variety of relevant topics.

This conference offered many different yet important topics for further understanding of what CA faces as it addresses the need to provide a reliable water source to its residents. I found the discussion about how members were best served by JPIA, how this insurance authority makes decisions on our behalf to invest, minimize risk and offer premium coverage while keeping our rates as low as possible was very interesting. A discussion on the challenges water agencies face when they must remove homeless encampments from their properties and deal with the damage to their infrastructure assets and overall cleanup and the expense of these situations was very thought provoking.

The seminar regarding the aftermath of the floods and fires we had earlier this year was meaningful as the panelists discussed the devastation and how emergency preparedness made such a difference on how each community fared. Several of the panelists were directly affected by these events and it was interesting to listen to their descriptions.

The seminar about the creation of our SCV Water Agency given by President Bill Cooper, VP Maria Gutzeit, our attorney, Joe Byrne and Asst. GM Steve Cole was interesting to watch. Our Senator Scott Wilk also attended and spoke about the unique legislation needed to make this possible. It was interesting to scan the room and see the audience fully paying attention to the topic, many questions were asked following the informative discussion. The topic was clearly on the minds of many because the next day, people were still asking about how creating a new water entity tasked with providing exceptional water delivery and service while making it cost effective was possible.

We had the Governor, Jerry Brown, speak and he delivered an entertaining and relevant speech. Conservation was emphasized since we still have drought issues. Water quality, recycling, storage, habitat, agriculture use was also presented in various ways. These are just a sample of the variety of subjects offered.

I'd like to thank the agency for the opportunity to attend this educational event to further my understanding of the real world challenges and solutions that being a steward of our precious resource, water, requires.

DIRECTOR AB 1234 REPORT

Director Name: Maria Gutzeit

Meeting Attended: 2018 ACWA Spring Conference

Date of Meeting: 5/8-5/10

Board Meeting to Be Presented At: 5/15/18

Points Of Interest: Tuesday evening attended Nossaman's reception. Met people from Ventura Water Agency and reconnected with Daniel Cozad of CV Salts and several other consultants working on creative regional solutions.

Wednesday morning breakfast: Heard from Tim Quinn, who is retiring from ACWA at end of the year, on ACWA goals. Jerry Gladbach gave an update on ACWA JPIA. Steve Nugent of Carmichael Water District received the ACWA leadership award. Randy Record, chairman of Metropolitan Water District board, spoke on Met's decision to fund 2/3 of the delta conveyance. Looking at the nation's largest water recycling project from Carson to be used for recharge, but due to dry conditions the groundwater recharge from the surface is historically low. Lowering of demand is expected to be Met's largest source of supply in future years. Board and Governor felt staged or single tunnel was too risky and would result in CalWaterFix not being built.

At lunch, heard from Deputy Secretary of the US Dept. of Interior David Bernhardt. He discussed Secretary Zinke and President Trump's priorities, including regulatory streamlining and operating water projects to maximum extent legally possible.

In the afternoon, participated in panel on SCV Water formation with President Cooper, Asst. GM Cole, Joe Byrne, and Senator Scott Wilk. It was well received, with two areas mentioning they wanted to do something similar in their areas.

Then attended panel with Tim Quinn and Armando Quintero, Chair of the California Water Commission describing the funding process going on now. A lot of the criteria and the schedule was dictated by Prop 1. Had some extra meetings with applicants to clarify information in their applications. Later this year projects will be ranked for resiliency, implementation likelihood and environmental factors as outlined in the water code.

In the evening, talked at length with Lauren Everett of KJ about IRWMP and outreach, and also met people at the Women in Water gathering.

Thursday morning, chatted with Assemblyman Tom Lackey and Senator Scott Wilk at Capitol Park. Attended the Statewide Issues Forum: The Bay -Delta Water Quality Control Plan Update: Now What Happens.

Tim O'Laughlin of O'Laughlin & Paris LLP spoke about the need for real world thinking on fisheries. Water community can't be responsible for everything in the world. Patterns of hatchery operations, predation, etc. all affect the fish.

David Guy, President of Northern Cal Water Agency, talked about successes of Butte Creek. Unimpaired flow is not working. New science coming out of UC Davis. Floodplains. Time Value of Water. Functional flows. Tidal flows are affecting the delta.

Jennifer Pierre, GM, State Water Contractors. Per prior agreement, SWC released 20% of water to Ocean in 2017, but there were no fish there to benefit from it. PPIC blogs opinion that there are other factors involved. SWC doesn't want a stagnant, 20 year plan. Some of cheapest things to do have common agreement and are believed to help Delta Smelt the most. Wants to focus on common agreement and not fight over unsettled science.

Also heard from Eric Oppenheimer, Chief Deputy Director, SWRCB. Said it's risky to assume there's plenty of flow already.

On the trip back connected with Assemblyman Miguel Santiago (Latino Caucus) and Dante Acosta (local area), along with Senator Toni Atkins, all flying through Burbank airport.

RJ Kelly

05/14/18

Subject: AB 1234; ACWA Spring Conference.

May 7, 2018 - May 11, 2018

On Tuesday, May 8th, I attended the ACWA Finance Committee representing SCVWA. Three primary subjects were on the agenda. Reviewing the proposed budget and obtaining additional data. Reviewing current new hire retirement policies of our member agencies and how to apply those to the new ACWA budget. The current office building owned by ACWA has been discussed over the last couple of years. Time is getting close to make a decision to sell, repair or move and keep as a rental. More to come out of the next conference.

On Thursday I attended the Region 8 committee meeting and gave my reports on ACWA Finance and Future Development plans committee.

The conference was excellent as usual. Very informative and great speakers along with subjects.

I met several vendors/exhibitors who do work for the agency not and are interested in interviewing in the future.

The agency gave a great overview on the development of the new agency and its future plans.

Director name: Gary Martin

Meeting attended: ACWA 2018 Spring Conference in Sacramento, CA

Date of meeting: May 7 - 11, 2018

Location: Online

Board meeting to be presented at: May 15, 2018

Points of interest / conference sessions attended:

1. May 8 – Groundwater Committee meeting
2. May 9 – Opening breakfast; Randy Record keynote speaker on WaterFix funding.
3. May 9 – Water Industry Trends Program; Airborne Snow Observatory (ASO) and how water supply and runoff forecasts can be improved with the use of ASO.
4. May 9 – Luncheon Program with representatives of the US Department of Interior presenting priorities for California water for 2018.
5. May 9 – Water Industry Trends Program; Building California’s Newest Water Agency: Clear Goals, Bold Ideas, and a Whole Lot of Grit.
6. May 9 – Statewide Issues Forum; California Water Commission’s Water Storage Program
7. May 10 – Region 8 Business Meeting
8. May 10 – Statewide Issues Forum; Bay-Delta Water Quality Control Plan Update
9. May 10 – Luncheon Program; Governor Brown spoke on WaterFix, water taxes and his priorities for California water.
10. May 10 – Town Hall; Can Trust be Rebuilt? What’s next for Oroville?
11. May 11 – Breakfast program; ACWA JPIA update and The Political Landscape; an Insider’s Perspective

Highlights:

Groundwater Committee:

- ACWA and ACWA JPIA are looking into providing a “SGMA Litigation Expense Sharing Pool,” as it is considered possible / likely that GSA’s will be challenged as to their authority and power to take actions to comply with the Act, and that it is unlikely that general liability insurance would cover these costs. A white paper has been produced and a survey of member agencies will be going out after the conference to gauge interest. Time Quin commented that “we need substantial participation.”
- DWR presented an update on SGMA activities.
- The “Water Available for Replenishment” final report has been published and is available. The report includes a range of WAFR estimates, methodologies used, SWP and CVP reliability and availability, and planning guidance.
- A brief discussion on FLOOD-MAR (managed aquifer recharge) was provided.
- A presentation was made by Melissa Rohde of The Nature Conservancy on “Guidance Framework for Groundwater Dependent Ecosystems.” SGMA includes specific requirements to identify and consider impacts to GDE’s. More info can be found at groundwatersourcehub.org.

Region 8’s Water Industry Trends Program on formation of SCV Water. The presentation by the SCV Water team was excellent and prompted interest and some good questions and dialogue.

The Governor’s lunchtime talk on water issues was lively and demonstrated his commitment to WaterFix.

The conference was informative and provided an opportunity to let other agencies know about SCV Water, and I appreciate being able to attend.

Lynne Plambeck AB1234 Report
ACWA Conference
May 8th - 10th
Sacramento

ITEM NO. 12.4

ACWA Ground Water Committee
Sacramento Convention Center RM 204
May 8th, 10AM

ACWA is putting together a litigation fund (Tim Quinn) In anticipation of litigation over SIGMA.

Will have the final list of critical basins next week.

BMPs – accent local control – for instance what does overdraft mean in a particular basin. Out in draft form – substantial changes not anticipated.

Funding priorities are for critically over drafted basins

Water available for replenish is now complete and available.

Minimum standards – must have formed a gsa, must be beginning the gsp.

New tool – vegetation commonly associated with ground water. Data viewer

Can apply for assistance through the DWR website

Water budget info – climate change a lot of new info on the technical side – data available for GSPs

Nature conservancy responsible for defining water dependent ecosystems. A required element of the gsp.

Water quality problems caused by landuse. Water quality is specifically called out by SGMA

RWQCB Salt and nutrient management plans are basis for water recycling projects – they are about to release the recycled water policy (tomorrow). GSA's could include salt and nutrient management plan then it would count as an equivalent – no need to do a separate plan.

Trying to make ground water recharge a beneficial use in ACWA leg committee – Talking to SWCB about making a long term transfer permit – permit proposal is circulating. (recharge using farm fields – suggested??)

ACWA Issues Forum – A Functioning Delta for Native Fish
Sacramento Convention Center RM 202
May 9th, 10AM

Jeffrey Mount, Jim Calloway, Orange County Coastkeeper

Jeffrey Mount

The delta has changed substantially and cannot be returned to its original state. It supplies water for 25 million people.

Jim Calloway – Delta Stewardship “Making the Delta a Better Place for Native Fish”

The Delta is not working for our naïve fish. We have already lost some entire species, the Delta Smelt is close, but some have been returned with restoration, especially the salmon. Discussion of ideas of how to

do this, especially the North Delta Habitat Arc which starts with the Yolo bypass. (southern Delta is too warm for natives)

“Suisan Marsh Ecological History and Possible Futures”

Orange County Coastkeeper – Saving Native Fish in the Delta

Much of Delta is below sea level – in some places as much as 9 feet. Looking at best restoration locations to save fish – North Delta Arc, Southern Delta water is too warm for most fish species.

ACWA Attorneys Program – Water Conservation, Waste and Unreasonable use
Sacramento Convention Center RM 203

May 9th, 2 PM

Daniel Rose, Staff Counsel, State Water Resources Control Board discusses proposed regulations to conserve water.

Tim O’Laughlin impacts of regulation on appropriative rights water reason. Regulations would only save 12,000AF state wide???. Don’t need these regulations and they are a “taking”.

Evan Jacobs , Cal Am private water company. – the privates are all still above 10% reduction (except San Diego

David Rose argued that they would create a culture of conservation, needed to change behavior in California to deal with future probably water shortages as the climate changes.

ACWA Attorneys Program – Are Adjudications an alternative to SIGMA?
Sacramento Convention Center RM 203

May 10th, 9:30AM

Kronick, Nossamen, Scalomini, BBK

Adjudications are complicated and expensive, the Judge may not understand groundwater at all.

SIGMA freezes pumping for overlying rights at 2015 yields
Water section 610 re: waste water (check section)

After 15 year, multiple trials and settlement conferences, the water may be divided down to the AF. You will have a water master (or something like it)

SIGMA says that the adjudication must manage the basin in accordance with SIGMA, but this has not been tested.

The relationship between SIGMA and adjudication – DWR must approve the abdication settlement as satisfying SIGMA. If you don’t like the DWR decision, you can litigate that. WC section says the Judge cannot enter the judgement unless DWR finds there is no effect under SIGMA. The legislation wants to make sure that any abdication results in a sustainable basin and cannot be an end run around SIGMA.

Environmentalists may intervene in adjudications in the future because of the “Undesirable results” that much be avoided in SIGMA

SOME GSAs have provided seats for a broad range of stakeholders, including environmental groups because they didn’t want just water agency reps.

**ACWA Attorneys Program – Water transfers and SIGMA
Sacramento Convention Center RM 203
May 10th, 2PM**

Kronick, EDF, Downy Brand, Rosedale Rio Bravo

Background on water transfers and related water codes. Must have an appropriate right to water to transfer water. Land fallowing to allow transfer, pumping instead of diversion, modified operation. "Water made available for transfer" Must not use the water. Interaction between surface water and ground water and no impacts on fish and wildlife. Also limits on when water can be transferred.

Transfer activity picks up during droughts

DWR has released report on water available for replenishment. SIGMA doesn't change water rights (Eric Robinson)

Obstacles to transfers – don't really know very far in advance whether water will be available for transfer.

The higher the SWP allocation, the less room to move transfers

Rio Bravo – transfers allow land that can't be farmed to become an asset by making money for transfers

Need to be able to move water from low quality crops (alfalfa) to high quality crops.

Need a system to account for water movement within the basin, and make sure that it does not create any negative impacts.

EDF Resilience and Balance with climate change. Transfers can help and also provide benefits for Fish and Wildlife. Positive effect of SIGMA – water basins are giant storage basins. SIGMA will implement accounting programs for these reservoirs.

DIRECTOR AB 1234 REPORT
May 15, 2018
Jacquelyn McMillan

CSDA Legislative Committee meeting held **May 4, 2018** at the CSDA headquarters in Sacramento, but offered via webinar. I attended via webinar. Over 50 representatives from various agencies throughout California were present to go and discuss items on the agenda. The committee reviewed over 200 bills and voted on various positions on each.

May 7-11, 2018, I attended the **ACWA Annual Spring Conference in Sacramento**. I estimated that over 800 individuals in the water industry attended. I attended the following:

- Welcome Reception
- The Opening Breakfast on "Investing in CA's Water Future
- Regional Issues Forum on Folsom Dam
- Luncheon on US Department of Interior Priorities for 2018
- Communication Committee
- The California Water Commission's Water Storage Investment Program.
- Attorneys Program on SGMA and Groundwater Adjudications"
- Luncheon featuring unexpected guest Governor Jerry Brown.
- Attorney's Program on Water Transfers and SGMA.

May 11, 2018, I attended the **State of the County Address Luncheon** featuring LA **County Supervisor Kathryn Barger** at the Hyatt Valencia. The event was attended by over 400 local business owners and local officials.

DIRECTOR AB 1234 REPORT

Director Name: DEAN D. EFSTATHIOU

Meeting Attended: S.C.W.C LEGISLATIVE TASK FORCE MTG

Date of Meeting: MAY 14, 2018

Board Meeting to Be Presented At: MAY 15, 2018

Points Of Interest: COMMITTEE DISCUSSED ALL MAJOR
LEGISLATIVE BILLS ON THE SCWC LEGISLATIVE BILL
IN ADDITION GOVERNOR'S BROWN MAY 11, 2018 ^{REVISED} BUDGET
WAS DISCUSSED, THE REVISED BUDGET FOCUSES ON
SURPLUS ONE-TIME PROJECTS & CAUTIOUS APPROACH
TO STATE SPENDING. THE GOVERNOR IS CALLING
THAT CALIFORNIA IS "OVEREXTENDED" IN SPENDING.

Please Attach Agenda or Brochure if Available.