



CALAVERAS COUNTY WATER DISTRICT LEGAL AFFAIRS COMMITTEE MEETING

AGENDA

**August 3, 2021
2:00 p.m.
CCWD Board Room**

**Calaveras County Water District
120 Toma Court
San Andreas, California 95249**

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- 1. CALL TO ORDER / PLEDGE OF ALLEGIANCE**
- 2. PUBLIC COMMENT:**
- 3. APPROVAL OF MINUTES:**
 - a. Approval of Minutes for the April 6, 2021 Committee Meeting
- 4. NEW BUSINESS**
 - a. Federal Legislative Update
(Mia O'Connell, O'Connell & Dempsey and Michael Minkler, General Manager)
 - b. State Legislative Update
(Michael Minkler, General Manager)
- 5. OTHER BUSINESS**

6. **GENERAL MANAGER COMMENTS**

7. **DIRECTOR COMMENTS**

8. **FUTURE AGENDA ITEMS**

9. **NEXT COMMITTEE MEETING** Tuesday, October 5, 2021, 2:00 p.m.

10. **ADJOURNMENT**



CALAVERAS COUNTY WATER DISTRICT LEGAL AFFAIRS COMMITTEE MEETING

MINUTES APRIL 6, 2021

The following Committee Members were present:

Director Ratterman
Director Davidson

Staff Present:

Michael Minkler, General Manager
Rebecca Hitchcock, Clerk to the Board
Brad Arnold, Manager of Water Resources
Jessica Self, External Affairs Manager

Others Present:

Mia O'Connell, O'Connell & Dempsey

ORDER OF BUSINESS

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Director Ratterman called the meeting to order at 2:02 p.m.

2. PUBLIC COMMENT:

There was no public comment.

3. APPROVAL OF MINUTES:

3a Approval of Minutes for the February 2, 2021 Committee Meeting

Directors Davidson/Ratterman Approved Minutes from the Legal Affairs Committee meeting of February 2, 2021.

4. NEW BUSINESS

4a Federal Legislative Update
(Mia O'Connell, O'Connell & Dempsey and Michael Minkler, General Manager)

Discussion: Ms. O’Connell reported on the following items: 1) the House has allowed Earmark funding for the Fiscal Year 2022 Appropriations; 2) the various options the District has for earmark funding requests; 3) a grant opportunity from the EPA for Wastewater Improvements; 4) the Biden Administration Infrastructure package proposal; and 5) the scheduling of the virtual Washington, D.C. conference in May.

4b State Legislative Update
(Michael Minkler, General Manager)

Discussion: Mr. Minkler reported on the following items: 1) the Bureau of Reclamation funding update; 2) SB 222 and SB 223 Water Affordability Assistance Program needs significant work to make it a reasonable, efficient, and effective state-wide low-income rate assistance program. It is likely the authors will address comments received from a joint water agency coalition letter and amend this bill.; 3) requested SB 323 Water/Sewer Rates be taken to the full Board. If passed this bill will still allow customers to bring challenges forward within a reasonable, but limited amount of time. The Committee agreed to take SB 323 to the full Board for consideration; 4) AB 1376 Water Quality: State Certification. FERC relicensing includes the requirement to obtain a water quality certification from the State Water Resources Control Board. Water quality certifications can result in significant costs and operational impacts to public water agencies and should not become final without clear and coherent opportunities that allow the public to review, comment, or provide feedback. ACWA has taken a support position on this bill and hydropower agencies are in strong support of this bill; 5) AB 1431 Forest Carbon Plan: State Goals. Existing law requires the Department of Forestry and Fire Protection to implement various fire protection programs intended to protect forest resources and prevent uncontrolled wildfires. This bill would establish state goals for fuel treatment and vegetation management; and 5) AB 703 Open Meetings: Local Agencies: Teleconference. AB 703 is an attempt to modernize remote meeting requirements. It would eliminate “teleconference locations” for the public and would eliminate the requirement that at least a quorum of members of a legislative body participating remotely to be located within the agency’s jurisdiction to establish a quorum. This is one of several bills proposing changes to the Brown Act.

5. OTHER BUSINESS

Mr. Arnold on the Urban Water Management Plan and the additional regulatory requirements it has. He also discussed the America’s Water Infrastructure Act which will require a Risk and Resiliency Assessment draft by July 1, 2021 as well as an Emergency Response Plan by the end of the year.

6. GENERAL MANAGER COMMENTS

Discussion: Mr. Minkler reported on a meeting with John Kingsbury, Interim General Manager at CPUD.

7. DIRECTOR COMMENTS

Director Davidson had nothing to report.

Director Ratterman had a lunch meeting with John Kingsbury and a Director from TUD.

8. FUTURE AGENDA ITEMS

Director Ratterman would like an update on Earmarks with Congressman McClintock.

9. NEXT COMMITTEE MEETING

Tuesday, June 1, 2021, 2:00 p.m.

10. ADJOURNMENT

The meeting was adjourned at 3:05 p.m.

Respectfully Submitted,

Rebecca Hitchcock
Clerk to the Board

Agenda Item

DATE: August 3, 2021
TO: Michael Minkler, General Manager
FROM: Jessica Self, External Affairs Manager
SUBJECT: California State Legislative Update

RECOMMENDED ACTION:

Provide a general update and discussion on legislative affairs including the following California State legislative affairs topics. Staff recommends the Legislative Affairs Committee forward specific topic(s) to the Board of Directors for additional consideration or to make formal positional statements, as applicable.

SUMMARY:

Below is a list of California state legislative affairs topics for review and discussion during the Calaveras County Water District (CCWD) Legal Affairs Committee (LAC) meeting, as reviewed by CCWD staff:

1. **DELINQUENCIES:** The California Covid-19 moratorium on water shutoffs due to non-payment is scheduled to end September 30th. In anticipation of a large proportion of customers still in delinquent status after the moratorium is lifted, staff are conducting targeted outreach to encourage at a minimum, partial payments. In addition, staff are educating customers that they can enroll in CCWD's customers alternative payment plan.

Currently, staff are looking into grants and other funding sources to offset the financial loss of revenue including: direct funding for customers to take advantage such as the California Covid-19 Rent Relief program (also known as the Hope Fund) and grant funds through ATTCA. Staff are closely monitoring State funding opportunities that CCWD or Calaveras County can administer.

2. **DROUGHT:** California has experienced the driest rainy season on record, reaching 126-year lows. Under the Urban Water Management Planning Act and CCWD's 2020 Water Shortage Contingency Plan, CCWD is currently in Stage 1, the Advisory Stage and is encouraging customers to voluntarily conserve 15% water use compared to 2020 levels. However, state officials may be providing updates to conservation efforts soon. Staff will discuss drought messaging efforts and the current water supply and stored water status for CCWD as well as the most current State mandates.

On July 29th, ACWA submitted a comment letter for the State Water Resources Control Board's consideration on the Draft Emergency Curtailment and Reporting Regulation for the Sacramento – San Joaquin Delta Watershed and Proposed Resolution. The State Water Board noticed that it will consider adoption of the Draft Emergency Regulation and Proposed Resolution during their August 3rd Board Meeting. CCWD Staff will provide the most current information during this legal affairs meeting.

3. CALIFORNIA ASSEMBLY BILL 148 (AB 148) | Water Arrearages & Drought

AUTHOR: Committee on Budget

SUMMARY: Governor Newsom signed AB 148, This bill contains provisions necessary to implement the 2021 Budget Act and includes:

Water Arrearages: The statutory provisions for the funding of COVID-19 water and wastewater arrearages. The SWRCB is required to adopt a resolution establishing guidelines for application requirements and reimbursement amount for arrearages and financial shortfalls for both water and wastewater treatment providers. This bill also prohibits a community water system from discontinuing water service due to nonpayment before September 30, 2021. The SWRCB will be coordinating with the Department of Community Services and Development to allocate funding to certain community water systems.

Drought: Provide drought relief by:

- A. Authorizing specified state agencies to make grants and direct expenditures to provide relief in response to address immediate impacts on human health and safety and fish and wildlife resources.
- B. Defining drought scenarios when the Governor has issued a proclamation of a state of emergency on drought conditions; or the SWRCB determines that drought conditions necessitate urgent and immediate action to ensure availability of drinking water or to protect serious and irreparable harm to fish and wildlife.