# AGENDA COMMUNICATIONS AND LEGISLATIVE LIAISON COMMITTEE MEETING WITH BOARD OF DIRECTORS\*

### ORANGE COUNTY WATER DISTRICT

18700 Ward Street, Fountain Valley, CA (714) 378-3200

September 7, 2023 12:00 p.m.- Conference Room C-2

\*The OCWD Communications and Legislative Liaison Committee meeting is noticed as a joint meeting with the Board of Directors for the purpose of strict compliance with the Brown Act and it provides an opportunity for all Directors to hear presentations and participate in discussions. Directors receive no additional compensation or stipend as a result of simultaneously convening this meeting. Items recommended for approval at this meeting will be placed on the **September 20**, **2023** Board meeting Agenda for approval.

This meeting will be held in person. As a convenience for the public, the meeting may also be accessed by Zoom Webinar and will be available by either computer or telephone audio as indicated below. Because this is an in-person meeting and the Zoom component is not required, but rather is being offered as a convenience, if there are any technical issues during the meeting, this meeting will continue and will not be suspended.

Computer Audio: You can join the Zoom meeting by clicking on the following link:

https://ocwd.zoom.us/j/99465334409

Telephone Audio: (213) 338 8477

Webinar ID: 994 6533 4409

Teleconference Sites:
10382 Bonnie Drive, Garden Grove
20 Civic Center, Room 813, Santa Ana
8856 Citrus Avenue, Westminster
19 Cannery, Buena Park

\* Members of the public may attend and participate at all locations.

### **ROLL CALL**

### ITEMS RECEIVED TOO LATE TO BE AGENDIZED

RECOMMENDATION: Adopt resolution determining need to take immediate action on item(s) and that

the need for action came to the attention of the District subsequent to the posting of the Agenda (requires two-thirds vote of the Board members present, or, if less than two-thirds of the members are present, a unanimous vote of

those members present.)

### **VISITOR PARTICIPATION**

Time has been reserved at this point in the agenda for persons wishing to comment for up to three minutes to the Board of Directors on any item that is not listed on the agenda, but within the subject matter jurisdiction of the District. By law, the Board of Directors is prohibited from taking action on such public comments. As appropriate, matters raised in these public comments will be referred to District staff or placed on the agenda of an upcoming Board meeting.

At this time, members of the public may also offer public comment for up to three minutes on any item on the Consent Calendar. While members of the public may not remove an item from the Consent Calendar for separate discussion, a Director may do so at the request of a member of the public.

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### **CONSENT CALENDAR (ITEMS NO. 1)**

All matters on the Consent Calendar are to be approved by one motion, without separate discussion on these items, unless a Board member or District staff request that specific items be removed from the Consent Calendar for separate consideration.

1. MINUTES OF COMMUNICATIONS AND LEGISLATIVE LIAISON COMMITTEE MEETING HELD AUGUST 3, 2023

RECOMMENDATION: Approve minutes as presented

### MATTERS FOR CONSIDERATION

2. STATE LEGISLATIVE UPDATE

RECOMMENDATION: Agendize for September 20 Board meeting: Take action as

appropriate

3. FEDERAL LEGISLATIVE UPDATE

RECOMMENDATION: Agendize for September 20 Board meeting: Take action as

appropriate

### **INFORMATIONAL ITEMS**

4. 2023 OC WATER SUMMIT UPDATE

5. PUBLIC AFFAIRS OUTREACH REPORT (AUGUST)

CHAIR DIRECTION AS TO WHICH ITEMS IF ANY TO BE AGENDIZED AS A MATTER FOR CONSIDERATION AT THE SEPTEMBER 20 BOARD MEETING

**DIRECTOR'S ANNOUNCEMENTS/REPORTS** 

**GENERAL MANAGER'S ANNOUNCEMENT/REPORT** 

**ADJOURNMENT** 

### COMMUNICATION AND LEGISLATIVE LIAISON COMMITTEE MEMBERS

Denis Bilodeau - Chair Van Tran - Vice Chair Roger Yoh Bruce Whitaker Steve Sheldon

Valerie Amezcua Natalie Meeks Dina Nguyen Kelly Rowe Cathy Green

Agenda Posting: In accordance with the requirements of California Government Code Section 54954.2, this agenda is posted in the window of the guard shack at the main entrance of the Orange County Water District, 18700 Ward Street, Fountain Valley, CA and on the OCWD website: <a href="www.ocwd.com">www.ocwd.com</a> not less than 72 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the Assistant District Secretary. Backup material for the Agenda is available at the District offices for public review and can be viewed online at the District's website: <a href="www.ocwd.com">www.ocwd.com</a>.

Accommodations to the Disabled: Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the District Secretary at (714) 378-3233, by email at <a href="mailto:cfuller@ocwd.com">cfuller@ocwd.com</a> by fax at (714) 378-3373. Notification 24 hours prior to the meeting will enable District staff to make reasonable arrangements to assure accessibility to the meeting.

<u>Availability of Agenda Material</u>: As a general rule, agenda reports or other written documentation that has been prepared or organized with respect to each item of business listed on the agenda can be reviewed at www.ocwd.com. Copies of these materials and other disclosable public records distributed to all or a majority of the members of the Board of Directors in connection with an Open Session agenda item are also on file with and available for inspection at the Office of the District Secretary, 18700 Ward Street, Fountain Valley, California, during regular business hours, 8:00 a.m. to 5:00 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 Orange County Water District office.

### MINUTES OF BOARD OF DIRECTORS MEETING WITH COMMUNICATIONS AND LEGISLATIVE LIAISON COMMITTEE ORANGE COUNTY WATER DISTRICT

August 3, 2023, 12:00 p.m.

Director Tran called the Water Issues Committee meeting to order at 12:00 p.m. in the District Conference Room C-2. Public access was also provided via Zoom webinar. The Secretary called the roll and reported a quorum as follows:

Committee Members

**OCWD Staff** Denis Bilodeau Mike Markus – General Manager Gina Ayala – Director of Public Affairs Van Tran Alicia Dunkin – Legislative Affairs Liaison Roger Yoh Bruce Whitaker Christina Fuller – District Secretary

Steve Sheldon

Alternates

Valerie Amezcua

Natalie Meeks (absent)

Dina Nauven

Kelly Rowe (absent)

Cathy Green

#### CONSENT CALENDAR

The Consent Calendar was approved upon motion by Director Sheldon, seconded by Director Tran and carried [3-0] as follows:

Ayes - Bilodeau, Tran, Whitaker

Abstain: Yoh, Sheldon

#### 1. Minutes of Previous Meeting

The minutes of the July 6, 2023 Communications/Legislative Liaison Committee meetings are approved as presented.

#### Children's Water Education Festival Location and Contract Approval 2.

Agendize for August 16 Board meeting: 1) Approve hosting the 2024 Children's Water Education Festival at the University of California, Irvine (UCI) on March 27-28, 2024, 2) Authorize staff to execute an agreement with UCI to host the 2024 Festival for an amount not to exceed \$85,700; and 3) Authorize staff to execute an agreement with James Events Productions for an amount not to exceed \$124,200 to provide rentals, event planning, and logistical support and services for the 2024 Festival.

### MATTERS FOR CONSIDERATION

#### 3. State Legislative Update

OCWD Consultants provided a status update on the end of the 2023 Legislative session and bills of interest to OCWD, including Bonds and PFAS funding. Director Sheldon noted that he would prefer a water only bond without other issues attached to it.

#### 4. Federal Legislative Update

Federal Consultants reported on the progress towards an exemption for water entities from PFAS

liability and provided an update on federal funding for PFAS cleanup and the Western Riverside National Wildlife Refuge.

### INFORMATIONAL ITEMS

### 5. 2023 OC Water Summit Update

Director of Public Affairs Gina Ayala reported that the 15th annual OC Water Summit will be held Friday, October 13, 2023, at the Westin South Coast Plaza. She provided an update on event planning, including sponsors and the program.

### 6. Public Affairs Outreach Report (July)

Ms. Ayala provided an overview of outreach for July 2023 and noted the following:

- OCWD hosted a webinar titled Artificial Intelligence (AI) in the Water Industry
- 140 people attended tours in July
- OCWD staff provided City briefings and Chamber outreach regarding PFAS
- Upcoming events including the Groundwater Adventure Tour

### **DIRECTORS REPORTS**

Director Sheldon made a motion requesting staff include the bond item discussed at today's meeting on the next Board meeting agenda for discussion, which was seconded by Direct Tran and carried [3-0] as follows:

Ayes -Tran, Whitaker, Sheldon

Abstain: Green

### **ADJOURNMENT**

There being no further business to come before the Committee, the meeting was adjourned at 1:05 p.m.

Van Tran, Vice Chair	

### **AGENDA ITEM SUBMITTAL**

Meeting Date: September 7, 2023 Budgeted: N/A

To: Communications/Leg. Liaison Cte.

Budgeted Amount: N/A
Cost Estimate: N/A

Fig. 10 and 10

Board of Directors Funding Source: N/A

From: Mike Markus

Program/Line-Item No.: N/A

General Counsel Approval: N/A

Engineers/Feasibility Report: N/A

Staff Contact: G. Ayala/A. Dunkin CEQA Compliance: N/A

Subject: STATE LEGISLATIVE UPDATE

### **SUMMARY**

Orange County Water District (OCWD) consultants will provide a status update on the end of the 2023 Legislative session and bills of interest to OCWD and PFAS funding.

### **ATTACHMENTS**

Joe A. Gonsalves and Son – Edelstein Gilbert Robson & Smith September 2023
 State Legislative Update

• State Bill Matrix – September 2023

### RECOMMENDATION

Agendize for September 20 Board meeting: Take action as appropriate.

### **DISCUSSION/ANALYSIS**

OCWD consultants will provide a status update on bills that OCWD has taken a position on, the four pending bonds, and PFAS funding. Please see an update on bills of interest to OCWD in the attached (Joe A. Gonsalves and Son – Edelstein Gilbert Robson & Smith September 2023 State Legislative Update) report.

### **ACTIVITIES**

August 8	Assemblymember Davies met with President Green, Mike Markus, and Alicia Dunkin
July 18	Assemblymember Chen met with President Green and Mike Markus
April 21	Assemblymember Dixon met with President Green, Mike Markus, and Alicia Dunkin
April 17	Orange County Supervisor Sarmiento met with President Green, Mike Markus, and Alicia Dunkin
April 7	Senator Nguyen met with President Green, Mike Markus, and Alicia Dunkin

March 29	Senator Kelly Seyarto and his staff met via zoom with President Green, Mike Markus, and Alicia Dunkin
March 17	Assemblymember Quirk-Silva and her staff met with President Green and Mike Markus
March 10	Senator Umberg and his staff met with President Green, Mike Markus, and Alicia Dunkin
March 9	Assemblymember Valencia's staff, Natalie Rubalcava, met with Alicia Dunkin
March 8	Assemblymember Ta and his staff met with President Green, Mike Markus, and Alicia Dunkin





TO: ORANGE COUNTY WATER DISTRICT

FROM: JOE A. GONSALVES AND SON

EDELSTEIN GILBERT ROBSON & SMITHLLC

SUBJECT: LEGISLATIVE UPDATE

DATE: August 31, 2023

On August 14, 2023, the Legislature returned from Summer Recess to wrap up the last 5 weeks of session, which ends on September 14, 2023. Policy Committee deadlines have passed and Members are focused on moving their remaining bills out of the Appropriations Committee by the September 1, 2023 deadline. Those that pass out of the Appropriations Committee's will have until September 14, 2023 to pass the Legislature and be sent to the Governor for his consideration.

The final weeks of session are historically chaotic, as legislators, staff, and lobbyists scramble to move or to defeat bills in the final weeks. As a reminder, all bills must be in print for 72-hours before the Legislature can consider them. This means that the last day to amend bills on the floor will be September 11, 2023.

### **Bonds**

As we have previously reported, there are 4 potential climate and flood bonds being negotiated in the state Legislature which include:

- AB 1567 (Edwardo Garcia) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024;
- SB 638 (Susan Eggman) Climate Resiliency and Flood Protection Bond Act of 2024;
- SB 867 (Ben Allen) Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access; and Clean Energy Bond Act of 2024;
- AB 305 (Carlos Villapudua) California Flood Protection Bond Act of 2024

Although all of these bond bills have passed out of the house they were introduced in, both the Assembly and Senate declined to set them for hearing in the "second house" policy committees they were referred to. Should the bills gain momentum, we expect the Legislature will combine the proposed bond measures into one bond bill.

Additionally, there are a number of competing bond proposals slated for the ballot that are impacting the Legislature's negotiations on a Climate and Flood Bond. Other bonds include; a \$14 billion school bond; a \$10 billion affordable housing bond; a \$5.2 billion fentanyl bond; and a \$4.7 billion bond for behavioral health.

The Legislature and the Governor are concerned that voters will not have the appetite for taking on more debt along with voter fatigue from being asked to weigh too many bonds on the same ballot. Proponents of both SB 867 and AB 1567 want their bond proposal on the March ballot, the same ballot that the Governor is also seeking to place his behavioral health bond on.

It is rumored that the Governor intends for his mental health bond to be the only one on the March primary ballot. If the Legislature agrees, all other bonds would have to wait until the November election.

### **Water Rights**

As we reported previously AB 1337 (Wicks) and AB 460 (Bauer-Kahan), two of the three bills introduced to limit water rights this year, failed to pass out of policy committee in the Senate and are now dead for the year.

Meanwhile, CMUA and ACWA negotiated with Senator Allen, the author of SB 389, at the beginning of July and through the Summer Recess. As a consequence, the bill has been significantly amended and the most objectionable provisions have been removed. Given that, ACWA, CMUA, and most water agencies across the state have removed their opposition and are now neutral on SB 389.

OCWD Bill Matrix							
Measure Author Topic Current Text Version Location Calendar							
AB 30	Ward D	Atmospheric rivers: research: reservoir operations.	Enrollment: 8/22/2023		Curcinau		
AB 246	<u>Papan</u> D	Product safety: menstrual products: perfluoroalkyl and polyfluoroalkyl substances.	Amended: 7/10/2023	8/15/2023- S. THIRD READING	9/1/2023 #167 SENATE THIRD READING		
AB 460	Bauer-Kahan D	State Water Resources Control Board: water rights and usage: interim relief: procedures.	Amended: 5/18/2023	7/14/2023-S. 2 YEAR			
<u>AB 557</u>	Hart D	Open meetings: local agencies: teleconferences.	Amended: 6/19/2023	6/29/2023- S. THIRD READING	9/1/2023 #118 SENATE THIRD READING		
AB 557	Hart D	Open meetings: local agencies: teleconferences.	Amended: 6/19/2023	6/29/2023- S. THIRD READING	9/1/2023 #118 SENATE THIRD READING		
<u>AB 557</u>	Hart D	Open meetings: local agencies: teleconferences.	Amended: 6/19/2023	6/29/2023- S. THIRD READING	9/1/2023 #118 SENATE THIRD READING		
AB 727	<u>Weber</u> D	Product safety: cleaning products and floor sealers or floor finishes: perfluoroalkyl and polyfluoroalkyl substances.	Amended: 8/16/2023	8/22/2023- S. THIRD READING	9/1/2023 #229 SENATE THIRD READING		
AB 817	Pacheco D	Open meetings: teleconferencing: subsidiary body.	Amended: 3/16/2023	5/5/2023-A. 2 YEAR			
AB 817	Pacheco D	Open meetings: teleconferencing: subsidiary body.	Amended: 3/16/2023	5/5/2023-A. 2 YEAR			
AB 1337	Wicks D	State Water Resources Control Board: water diversion curtailment.	Amended: 5/18/2023	7/14/2023-S. 2 YEAR			
AB 1423	<u>Schiavo</u> D	Product safety: PFAS: artificial turf or synthetic surfaces.	Amended: 7/3/2023	8/21/2023- S. APPR. SUSPENSE FILE	9/1/2023 Upon adjournment of Session - 1021 O Street, Room 2200 SENATE APPROPRIATIONS SUSPENSE, PORTANTINO, ANTHONY, Chair		
AB 1567	Garcia D	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean	html pdf	6/14/2023-S. N.R. & W.			

8/31/2023 #58 ASSEMBLY THIRD READING FILE - SENATE BILLS
9/1/2023 #27 SENATE UNFINISHED BUSINESS
9/1/2023 Upon adjournment of Session - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS SUSPENSE, HOLDEN, CHRIS, Chair
AT.

Total Measures: 16 Total Tracking Forms: 12

### AGENDA ITEM SUBMITTAL

Meeting Date: September 7, 2023 Budgeted: N/A

Budgeted Amount: N/A Cost Estimate: N/A Funding Source: N/A

Board of Directors

From: Mike Markus

To: Communications/Leg. Liaison Cte

Program/Line-Item No.: N/A
General Counsel Approval: N/A

Engineers/Feasibility Report: N/A

Staff Contact: G. Ayala/A. Dunkin CEQA Compliance: N/A

Subject: FEDERAL LEGISLATIVE UPDATE

### **SUMMARY**

The Orange County Water District (OCWD) federal advocate and staff will provide an update on progress towards an exemption for water entities from PFAS liability. Also, an update on federal funding for PFAS cleanup and the Western Riverside National Wildlife Refuge will be provided.

### Attachment(s):

- ENS Resources September Update
- Federal Bill Matrix September

### RECOMMENDATION

Agendize for Sepember 20 Board meeting: Take action as appropriate.

Please see attached ENS Resources September Update for specific details regarding gaining an exemption for water entities from PFAS liability, and an update on the Western Riverside National Wildlife Refuge Act.

### Exemption from PFAS liability for water and wastewater agencies:

On August 30, Senator Alex Padilla's staff asked for specific examples of impacts to water and wastewater agencies that were passive receivers of contamination due to CERCLA during a virtual meeting with General Manager Mike Markus and Legislative Affairs Liaison, Alicia Dunkin as part of a coalition working for an exemption from PFAS liability under CERCLA for water and wastewater agencies. As follow-up specific examples of litigation that impacted the water industry were provided.

Stakeholder comments on a Sente Committee on Environment and Public Works draft PFAS legislative proposal closed on July 14. OCWD provided input on the importance of providing a legislative exemption from CERCLA liability. As of this writing, committee staff have suggested that passage of PFAS legislation can only occur if the passive receiver's policy debate is resolved.

### **Earmark Funding:**

OCWD had applied for \$8 million in federal earmark funding and currently Congress has provided \$1.75 million to OCWD through Congresswoman Young Kim's support via the United State Environmental Protection Agency's STAG Drinking Water State Revolving Funds. Although the funding level is lower than the requested amount it represents one of the highest levels of earmark funding provided thus far. The status of Senator Padilla's request for \$8 million in earmark funding is not yet known.

### <u>Draft Legislation: Western Riverside National Wildlife Refuge</u>

Congressional efforts to establish a national refuge within Riverside County continue, please see attached ENS Resources September Update. A stakeholder agreement on any refuge boundary appears to have been reached. In the House, key Member offices appear to support the stakeholder developed boundary map. In the Senate, acceptance of a revised map boundary remains a work in progress. We anticipate that a House bill could be introduced in late September.

### **ACTIVITIES**

- September OCWD Board President, Consultant and staff are planning a visit to Washington D.C. September 18, 19, and 20 to meet with members of Congress, USACE, key committee staff and legislative staff to advocate for OCWD's federal priorities.
- August 17 Congresswoman Young Kim met with OCWD Board President Cathy Green, General Manager, Mike Markus, and Legislative Affairs Liaison, Alicia Dunkin
- August 18 Congressman Lou Correa met with OCWD Board President Cathy Green, General Manager, Mike Markus, and Legislative Affairs Liaison, Alicia Dunkin
- August 30 Senator Alex Padilla's staff met virtually with General Manager Mike Markus and Legislative Affairs Liaison, Alicia Dunkin as part of a coalition for an exemption from PFAS liability under CERCLA for water and wastewater agencies



TO:

Alicia Dunkin

FROM:

Eric Sapirstein

DATE:

August 31, 2023

SUBIECT:

**Washington Update** 

Congress has been on recess during the past six weeks and will not return to work until September 6 for the Senate and September 12 for the House. As a result of the recess, no legislative action occurred during the past month. The following summarizes the outlook for key legislation of interest to OCWD as Congress enters the final four months of the first session.

### • Fiscal Year 2024 Appropriations Delay Over Funding Levels

The House and Senate Committees on Appropriations approved radically different funding levels for federal agencies and departments. The differences are so great that finalizing any one of the twelve spending bills by October 1 is all but impossible. Instead, conventional wisdom suggests that the government will operate on a Continuing Resolution (CR) after October 1 when fiscal year 2024 begins. The outstanding question is whether the government will shut down. Members of the House Freedom Caucus are demanding reduced funding levels, below current year levels, under any CR and policy riders addressing border security among other matters. These demands have been rejected by Senate Democratic leaders, setting up a who blinks first over a shutdown. Regardless of the outcome, it seems highly probable that debate over a final spending bill for fiscal year 2024 will extend into December.

### Why CR Would Impact OCWD

Under any CR, Congress is precluded from funding new projects and programs. This means that funding of Community Projects, like OCWD's PFAS cleanup assistance, will not be decided until December, unless the House and Senate reach a compromise before December.

### • Senate PFAS Legislation

During the month of August, Senate Committee on Environment and Public Works staff reviewed more than 300 public comments (OCWD provided comments) on a proposal to address PFAS research, data management and technology demonstrations needs. According to committee staff, significant

ENS Resources, Inc. 1990 K Street, N.W./Suite 605 Washington, D.C. 20006 / Telephone (202) 466-3755 Telefax: (202) 466-3787 www.ensresources.com input was received on the need for a water sector exemption from CERCLA liability, given USEPA's continued priority to list PFAS chemicals as hazardous substances under CERCLA. Staff are working on fashioning a bipartisan bill that could be the focus of a PFAS committee hearing later this fall. Given the limited congressional calendar, it seems increasingly likely that PFAS legislative debate will extend into 2024.

### Why the Effort is Important to OCWD

The Senate committee priority to develop a bipartisan PFAS bill represents a key opportunity to secure a legislative remedy to USEPA's designation of PFAS as hazardous substances under CERCLA. Absent a legislative fix, the agency's action to designate means that the CERCLA foundational principle of polluter pays would become a ratepayer pays approach as potentially responsible parties would be expected to try and capture other entities including water agencies that did not produce or generate PFAS but may have handle PFAS contaminated materials during the water treatment process, for example.

### National Refuge Act and Riverside Habitat Conservation Area

The effort to develop a compromise refuge area within Riverside County continued during the past month. Central to discussions was finding consensus on a refuge boundary area and developing a savings clause to protect the ability of public agencies to carry out emergency actions and operations and maintenance needs. We anticipate a House bill will be introduced in late September, at the earliest, with a boundary area that protects the interests of water suppliers and flood protection. A savings clause also enjoy strong support from the region's stakeholders. It is anticipated that any final refuge legislation will include a savings clause to allow for water agencies and other public sector interests to undertake activities without conflicting with any refuge restrictions.

### Importance of Map Boundaries and Savings Clause to OCWD

The development of a map with reasonable boundaries is important because it excludes areas of concern to OCWD and addresses the fact that a refuge should not impact the delivery water supplies. The stakeholder consensus on the need for a robust savings clause remains strong. However, Senate staff continue to question this priority. OCWD will need to continue to advocate for a savings clause when Congress returns to work in September. It is important to note that the goal is to pass legislation without delay, but a possibility exists that any final agreement between the House and Senate will extend into 2024 during the second congressional session.



# OCWD Policy - July 28 2023

Issues: Orange County Water District

Priorities: High, Medium, Low, None

Positions: Support, Monitor, Oppose, None

Bills: 7 Bills

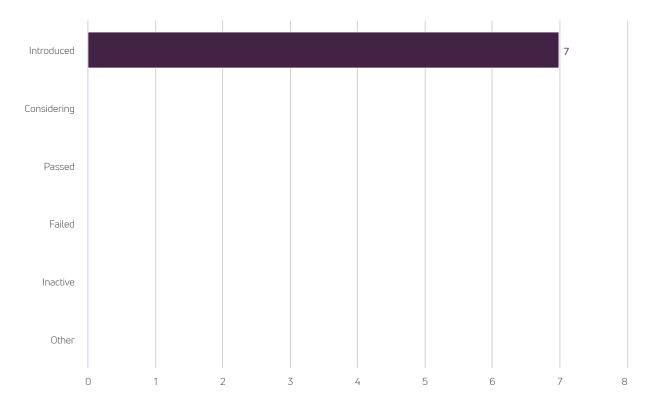
Regulations: 0 Regulations

### FEDERAL LEGISLATIVE UPDATE--FIRST SESSION, 118TH CONGRESS

A status summary of key legislation of interest related water resources, water quality and water supply

### Bills by Status

Bills by Status

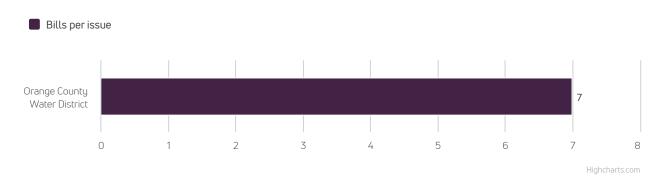


Highcharts.com

### Bills by Status & Position



### Number of Bills Per Issue



# Orange County Water District Bills

7 Bills

# US S 2162

Title: STREAM Act

Current Status: Introduced Introduction Date: June 22, 2023

Last Action Date: Committee on Energy and Natural Resources Subcommittee on Water and

Power. Hearings held.. July 19, 2023

**Summary:** S. 2162 is an introduction of legislation to renew expiring provisions of the WIIN Act. It is notable for its increased funding authorizations for surface and groundwater storage projects, water recycling, desalination, and ecosystem restoration projects. Among the changes that would be authorized would be priorities for water supply projects that include enhanced public benefits (fisheries, wildlife and disadvantage communities drinking water reliability. The

legislation would also provide for enhanced water transfers to support temporary fallowing of agriculture lands to support wildlife habitats.

**Location:** United States

### US HR 3027 ◆ Monitor

Title: Reclamation Climate Change and Water Program Reauthorization Act of 2023

Current Status: Introduced

Introduction Date: April 28, 2023

Last Action Date: Subcommittee Hearings Held. June 14, 2023

Summary: Would extend, through FY 2033, the U.S. Department of the Interior - Bureau of Reclamation Climate Change and Water Program, which expires at the end of FY 2023. The program requires the Bureau, in consultation with other federal agencies to deliver a report to Congress, every five years, on the impact of global climate change on the operations of the each major reclamation river basin. The report includes a mitigation and adaptation strategy and authorizes a feasibility study on impact of a strategy on "construction of any water supply, water management, environmental, or habitat enhancement water infrastructure." No direct funding is authorized for the program. Rep. Melanie Ann Stansbury (D-NM) is an original cosponsor.

**Location:** United States

#### 

Title: WATER for California Act Current Status: Introduced

Introduction Date: January 09, 2023

Last Action Date: Ordered to be Reported (Amended) by the Yeas and Nays: 22 - 17.. April 28,

2023

Summary: H.R. 215 is a reintroduction of legislation from the 117th Congress. It would mandate Alternative 1 of December 2019 BiOp to be the preferred alternative, maximize water deliveries to CVP contractors, deem that CVPIA habitat restoration program completed, extend WIIN Act authorization of surface water storage projects to 2028, authorize Shasta "raise", and extend CVP/SWP coordinated operations language of WIIN Act through 2033. On April 27, the House Committee on Natural Resources ordered reported H.R. 215 as amended with a McClintock (R-CA) amendment that would centralize environmental reviews and permit approvals within USBR. **Description:** Working to Advance Tangible and Effective Reforms for California Act or the WATER for California Act This bill addresses the operation of the Central Valley Project (CVP), a federal water project in California owned and operated by the Bureau of Reclamation, and the California State Water Project (SWP), which is operated jointly with the CVP. Specifically, the bill requires that Reclamation operate the CVP and SWP pursuant to a specified alternative to a proposed action in a final environmental impact statement and 2019 agency published Biological Opinions (BiOps). The bill also requires Reclamation and the Department of Commerce to submit a justification to Congress that meets certain requirements prior to requesting or completing a reinitiation of consultation that will result in new BiOps. This bill also requires Reclamation to

allocate water to existing agricultural water service contractors within the CVP's Sacramento River Watershed based on the water year type (e.g., dry, wet....

**Location:** United States

### **US HR 1729**

Title: Water Affordability, Transparency, Equity, and Reliability Act of 2023

Current Status: Introduced

Introduction Date: March 22, 2023

Last Action Date: Referred to the Subcommittee on Commodity Markets, Digital Assets, and

Rural Development.. April 25, 2023

**Location:** United States

### US S 938

Title: Water Affordability, Transparency, Equity, and Reliability Act of 2023

Current Status: Introduced

Introduction Date: March 22, 2023

**Last Action Date:** Read twice and referred to the Committee on Finance.. March 22, 2023 **Summary:** S. 938 would establish a \$35 billion trust fund to support the construction of water and wastewater treatment systems. Funding would be derived from an increase in the corporate tax rate. The bill also imposes requirements for Department of Justice and USEPA to carryout activities to determine whether water and wastewater operators discriminate in the provision of services. USEPA must also investigate the impact of rates on service cut-offs. Additional provisions would address use of assistance to promote regionalization of systems and limitations on the use of federal assistance to support projects that address growth. The bill enjoys 500 NGO organizational support. It has five cosponsors. House companion bill, H.R. 1729 is cosponsored by Lee, DeSaulnier and Huffman along with 69 other House Democrats.

**Location:** United States

#### 

**Title:** Protect Our Water Rights Act

Current Status: Introduced

Introduction Date: January 11, 2023

Last Action Date: Referred to the Subcommittee on Water, Wildlife, and Fisheries.. February 21,

2023

**Summary:** H.R. 289 would require that CVP water contract holders be provided maximum water allocations during normal and above normal water years. It would also reduce O&M repayments based upon actual water deliveries.

**Description:** Protect Our Water Rights Act This bill requires the Bureau of Reclamation to modify the operation of water service contracts for the Central Valley Project (CVP) in California and the

Klamath River Basin Reclamation Project in California and Oregon. Reclamation owns and operates the CVP, a federal water project consisting of a network of dams, reservoirs, and other facilities. CVP water is delivered to users that have contracts with Reclamation, but dry conditions have resulted in Reclamation reducing the water allocations for contracted water supplies. This bill requires Reclamation to allocate to existing agricultural water service contractors within the CVP's Sacramento River Watershed (1) 100% of the contracted amount of water in a wet or above normal year, (2) not less than 75% of the contracted amount in a below normal year, and (3) not less than 50% of the contracted amount in a dry or critically dry year. Reclamation must hold at least one in-person field hearing in each co....

**Location:** United States

### **US HR 186**

Title: Water Supply Permitting Coordination Act

Current Status: Introduced

Introduction Date: January 09, 2023

Last Action Date: Referred to the Subcommittee on Water, Wildlife, and Fisheries.. February 21,

2023

**Summary:** Establishes a framework for federal agencies with permitting responsibilities for the construction of new reservoirs. Establishes the Bureau of Reclamation as the lead agency for coordinating all reviews, analyses, opinions, statements, permits, licenses, or other approvals or decisions required under Federal law to construct qualifying projects constructed on lands administered by the Department of the Interior or the Department of Agriculture. Includes Stateled projects (identified in section 4007(a)(2) WIIN Act) for new surface water storage projects.

**Description:** Water Supply Permitting Coordination Act This bill makes the Bureau of Reclamation the lead agency for the purpose of coordinating all permitting and related activities required to construct certain new surface-water storage projects. Specifically, Reclamation must identify, notify, and coordinate all Federal agencies that may have jurisdiction over a review, analysis, opinion, statement, permit, license, approval, or decision for a qualifying project. A state where a project is being considered may also choose to participate as a cooperating agency. Reclamation's coordination responsibilities include (1) preparing a unified environmental review document, and (2) maintaining a consolidated administrative record and project data records. Additionally, Reclamation is authorized to accept and expend funds contributed by a nonfederal public entity to expedite the evaluation of a permit for such a project.

Location: United States

### **AGENDA ITEM SUBMITTAL**

**Meeting Date**: September 7, 2023 **Budgeted:** Yes

To: Communications/Leg. Liaison Cte.

Board of Directors

From: Mike Markus

Staff Contacts: G. Ayala/C. Nettles

Budgeted Amount: \$100,000 Cost Estimate: \$100,000

Funding Source: 1012.51119
Program/Line Item No.: 9959
General Counsel Approval: N/A
Engineers/Feasibility Report: N/A

**CEQA Compliance**: N/A

Subject: 2023 OC WATER SUMMIT UPDATE

### **SUMMARY**

The 15<sup>th</sup> annual OC Water Summit (Summit) will be held Friday, October 13, 2023. Staff will provide a verbal update on event planning.

### RECOMMENDATION

Informational

### DISCUSSION/ANALYSIS

The OC Water Summit is an annual conference bringing together hundreds of water industry professionals, elected officials, and others to discuss important water issues and solutions.

The 15<sup>th</sup> annual Summit will be held Friday, October 13, 2023, at the Westin South Coast Plaza in Costa Mesa. This year's theme is "Finding Reliability." The Summit includes four sessions. Fritz Coleman will serve as event emcee.

As of September 1, \$45,000 has been raised in sponsorships and 178 people are registered to attend.

The Summit is presented jointly by the Orange County Water District and Municipal Water District of Orange County. Staff will continue to provide event updates as planning progresses.

### AGENDA ITEM SUBMITTAL

Meeting Date: September 7, 2023 Budgeted: N/A

Budgeted Amount: N/A Cost Estimate: N/A

To: Communications/Leg. Liaison Cte

Board of Directors

Funding Source: N/A

Program/Line Item No.: N/A
General Counsel Approval: N/A
Engineers/Feasibility Report: N/A

Staff Contact: G. Ayala/C. Nettles CEQA Compliance: N/A

**Subject: PUBLIC AFFAIRS OUTREACH REPORT (August 2023)** 

### **SUMMARY**

From: Mike Markus

Outreach for the Orange County Water District (OCWD; the District) and its programs and projects continue in an in-person and virtual format.

### Attachment(s):

August 2023 Media Clips Report

### RECOMMENDATION

Informational

### **DISCUSSION/ANALYSIS**

### **Tours**

Nearly 70 people attended tours in August.

### August tours:

- August 8 Costa Mesa Sanitary District
- August 4 Public Tour
- August 10 Bottle Water Association
- August 17 Encina Waste Water
- August 23 MWDOC Employees

### Upcoming tours:

- September 1 Public Tour
- September 5 OC San Employees
- September 5 OC Grand Jury
- September 11 Water Replenishment District
- September 12 OC San Employees
- September 13 Korean Delegation
- September 15 Public Tour
- September 26 EVOQUA
- September 28 Director Amezcua

A 30-minute <u>on-demand technical virtual tour</u> is available on the District's social media channels. The tour, in all forms, has been viewed more than 8,100 times. A 10-minute <u>on-demand general virtual tour</u> has been viewed more than 4,000 times.

### Speakers Bureau/Media

As part of OCWD's standard to forge and maintain long-term, positive, and proactive relationships with members of the community and be transparent about its operations and programs, OCWD board members and staff participate, regularly, at conferences and events and speak before civic groups.

### August Speakers Bureau:

- August 1-2 Recharge Planning Manager Adam Hutchinson spoke on FIRO during two sessions at the 10<sup>th</sup> annual FIRO Workshop
- August 2 Executive Director of Operations Mehul Patel presented on the GWRS during the session "Critical Infrastructure and Partnerships on the Road Towards Water Resiliency" at the California Adaptation Forum
- August 11 Communications Specialist Rose Wilke hosted an OCWD information table at the BIA Southern California Water Conference
- August 15 Executive Director of Operations Mehul Patel provided a water supply and PFAS briefing to the city of Fullerton City Council
- August 15 Executive Director of Water Quality and Technical Resources Jason Dadakis provided a water supply and PFAS briefing to the city of Anaheim City Council

### Upcoming Speakers Bureau:

- September 8 PUB & Global Water Research Coalition Conference
- September 8 8<sup>th</sup> annual California water Data Summit
- September 12 Huntington Beach Kiwanis
- September 12-14 Western Groundwater Congress
- September 13 City of Westminster Briefing
- September 19 City of Santa Ana Briefing
- September 23-24 Westminster Fall Festival
- October 2 WEFTEC
- November 2 American Water Works Association
- November 5-7 WateReuse CA Conference

### <u>Webinar</u>

OCWD hosted the webinar "Artificial Intelligence in the Water Industry" on August 1. Speakers included Megan Plumlee, Ph.D., P.E., Research Director, Orange County Water District; Kate Newhart, Ph.D., Assistant Professor of Environmental Engineering, U.S.

Military Academy West Point; and Kyle Thompson, Ph.D., P.E., Reuse Lead Technologist & National PFAS Lead, Carollo Engineers. Approximately 270 people attended live. The webinar recording has received 341 views as of August 30.

### Media Clips

In August, there were 24 global news hits for OCWD, the GWRS and other District programs and projects with a total reach of 10.38 million. The media clip report for August (as of August 30) is attached.

### **Social Media**

The District engages 16,953 followers on its social media channels. Below are statistics for OCWD's social media for August (as of August 30).

### OCWD's Twitter page @OCWDWaterNews

• Followers: 5,510

Posts: 21

• Impressions: 4,803 (more than double previous month)

### OCWD's Facebook @OCWaterDistrict

• Followers: 1,946

• Posts: 15

• Engagement: 483

• Reach: 1,456

### OCWD's LinkedIn (Orange County Water District)

• Followers: 7,185 (increase of 100+ from previous month)

Posts: 15

• Engagement: 1,094 (more than double previous month)

• Impressions: 15,100

### OCWD's Instagram @ocwd

• Followers: 1,703

Posts:10Reels: 2

Stories 43

• Engagement: 119

• Reach: 900

### OCWD's TikTok

Followers: 12Videos: 2Views: 1,795

### OCWD's Threads

• Followers: 150

• Posts: 4

• Engagement: 5

### OCWD's YouTube

Subscribers: 447

Videos: 2Views: 440

### A sampling of top performing social media posts:







### **Website Analytics**

Below are August analytics for OCWD's website (as of August 29). All numbers reflect external visitors, not internal OCWD traffic.

- Users: 7,290 (an increase of ~500 from the previous month)
- Sessions: 9,214 (an increase of ~300 from previous month)
- Page views: 18,796 (an increase of ~3,000)
- Top five pages:

Home: 3,803GWRS: 1,494

Meeting agenda minutes: 602

Careers: 590About: 519

### **Electronic Publications and Videos**

Staff wrote and distributed the August issue of Hydrospectives, OCWD's monthly enewsletter.

Staff wrote and distributed two press releases:

- Orange County Water District Successfully Captures Rainfall from Tropical Storm Hilary to Bolster Local Drinking Water Supplies
- Groundwater Replenishment System Final Expansion Wins Award from California Association of Sanitation Agencies

Staff produced and published two videos:

- WEBINAR: Artificial Intelligence (AI) in the Water Industry
- The Groundwater Replenishment System

### **Awards**

The GWRS Final Expansion received the 2023 Award of Excellence, Capital Project from the California Association of Sanitation Agencies.

The GWRS Final Expansion received the Innovative Project of the Year (Large District) award from the California Special Districts Association.

### **Events**

OCWD cohosted an employee luncheon for District and OC San staff to celebrate the GWRS Final Expansion.

Planning began for the Groundwater Adventure Tour, which will take place Friday, October 27. Registration opened in late August and reached capacity within one week. Registrants and waitlisted attendees include 62 water industry personnel/vendors, 36 members of the public, 12 educators/students, and five elected officials.

# OCWD BRAND MEDIA CLIPS AUGUST 2023

	Date	Media Outlet	Title	Country	Link	Total Readership
1	8/30/2023	KOVR-SAC (CBS)	CBS13 News at 6am	United States	https://app2.cision.com/#/articles/1500016882945 62	18,946
2	8/30/2023	KMAX-SAC (CW)	CBS13 Mornings	United States	https://app2.cision.com/#/articles/1500016882941 64	16,251
3	8/30/2023	KION (CBS)	Wake Up KION 5/46 News Channel	United States	https://app2.cision.com/#/articles/1500016882934 07	1,086
4	8/30/2023	KION (CBS)	Wake Up KION 5/46 News Channel	United States	https://app2.cision.com/#/articles/1500016882574 75	740
5	8/30/2023	KCBS-LA (CBS)	CBS This Morning	United States	https://app2.cision.com/#/articles/1500016882489 75	11,712
6	8/29/2023	KPIX-SF (CBS)	CBS News Bay Area with Juliette Goodrich - 7PM	United States	https://app2.cision.com/#/articles/1500016879343 70	35350
7	8/29/2023	KCBS-LA (CBS)	KCAL News 5p on CBS Los Angeles	United States	http://archive.tveyes.com/8383/14379/2549010d- 78fe-4cf3-9a14-97f79d8ba860/KCBS 08-29-	67890
8	8/29/2023	KCBS-LA (CBS)	KCAL News 5p on CBS Los Angeles	United States	https://app2.cision.com/#/articles/1500016878770 69	85039
9	8/27/2023	San Francisco Chronicle	State now nearly drought-free after Hilary	United States	https://app2.cision.com/#/articles/51641433995	4,701,095
10	8/25/2023	Water Well Journal	NGWA Announces 2023 Industry Award Winners	United States	https://waterwelljournal.com/ngwa-announces-2023-industry-award-winners/	8,743
11	8/25/2023	National Ground Water Association	NGWA announces 2023 industry award winners	United States	https://www.ngwa.org/detail/news/2023/08/25/ngwa-announces-2023-industry-award-winners	4,387

# OCWD BRAND MEDIA CLIPS AUGUST 2023

	Date	Media Outlet	Title	Country	Link	Total Readership
	Date	Wiedia Outlet	WEEKLY WATER NEWS DIGEST for	Country	LIIIK	Reducisiiip
			Aug. 20-25: Should CA expect more			
			tropical storms like Hurricane Hilary?;		https://mavensnotebook.com/2023/08/25/weekly-	
			Would filling a new reservoir give off		water-news-digest-for-aug-20-25-should-ca-expect-	
			lots of greenhouse gases?;		more-tropical-storms-like-hurricane-hilary-would-	
			Rulemaking begins on water		filling-a-new-reservoir-give-off-lots-of-greenhouse-	
12	8/25/2023	CAWG	conservation regs; and more	United States	gases-rulemaking-begins-on-water-cons/	4,882
					https://www.waterworld.com/drinking-water/press-	
l			Orange County Water District captures		release/14298185/orange-county-water-district-	
13	8/25/2023	WaterWorld	Hilary rainfall to bolster water supplies	United States	captures-hilary-rainfall-to-bolster-water-supplies	29,546
		San Francisco	  California drought: How Hilary's historic			
111	8/24/2023	Chronicle	rains impacted most parched cities	United States	https://app2.cision.com/#/articles/51632073129	5,191,369
14	0/24/2023	Cilionicie	Orange County Water District	Officed States	https://appz.cision.com/#/articles/31032073129	3,191,309
			Successfully Captures Rainfall From		https://www.wateronline.com/doc/orange-county-	
			Tropical Storm Hilary To Bolster Local		water-district-successfully-captures-rainfall-water-	
15	8/24/2023	Water Online	Drinking Water Supplies	United States	supplies-0001	33,460
		Spectrum News				
		1 (San Fernando				
16	8/23/2023	Valley)	Your Afternoon on Spectrum News 1	United States	https://app2.cision.com/#/articles/150001683533313	7,549
		Spectrum News				
		1 (San Fernando				
17	8/23/2023	Valley)	Your Morning on Spectrum News 1	United States	https://app2.cision.com/#/articles/150001683337818	12,651
		Spectrum News				
18	8/23/2023	1 (San Fernando	Vour Marning on Chaptrum Nous 1	United States	https://app2.cision.com/#/articles/150001683278537	15,852
18	8/23/2023	Valley) Spectrum News	Your Morning on Spectrum News 1	United States	nttps://appz.cision.com/#/articles/150001683278537	15,852
		1 (San Fernando				
19	8/23/2023	Valley)	LA Times Today	United States	https://app2.cision.com/#/articles/150001683171056	5,149
٣	5,25,2525	1.35)		Canton Otatoo	https://www.coastalview.com/news/capp-is-	3,110
		www.coastalview.	CAPP is Carpinteria's water future		carpinteria-s-water-future/article 66251888-3c89-	
20	8/16/2023	com	News   coastalview.com	United States	11ee-991f-632ebbb80391.html	10,863

# OCWD BRAND MEDIA CLIPS AUGUST 2023

	Dete	Madia Outlet	Tial	O		Total
	Date	Media Outlet	Title	Country		Readership
					https://my.lwv.org/california/orange-	
			Climate Change Task Force News		coast/article/climate-change-task-force-news-august-	
21	8/13/2023	my.lwv.org	August 2023	United States	<u>2023</u>	54,082
		Center for				
		Western	FIRO-MAR Workshop Highlights			
		Weather and	Lessons Learned from Water Year		https://cw3e.ucsd.edu/firo-mar-workshop-highlights-	
22	8/10/2023	Water Extremes	2023	United States	lessons-learned-from-water-year-2023/	4,576
					https://www.waterworld.com/home/article/14297327/r	
23	8/4/2023	WaterWorld	Removing PFAS from drinking water	United States	emoving-pfas-from-drinking-water	29,546
			Harnessing the Power of UV		https://informedinfrastructure.com/89006/harnessing-	
		Informed	Treatment: Driving Global Momentum		the-power-of-uv-treatment-driving-global-momentum-	
24	8/2/2023	Infrastructure	for Sustainable Wastewater Reuse	United States	for-sustainable-wastewater-reuse/	24,643
					TOTAL READERSHIP	10,375,407