

RWA Legislative and Regulatory Advocacy Program

(Approved by the Board on September 10, 2015)

Introduction

The Regional Water Authority (RWA) Legislative and Regulatory Advocacy Program (Advocacy Program) has been created as part of the commitment to regional collaboration and unity in pursuit of the region's common goals as acknowledged by the "RWA 2018+ Strategic Plan". The intent of the Advocacy Program is to positively influence legislative and regulatory actions to protect, preserve and improve the region's water supply reliability.

This advocacy effort takes on many forms including high level commitment to increasing the region's profile in California water politics; a focused and agreed upon set of priorities; a clear and resolute set of Policy Principles to guide advocacy positions and decisions; and fostering beneficial coalitions with allied organizations. The success of these advocacy efforts will be directly linked to maintaining the level of excellence this region has demonstrated in the stewardship of our water resources. This stewardship has resulted in the preservation and enhancement of our local watersheds; protection of a federally designated Wild and Scenic River running through a metropolitan area of over 2 million people (the lower American River); and a reliable and diverse water supply supporting the growth of the local economy.

The Priority Issues and companion Policy Principles that are adopted by the RWA Board and included herein serve as the foundation for RWA's Advocacy Program. The Priority Issues are the long-standing, foundational issues that are at the core of RWA's mission and stand the test of time. An example of a Priority Issue adopted as part of the Advocacy Program is the "protection of the water rights and entitlements of RWA member agencies". Vigilant protection of these valuable, local assets will be a perpetual priority for RWA and its member agencies. The Policy Principles that support each of the Priority Issues are also long-term in nature though the RWA Advocacy Program should carefully consider and modify these on a regular basis to stay abreast of the ever-changing politics of California's water resources management.

Combined, the Priority Issues and Policy Principles adopted by the Board serve as the Advocacy Platform that will guide development of annual legislative and regulatory work plans. The advocacy platform allows RWA staff and member agencies to operate within an agreed upon set of guidelines when advocating for the region's common goals. *(Currently, a contract lobbyist paid for by 10 RWA member agencies supports the Advocacy Program, and the program is staffed on a half-time basis. Consistent with the Strategic Plan, it is a goal of RWA to eventually support full-time staffing and expand participation in funding the lobbyist.)*

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Following the Priority Issues and Policy Principles are the guidelines the Advocacy Program will use for determining recommended positions and prioritizing legislation that is introduced as part of each legislative session.

Finally, this document includes an overview of the California legislative process and calendar, as well as an overview of key state agencies in which we engage.

Priority Issues

- **Ensure a Diverse, Resilient, and Reliable Water Supply**

Conjunctive use of surface and groundwater resources along with cost-effective investments in recycled water, stormwater capture, water efficiency, and water conservation can significantly drought proof the region's water supply, protect the region's water resources and environment, and assure the continued growth of the region's economy.

Policy Principles

- Promote legislative and regulatory measures that enhance local agencies ability to share regional water resources.
- Support and participate in Folsom Reservoir and Central Valley Project operational improvements to assure a reliable surface water supply to RWA agencies.
- Develop infrastructure necessary to access surface water entitlements.
- Advance efforts to streamline CEQA compliance for water resource projects that diversify or strengthen this regions water supply reliability.
- Promote and support amendments to SGMA and development of regulations that enhance water supply reliability and protect groundwater resources.
- Support measures that help expedite and cost-effectively integrate new water resources such as stormwater reuse and recycled water into the regions water supply portfolio.
- Continue to increase conjunctive use capabilities within the region.
- Sponsor and/or support legislation that guarantees investments made in regional water supply reliability and drought resilience are available for their intended purposes.
- Support cost-effective surface water and groundwater storage projects.

RWA Legislative and Regulatory Advocacy Program

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Priority Issues (Continued)

- **Protect the Water Rights and Entitlements of RWA Member Agencies**

Water rights issues are complex and contentious. This region's surface water rights and entitlements and long-standing management of groundwater resources have been critical in the shaping of the local economy and are vital for the future. Our reasonable use of water has and will continue to assure the region's water rights and entitlements provide the region with abundant, affordable and high quality water while maintaining and protecting the environmental resources of the Lower American River and the region's watersheds.

Policy Principles

- Support and defend the existing water rights priority system.
- Support enforcement of the existing water rights laws.
- Maintain area-of-origin protections.
- Oppose any unreasonable curtailments of our area's water rights that impact our beneficial use of water.
- Promote legislation that supports and clarifies the multiple beneficial uses of water.
- Support legislation and regulatory action that allows for retaining groundwater rights.
- Support new laws, policies, and regulations embracing the concept that recognize inherent regional differences that drive water use efficiency and conservation.
- Ensure that water rights are preserved in the context of conserving water.
- Promote system operations that ensure delivery of water supplies based on water rights and contract obligations.
- Proactively engage with the SWRCB on the Delta tributary flow process.

RWA Legislative and Regulatory Advocacy Program

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Priority Issues (Continued)

- **Maximize Funding Opportunities Beneficial to RWA Member Agencies**

The region is prepared to make and support investments that will improve water supply reliability and protect the environment, including the Lower American River. Large-scale infrastructure projects such as improvements at Folsom Reservoir, increased or new storage capacity, additional facilities on the Sacramento River, and expanded groundwater, recycled water, transmission and distribution facilities will help prepare the region for the future while protecting the environment and increasing water supply reliability.

Policy Principles

- Actively engage in legislative and regulatory initiatives that consider the development of a public goods charge.
 - Develop RWA policy on public goods charges.
- Assure that any funding that is extracted from this region be returned to this region for the benefit of this region.
- Support policies that provide funding allocations based on merit of the project and the impact or benefit.
- Promote the statewide benefits that our actions provide due to our unique location within the State's water system.
- Support Proposition 218 reform that improves water agencies ability to fund programs that help diversify the region's water supply portfolio.
 - Develop RWA policy on Proposition 218 reforms.
- Promote statewide funding to increase flexibility for the CVP.
- Support legislation that provides funding for local and regional water resources infrastructure projects.
- Support funding for agencies to develop and utilize storm water capture projects.
- Ensure state funding is available for state imposed mandates.

RWA Legislative and Regulatory Advocacy Program

(Approved by the Board on September 10, 2015)

Priority Issues (Continued)

- **Promote Balanced Statewide Water Management Solutions Beneficial to the Greater Sacramento Region**

RWA recognizes the need for a statewide water plan that assures a reliable water supply for all regions in the state. RWA supports a statewide solution, including protection of the Delta that is balanced and beneficial to the Sacramento region's water supply reliability.

Policy Principles

- Ensure improvements or modifications to the statewide water system are protective of this region's water supply.
- Support statewide water plans and policies that recognize and honor previous investments made to assure this region's water supply reliability.
- Promote a statewide drought action plan that acknowledges this region's investment in drought resiliency.
- Encourage revisions to policies and operations that streamline water transfers.
- Support statewide water storage solutions that provide benefit or are neutral to the region's water supply reliability and flood protection.
- Encourage statewide water planning efforts that recognizes water management differs based on climate, population density, return flows, and other regional geographic and hydrologic factors.
- Promote modifications to state and federal operations that protect the region's ability to use regional resources.

RWA Legislative and Regulatory Advocacy Program

(Approved by the Board on September 10, 2015)

Priority Issues (Continued)

- **Promote Water Efficiency and Water Conservation**

Our region invests in water efficiency and water conservation that are locally cost effective, feasible, and improve the water supply reliability of the region. Water efficiency makes good business sense and is key to assuring we continue our reasonable use of water consistent with our water rights and contracts.

Policy Principles

- Unique factors such as climate, land use, and return flows must be taken into consideration when developing statewide laws and regulations.
- Promote policies that recognized the differences between water efficiency and water conservation.
- Promote a better understanding of water use efficiency based on local supplies and site-specific factors.
- Define appropriate water conservation requirements that consider local supplies.
- Develop partnerships with other local agencies on public affairs campaigns/messaging.
- Promote public-private partnerships with local businesses that lead to greater water efficiency and benefit the local economy.
- Support a state led effort to establish rate stabilization funds programs that are consistent with state laws.
- Assure that the region receives the benefit of its water conservation efforts.

RWA Legislative and Regulatory Advocacy Program

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Priority Issues (Continued)

- **Support Stewardship of the Region's Environmental Resources**

The region's management of water resources is committed to the preservation of the Lower American River (LAR) and tributary watersheds as demonstrated by the historic Water Forum Agreement enacted in 2000. The LAR is a federally designated Wild and Scenic River running through a metropolitan area of over 2 million people that still supports one of the prime cold water fisheries in the State and is home to Chinook Salmon and threatened Central Valley Steelhead.

Policy Principles

- Support flow management standards that protect the ecosystem of the Lower American River, prevent dead pool conditions in Folsom Reservoir, and improve flood safety.
- Promote legislative and regulatory initiatives supporting conjunctive use that will make more surface water available for the Lower American River in dry years.
- Implement infrastructure projects that will improve temperature control and access to cold water at Folsom Reservoir.

RWA Legislative Analysis Process

- **Process for Adopting Positions on Introduced Legislation**

The Priority Issues and Policy Principles will be adopted by the RWA Board and serve as the Advocacy Platform, for which RWA works from in the legislative and regulatory arenas.

Each new legislative session, RWA staff and the contract lobbyist will screen newly introduced legislation using the adopted Advocacy Platform as a guide. Bills that are relative to RWA's platform or are otherwise considered noteworthy to RWA interests are presented to the Lobbyist Subscription Program (LSP) Committee for analysis and consideration.

Through this collaborative process, the LSP Committee determines a recommended position on each bill and then assigns a priority (see the list of formal positions and priorities below). During this process, bills may be removed from further consideration and additional bills may be added to RWA's list based on input from the LSP Committee or other factors. The Committee's

RWA Legislative and Regulatory Advocacy Program

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RWA Legislative Analysis Process (Continued)

recommendations are taken to the RWA Executive Committee for further discussion and approval, consistent with RWA Policy 100.5.

Many of these initial positions and priorities will change as bills are amended throughout the course of the legislative process. The LSP Committee will be routinely updated on the status of bills as they move through the legislative process and will decide upon changes in position and priority as the process dictates. In time sensitive situations, RWA staff may change a current position and/or priority with the approval of the RWA Executive Director and concurrence of general counsel. Such changes will be done using the adopted Advocacy Platform as guidance. The LSP Committee will be updated of changes as soon as possible and the Executive Committee will be asked to ratify such changes at its first meeting following the changes.

- **Formal Positions**

Support - A bill that would benefit RWA or one or more RWA members (without detriment to others), and/or is generally good public policy

Support if Amended - A bill that could benefit RWA, or one or more RWA members, if amended. This position implies that RWA is ready to offer specific amendments.

Oppose - A bill detrimental to RWA or one or more RWA members.

Oppose Unless Amended - A bill that is detrimental to RWA or one or more RWA members, that could be amended to remove the detrimental provisions. This position implies that RWA is ready to offer specific amendments, and will move to a neutral position if accepted.

Watch - A bill of interest to RWA and its members that does not affect RWA directly, or for other reasons does not yet merit a position. May be a “spot” or “intent” bill that does not yet have meaningful language.

Neutral - Generally a bill from which we have removed an Oppose or Oppose Unless Amended position due to amendments or other factors.

RWA Legislative Analysis Process (Continued)

RWA Legislative and Regulatory Advocacy Program

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- **Bill Priorities**

High Priority - A bill of major significance with direct impact to RWA or a number of RWA members. RWA has a formal position and is actively lobbying, writing letters, offering amendments, testifying in committee, and taking other direct actions as necessary. “Watch” bills can be considered high priority, especially early in the legislative process, depending on the topic, the author, or other factors that warrant heightened monitoring.

Medium Priority - A bill of interest but not anticipated to have major significance to RWA or more than a few of its members. RWA has a formal position but is not actively lobbying legislators. RWA and/or RWA members may submit letters, provide testimony or take other actions as part of other groups or coalition or, in some situations, directly. Individual RWA members may be more active depending on the topic of the bill.

Low Priority - A bill in an area of interest to RWA, but with little potential impact. RWA will only have a Watch position on such bills. No immediate action is planned but these bills will be monitored to assure they don't evolve into a high priority status. Individual RWA members may be more active depending on the nature of the bill.

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The California Legislative Process Calendar

January – February

- Bills are introduced in their houses of origin. Most bills first go to the Legislative Counsel's Office where they are drafted into formal legislative language.
- Deadline for introducing bills to be heard that year is the end of the third week of February.
- Bill is given a "first reading" in its house of origin.

March – April

- Bills are heard in their respective policy committees.
 - Bills with a fiscal impact must be out by the beginning of May.
 - Bills without fiscal impact must be out by the beginning of the second week of May

May

- Fiscal committees in house of origin hear bills
- Bills go to the "floor" for vote by full house by last week of May.

June – August

- Process is repeated in the other house.
 - June through mid- August in policy committees
 - Second half of August considered by fiscal committees.

September

- Floor sessions held in both houses.
- All bills must be out of the legislature and to the Governor's desk by end of second week of September.
- Governor has until the end of September to act on bills.

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State Regulatory Agencies and Processes

- **State Water Resources Control Board**
 - Water Rights
 - Water Conservation
 - Drinking Water Program
 - Grants
 - Discharge Programs (through the Regional Water Quality Control Boards)

- **Department of Water Resources**
 - Sustainable Groundwater Management Act Regulations
 - Water Efficiency
 - State Water Project
 - Grants - IRWM