2017 LEGISLATIVE PLATFORM
Introduction

The Orange County Water District (OCWD; the District) works to influence legislation and funding in Sacramento and Washington, D.C. to ensure the Orange County Groundwater Basin is protected and supports a reliable, affordable and safe water supply for the 2.4 million people that it serves.

OCWD maintains an active presence in the government arena to forge and maintain long-term, positive and proactive relationships with legislative offices, support water supplies from the State Water Project and Colorado River, to expand water reuse, enable the development of new water supplies, expand the use of new technologies, and to promote water conservation.

Purpose of Legislative Platform

OCWD’s legislative platform reflects policy positions adopted by the OCWD Board of Directors (the Board) in 2017. Legislation of interest to the District is brought before the Board’s Communication and Legislative Affairs Committee (Comm/Leg) for consideration. It is also the primary committee in which the staff recommends action on bills. Additionally, ideas for new legislation are presented to the Board for action when the District or other water agencies and associations are seeking sponsorship of a bill.

Recommended action items from the Comm/Leg Committee then go to the full Board at the next available Board meeting. However, during the legislative session the timing of votes on a bill and/or deadlines to draft legislation may not coincide with the Comm/Leg Committee meeting schedule for formal Board positions on a particular bill. Legislation that needs to be acted upon in between Board meetings will be taken to the Board President and General Manager for guidance in advance of any position being taken by staff or District legislative advocates.

This legislative platform provides guidance to the Board President and General Manager when they evaluate proposed legislation that may affect the District, its groundwater producers, or regional water management. Legislation that meets or fails to meet the principles set forth in the platform may be supported or opposed accordingly. Pending approval by the Board President and General Manager, the platform also allows staff and the District’s legislative advocates to act in a timely fashion in between Board meetings on issues that are clearly within the legislative platform. Such actions are then reported to the Board at the next available monthly Comm/Leg Committee meeting or Board meeting.

The 2017 legislative platform is a summary of District goals, key issues and policy positions. The following legislative policies have been developed by District staff and legislative advocates in consideration of OCWD’s groundwater producers and policy needs. These Board-approved policies serve as the District’s official positions of support or opposition on issues of importance to the agency. The legislative platform is a dynamic document, which will be adopted annually and updated as needed to meet the needs of the District. The legislative team, in conjunction with the Board, may take appropriate action consistent with the legislative platform, including, but not limited to, drafting letters, lobbying legislators and staff, engaging in legislative work groups, and drafting bills.
About OCWD

The Orange County Water District (OCWD; the District) is a special district formed in 1933 by an act of the California State Legislature. The District was originally created to protect Orange County’s rights to Santa Ana River (SAR) water and to manage the vast Orange County Groundwater Basin that underlies north and central Orange County. Its mission is to provide local water retailers with a reliable and high-quality water supply at the lowest reasonable cost in an environmentally responsible manner.

The Orange County Groundwater Basin is a large underground aquifer that through OCWD’s careful management supplies approximately 75 percent of the water supply for north and central Orange County.

19 municipal and special water districts pump water from the groundwater basin and deliver it to the 2.4 million residents in the District’s service area.

With more than 80 years of sound planning and appropriate investment in the groundwater basin, OCWD has more than doubled its output of water.

Investments include improving OCWD facilities to put more water into the basin, innovative water supply projects, contamination clean-up projects and a proactive water quality monitoring program.

Orange County’s groundwater is cost-effective because of the low cost of recharging Santa Ana River water. Groundwater is about one-third the price of imported water per acre-foot (an acre-foot is 326,000 gallons or enough water for two small families for one year).

Ensuring a Reliable Supply of Groundwater

To replace the groundwater that is pumped out of the basin every year, OCWD has a proactive program to refill the basin and ensure a reliable water supply.

OCWD refills the basin with SAR water, recycled water (Groundwater Replenishment System), imported water, stormflows, and natural incidental recharge.

To refill the basin, water is channeled off the Santa Ana River into more than two dozen nearby lakes called recharge basins located in the cities of Anaheim and Orange. The water is filtered through the bottom and sides of the basins and percolates into the deep aquifers, where it is ultimately withdrawn by water retailers for commercial and residential usage.
Ensuring Groundwater is Safe

OCWD is committed to ensuring high-quality water and proactively monitors and tests its groundwater. OCWD’s state-certified monitoring and compliance lab, the Advanced Water Quality Assurance Laboratory (Lab), adheres to a rigorous monitoring program. It tests for more than 500 compounds, including contaminants of emerging concern, analyzes more than 20,000 samples per year and reports more than 400,000 results.

OCWD’s Lab is one of only 10 labs in the nation to receive full EPA certification for unregulated contaminant monitoring.

Leading the Way in Water Reuse

The Groundwater Replenishment System (GWRS) takes treated wastewater that otherwise would be sent to the Pacific Ocean and purifies it using a three-step advanced process. Consisting of microfiltration, reverse osmosis, and ultraviolet light with hydrogen peroxide, this purification process produces high-quality water that meets or exceeds all state and federal water standards.

The GWRS is the result of a collaborative effort between OCWD and the Orange County Sanitation District (OCSD). Both sought solutions to issues they faced. In the mid-1990s, OCWD needed to expand Water Factory 21 (WF 21) and address continued problems with seawater intrusion. At the same time, OCSD faced the challenge of having to build a second ocean outfall. The GWRS resolved these issues.

Operational since January 2008, the GWRS initially produced 70 million gallons (MGD) of high-purity water. In May 2015, production of the GWRS increased by 30 MGD per day to a total of 100 MGD. Approximately one-third of the GWRS water is injected into a seawater barrier. The remaining two-thirds are pumped to recharge basins where it becomes part of the region’s drinking water supply.

Ultimate capacity for the GWRS is projected at 130 MGD after facilities are expanded further and more flows are rerouted from ocean discharge for reuse.

Protecting Nature While Maximizing Water Supplies

OCWD owns 2,150 acres of land in Riverside County. Nearly 465 acres of the land behind Prado Dam are constructed wetlands. One-half of Santa Ana River flows are routed through the wetlands to naturally remove nitrates and other contaminants in the water. In addition to improving water quality, OCWD’s wetlands provide an opportunity for native habitat to thrive. OCWD has invested substantial resources to protect the endangered least Bell’s vireo, a California songbird that nests in the willows of Prado Basin.

Through a series of agreements with the Army Corps of Engineers and the United States Fish and Wildlife Service, OCWD is allowed to hold a significant portion of stormwater flows behind the dam. This water can then be slowly released from the dam and captured downstream in OCWD’s recharge basins.
Procedure for Taking Positions on Bills

1. Staff and legislative advocates will track bills of greatest interest to OCWD, particularly those that fall within the goals and objectives identified by the Board of Directors. Staff will monitor bills being watched by similar agencies in Orange County as well as state, federal and national agencies and associations such as the California Special Districts Association (CSDA), National Association of California Water Agencies (NACWA), Association of California Water Agencies (ACWA), and WateReuse (WRA).

2. For those bills that are being tracked, where there is clear policy direction stated in the Board-adopted legislative platform, staff can send letters and give direction to the lobbyists to advocate.

3. When a bill does not fall within the scope of the legislative platform or is a politically controversial issue, but if a position may be needed before the next scheduled Comm/Leg Committee meeting or Board meeting, staff will seek direction from the Board President and General Manager.

4. If a bill does not fall within the scope of the legislative platform, but an association such as the Association of California Water Agencies (ACWA) or WateReuse has adopted a position, and timing is critical, staff will inform the Board President and General Manager about the organization’s position to seek approval to follow the organizations’ position, but staff must inform the Comm/Leg Committee of such action at the next regularly scheduled meeting.

5. All bills that are of potential interest or concern to the District are monitored by staff and legislative advocates, as reflected on the monthly bill matrix provided to the Board. If any of those measures are amended, they are re-evaluated to determine if a formal position should be recommended for Board consideration.
The following represent active bill positions that may be recommended by District staff for consideration by the District’s Board in providing guidance to staff and legislative advocates. Once adopted by the Board of Directors, the bill position will be communicated with the author of the legislation and may be communicated with other legislators, legislative staff, the Administration, water agencies, and the public.

Advocacy strategies and activities will be directed toward implementation of the Board’s policies through advancement of the District adopted bill position.

- **SUPPORT:** This position reflects the District’s interest to see the legislation become law. District staff and legislative advocates will work for passage of the bill in its present form.

- **SUPPORT IF AMENDED:** This is an affirmative position that connotes conditional support for a measure, but only if it is amended to incorporate specific amendments approved by the District Board. District staff and legislative advocates will not advocate in support of the legislation unless it is amended as requested by the District.

- **WATCH:** Take no action, but monitor the bill during the legislative process to see if any amendments are added that may impact the District or its groundwater producers.

- **OPPOSE:** This position reflects the District’s interest to defeat the legislation. District staff and legislative advocates will work for defeat of the measure in its present form, and will not pursue amendments to address the measure’s shortcomings.

- **OPPOSE UNLESS AMENDED:** This position reflects the District’s interest to defeat the legislation, but only if it is not amended to incorporate specific amendments approved by the District’s Board. District staff and legislative advocates will not advocate in opposition of the legislation if it is amended as requested by the District.
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United States House of Representatives

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Alan Lowenthal  
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California State Senate

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29th Senate District
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Janet Nguyen
34th Senate District
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Tony Mendoza
32nd Senate District
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Patricia Bates
36th Senate District
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John Moorlach
37th Senate District
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California State Assembly

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68th Assembly District
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65th Assembly District
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Orange County Board of Supervisors

Andrew Do  
1st District  
http://ocgov.com/gov/bos/1

Shawn Nelson  
4th District  
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Michelle Steel  
Vice Chair  
2nd District  
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Lisa Bartlett  
Board Chairwoman  
5th District  
http://ocgov.com/gov/bos/5

Todd Spitzer  
3rd District  
http://ocgov.com/gov/bos/3
Groundwater

1. Legislation should not interfere with the authority of governance of adjudicated and special act basins.

2. Existing laws and court/agency decisions that effectively govern groundwater production and recharge should not be disturbed. The rights of parties to take water pursuant to prior court decisions, decision of the State Water Resources Control Board (the State Board) or inter-agency agreements must be protected, and existing legal obligations imposed on parties should remain enforceable.

3. Support legislation that modernizes Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and/or leads to the clean-up of toxic chemical contamination in groundwater.

4. Existing groundwater basin management boundaries created through statute or court decision should not be modified, and new groundwater management areas should not be carved out of existing groundwater management plan areas without the approval of the affected groundwater management agency (ies). Similarly, where a statute or a court decree has authorized an entity to manage a groundwater basin, legislation should not create or empower other local entities with duplicative or overlapping authority.

5. Local agencies are in the best position to implement sustainable groundwater management. Groundwater management can best be accomplished at the local level - by agencies that have the technical expertise and existing or newly-granted authority to ensure aquifer health is maintained and competing uses balanced.

6. Any definition of sustainable groundwater management should allow groundwater managers, including OCWD, sufficient flexibility to manage groundwater, recognizing the following:
   a. Sustainability varies as a function of local hydrogeologic conditions, water supply availability, and historic groundwater utilization.
   b. Sustainable groundwater management can include periods when groundwater withdrawals exceed recharge as long as it causes no long-term negative impacts and there is a commitment to balance pumping over time with natural or artificial replenishment.

7. Managed aquifer recharge is a key tool that allows for sustainable groundwater management. As such, groundwater recharge should be recognized as a beneficial use of the water supplies of the state.
LEGISLATIVE POLICIES (cont.)

Prado Dam and Wetlands
8. Support projects and policies that enhance stormwater capture, sediment management, water conservation, and ecosystem restoration.

Environment
9. Support legislation to streamline and modernize the California Environmental Quality Act (CEQA).
10. Protect OCWD’s rights to seek cost recovery for groundwater clean-up projects that are compliant with the National Contingency Plan (NCP).

Supply
11. Support legislation that adds to the reliability and security of water supplies to Orange County.
12. Protect the quality of surface and groundwater and support entities to meet state and federal water quality standards.
13. Encourage water conservation and climate-based landscape development, where appropriate.
14. Expand water recycling, potable reuse, groundwater recharge, storage, brackish and ocean water desalination, and surface water development.
15. Recognize that recycled/reused water is a resource.
16. Authorize local government agencies to regulate the discharge of contaminants to the sewer collection system that may adversely affect water recycling and reuse.
17. Reduce regulatory burdens on water recycling and ocean or brackish water desalination projects.
18. Authorize, promote and provide incentives for indirect and direct potable reuse projects.
19. Allow for local governmental agencies to provide input to statewide water resource planning decisions.
20. Encourage and facilitate voluntary water transfers.

Energy
21. Encourage energy efficiency through incentives, funding and other assistance to facilitate water use efficiency partnerships with the energy sector.
Distribution of Proposition 1 Bond Funds

22. Support adequate funding to expand statewide and/or regional above ground and/or below ground water storage, newly created water supplies through water recycling/reuse, brackish water desalination and seawater desalination, stormwater capture, and remediation of groundwater contamination.


24. Funding for any Delta restoration project shall support the co-equal goals of water supply reliability and ecosystem restoration.

25. Bond proceeds should be distributed to beneficial projects throughout the state in an equitable, balanced and reasonable manner.

26. Any water infrastructure financing measure should include specific criteria which must be met before a project obtains funding. The specific criteria should include cost-effectiveness, a project proponent’s ability to implement the project, specific timelines for project implementation, and a high level of measureable benefit.

27. Bond proceeds should be leveraged to the maximum extent possible utilizing local or federal matching funds. Projects funded with a higher percentage of non-state funds should be given priority.

28. The allocation of bond funds should be handled within existing state resources to minimize bond administration costs.

Fiscal

29. No unfunded mandates. For newly mandated federal and state costs or regulatory actions - support legislation that requires the federal and/or state governments to provide reimbursement to local governments.

30. Protect special district ad valorem tax revenues.

Local

31. Support annexations if they are cost neutral to O.C. groundwater producers.
Proposed New Legislation

32. Support WateReuse Association (WRA) with possible new legislation regarding establishing Direct Potable Reuse regulations.

33. Support incentivizing water reuse, when requiring 25% water conservation during times of drought or as a permanent policy, by counting Indirect Potable Reuse (IPR) as part of the 25% savings or any future required savings goals.

34. As the state drought emergency regulations are re-visited for the development of long-term and permanent regulations, OCWD supports the State Board in considering local conditions and existing water reuse infrastructure investments that have already been made to avoid inadvertently causing a net reduction in the reuse and conservation of water in Orange County.

Greywater

35. Any state greywater policy should encourage generating new water supplies for the state. Specifically,
   a. Avoid adding a new upstream greywater system that would significantly impact the current flows to the Groundwater Replenishment System (GWRS) and waste the capacity of our existing GWRS water recycling infrastructure.
   b. Encourage the State Board’s greywater policy to be flexible enough to consider local conditions where there is already an investment in water recycling facilities.
   c. Advocate that the State Board not develop a uniform statewide policy, but instead address local conditions where extensive recycling is already occurring and new greywater systems would lead to the diverting of water that could be recycled for potable reuse projects.

Proposition 218: Water Rate Structures

36. OCWD supports legislation that allows flexibility in water rate structures and does not mandate a specific rate structure for its groundwater producers.

37. OCWD opposes a “public goods charge” or “water tax” on public water agencies or their ratepayers.
STATE LEGISLATIVE GOALS  
2017 - 2018

Priority

1. **Funding**  
Advocate for policies to gain funding for the Groundwater Replenishment System (GWRS) Final Phase through the State Revolving Fund, grant authorizations and legislative appropriations.

Gain grant funding, and the California Governor’s support, for groundwater cleanup projects.

Gain grant funding to build pipelines to distribute desalinated drinking water to residences and businesses

2. **New Legislation**  
Defend the District against legislation or policies that could negatively impact District control over management of the Orange County Groundwater Basin.

Pursue legislation to require 100% credit for recycled water during a drought declaration, allocations and/or mandatory restrictions to ensure the GWRS has sufficient flows.

3. **Outreach**  
**Coalition Building**

- Build coalitions with other entities including, but not limited to, the Metropolitan Water District of Southern California (MWD) and WRA with the goals of advocating for low-interest loans through the State Revolving Fund for the GWRS Final Expansion project and the Carson water reuse project in Los Angeles. In addition, work to build coalitions to support funding for desalination projects.

- Support coalitions including, but not limited to, MWD’s efforts to allow for the use of imported water for groundwater recharge that maybe in contact with waters with Quagga Muscles.
Priority 3. Outreach (cont.)

Support for new policies

- Secure legislators’ support to identify north and central Orange County as a separate Integrated Regional Water Management Region.
- Coordinate with Senate and Assembly leadership on issues of mutual interest.

Support for new legislation

- Support any new legislation that would expand the use of GWRS-like water to allow for direct potable reuse.
- Support any new legislation that would create a timeline for the development of guidelines for direct potable reuse.

Ongoing outreach

- Continue and build upon OCWD’s proactive outreach with legislators, State Board members, key staff to the Governor, etc. to ensure that key elected officials are familiar with the District, understand the diversity of the District’s demographics, and see OCWD’s Board and staff members as a resource of information.
FEDERAL LEGISLATIVE GOALS
2017 - 2018

Priority

1. **Funding**
   Specifically, seek funding through President Trump’s initiatives to support increased water infrastructure funding for OCWD Capital Improvement Projects (CIP), including water recycling and desalination. In addition, secure grants from any emerging federal infrastructure legislation.

2. **Additional water storage at Prado Dam**
   Facilitate expedited Prado Basin CA Feasibility Study to be completed.

3. **State revolving funds**
   Update the Clean Water State Revolving Fund (CW-SRF) formula to reflect equitable allocation to California.
   Seek additional SRF funding. Although, if the program is proposed to be cut, advocate to maintain or increase the existing program.
   Support municipal sector retention of tax exempt financing.

4. **Outreach**
   Make sure members of Congress and key staff to the U.S. Army Corps of Engineers and resource agencies (e.g. Department of Interior/ Bureau of Reclamation/Fish and Wildlife Service Environmental Protection Agency) are familiar with OCWD, know its goals, and see OCWD as a resource for information.