

## Bighorn-Desert View Water Agency



### Board of Directors

J. Larry Coulombe, President  
Michael McBride, Vice President  
Judy Corl-Lorono, Secretary  
J. Dennis Staley, Director  
Terry Burkhart, Director

Marina D West, P.G., General Manager

A Public Agency

Agency Office  
622 S. Jemez Trail  
Yucca Valley, CA 92284-1440

760/364-2315 Phone  
760/364-3412 Fax

[www.bdvwa.org](http://www.bdvwa.org)

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## Planning/Legislative/Engineering Grant & Security Standing Committee Regular Meeting Agenda

Tuesday, February 21, 2017 – 9:15 a.m.

Board Meeting Office

1720 N. Cherokee Trail, Landers, CA 92285

**Committee Members: Director Corl-Lorono & Director Burkhart**

The BDVWA Planning / Legislative / Engineering / Grant & Security Committee meeting will be conducted in strict compliance with the Brown Act. Members of the Board not assigned to this Committee who attend may do so only as observers and may not participate in the meeting.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Agenda**

**Discussion and Action Items** - The Committee and Staff will discuss the following items and provide direction to staff, if so inclined.

The Public is invited to comment on any item on the agenda during discussion of that item.

When giving your public comment, please have your information prepared. If you wish to be identified for the record then please state your name. Due to time constraints, each member of the public will be allotted three-minutes to provide their public comment.

**5. Conference Call with Mojave Water Agency's Legal/Legislative and Public Information Committee**

Committee to participate via teleconference for an update by the State Advocate of Issues at the State Level, as well as an update by the Federal Advocate of Issues at the Federal Level.

**6. Update on SB 415 (Hueso) Voter Participation**

**7. Update on SB 366 (Obernolte) Hauled Water New Residential Construction**

**8. Consent Items** - The following is expected to be routine and non-controversial and will be acted on by the Committee members at one time without discussion, unless a member of the Public or a Committee member requests that an item be held for discussion or further action.

- a. Regular PLEGS Committee Meeting Report, October 18, 2016

**9. Public Comment Period**

Any person may address the Committee on any matter within the Agency's jurisdiction on items not appearing on this agenda.

When giving your public comment, please have your information prepared. If you wish to be identified for the record then please state your name. Due to time constraints, each member of the public will be allotted three-minutes to provide their public comment. State Law prohibits the Committee from discussing or taking action on items not included on the agenda.

**10. Verbal Reports**

- a. Committee Members' Comments/Report
- b. General Manager's Report

**11. Adjournment**

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the Bighorn-Desert View Water Agency, 622 S. Jemez Trail, Yucca Valley, CA not less than 72 hours if prior to a Regular meeting, date and time above; or in accordance with California Government Code Section 54956 this agenda has been posted not less than 24 hours if prior to a Special meeting, date and time above.

As a general rule, agenda reports or other written documentation has been prepared or organized with respect to each item of business listed on the agenda.

Copies of these materials and other disclosable public records in connection with an open session agenda item, are also on file with and available for inspection at the Office of the Agency Secretary, 622 S. Jemez Trail, Yucca Valley, California, during regular business hours, 8:00 A.M. to 4:30 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 Bighorn-Desert View Water Agency.

Internet: Once uploaded, agenda materials can also be viewed at [www.bdvwva.org](http://www.bdvwva.org).

Public Comments: You may wish to submit your comments in writing to assure that you are able to express yourself adequately.

Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, should contact the Board's Secretary at 760-364-2315 during Agency business hours.



# Legal, Legislative and Public Information Committee

## AGENDA

**Mojave Water Agency**

**Board Room**

**13846 Conference Center  
Drive**

**Apple Valley, CA 92307**

**February 21, 2017**

**09:30 a.m.**

- 
- 1. Approve Agenda**
  
  - 2. Approve Meeting Summary from the Legal, Legislative, and Public Information Committee Meeting of January 17, 2017**  
  

*#* Meeting Summary
  
  - 3. Update by State Advocate of Issues at the State Level (teleconference)**  
  

*#* State Report
  
  - 4. Update by Federal Advocate of Issues at the Federal Level (teleconference)**  
  

*#* Federal Report
  
  - 5. Public Information Update**
  
  - 6. General Manager's Report**

**7. Public Participation**

**8. Comments/Discussion Items for Next or Future Agendas**

**9. Adjournment**

*Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in the above-agendized public meeting, should be directed to the Agency's General Manager's office at (760) 946-7008 at least 24 hours prior to said meeting.*

*Please visit our Facebook page at <http://www.facebook.com/mojavewater>*



## LEGAL, LEGISLATIVE, AND PUBLIC INFORMATION COMMITTEE MEETING

### MEETING SUMMARY January 17, 2017

#### CALL TO ORDER:

Chairperson Beverly Lowry called the meeting to order at 9:30 a.m.

#### ATTENDANCE:

- ✦ Committee – Chairperson Beverly Lowry, Director Richard Hall, and Director Thurston "Smitty" Smith
- ✦ Absent – None
- ✦ Staff – General Manager Kirby Brill, Community Liaison Officer Yvonne Hester, and Public Information Specialist Gloria Golike
- ✦ Consultants – State Advocates Ed Manning and Carolyn Jensen, KP Public Affairs and Federal Advocates Letitia White, Jean Denton, and Drew Tatum, Innovative Federal Strategies LLC joined by teleconference
- ✦ Others – Six guests were in the audience and three were online

#### 1. **Approve Agenda**

The agenda was agreed upon as presented.

#### 2. **Approve Meeting Summary from the Legal, Legislative, and Public Information Committee Meeting of November 15, 2016**

The meeting summary was agreed upon as presented.

#### 3. **Update by State Advocate of Issues at the State Level**

Ms. Jensen provided an update on the legislative calendar and the governor's budget. She also reported on the State Water Resources Control Board and provided updates on the Long-Term Water Conservation Regulation and Bay Delta Water Quality Control Plan.

Mr. Manning reported on the CA Senate and Assembly Committee chairs, legislative leadership priorities, and a few long-time issues, such as, the State Groundwater Management Act, the Delta Stewardship Council regarding the language on the reduced reliance on the Delta Plan, and the water bond.

#### 4. **Update by Federal Advocate of Issues at the Federal Level**

Ms. White provided an update on the status of the committees and administration in the New Year. She spoke about a possible new task force and what their responsibilities would be.

Mr. Tatum provided an update on the Waters of the U.S. and he also spoke on the Water Resources Development Act (WRDA) and he mentioned that it has been renamed the Water Infrastructure Improvements for the Nation Act.

Ms. Denton briefly spoke about the continuing resolution, appropriations, and other budgetary items regarding Fiscal Year 2017.

Ms. White mentioned that Congressman David Valadao reintroduced his drought bill. She stated that we need to continue to conserve water because "we are not out of the woods yet."

5. **Public Information Update**

Ms. Hester gave a PowerPoint presentation providing an update of recent events as well as future events. One upcoming event is the 2017 High Desert Water Summit. She mentioned that the focus is on high school students this year and she talked about the essay and video contests, which are underway now.

6. **General Manager's Report**

None noted.

7. **Public Participation**

None.

8. **Comments/Discussion Items for Next or Future Agendas**

None noted.

9. **Adjournment**

Chairperson Lowry adjourned the meeting at 10:12 a.m.

Submitted by: \_\_\_\_\_  
Gloria Golike  
Public Information Specialist

Attachments on-file:

Item No. 5 - Public Information Report - PowerPoint  
Sign-in sheet



**PUBLIC  
AFFAIRS**

**TO: Legal, Legislative and Public Information Committee**  
**FROM: Ed Manning and Carolyn Jensen**  
**RE: KP Public Affairs Agenda**

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**1. Legislative Calendar**

- A. February 17<sup>th</sup> - Bill Introduction Deadline

**2. Legislative Update**

- A. Overview
- B. AB 366 (Obernolte) and AB 367 (Obernolte)
- C. Prop. 218 Reform

**3. Upcoming Hearings**

- A. Senate Natural Resources and Water Informational Hearing on the CA Water Fix

**4. Delta Stewardship Council Update**

**5. SWRCB**

- A. Long Term Water Conservation Regulation
- B. AB 401 (Dodd) Implementation: Recommendations for Rate Assistance for Low Income Water Users
- C. Safe Drinking Water - Long term funding

2/16/17

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Comprehensive Government Relations

## MEMORANDUM

**To:** Mojave Water Agency Legal, Legislative and Public Information Committee

**From:** Letitia White

**Date:** January 31, 2017

**Re:** January Monthly Legislative Update

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### *Lawmakers Narrowly Pass FY17 Budget Resolution, Set Up Obamacare Fight*

The House and Senate adopted a budget resolution for fiscal year 2017 that will allow for subsequent reconciliation legislation to repeal parts of the Affordable Care Act with a simple majority vote in the Senate. Additionally, the legislative reconciliation package cannot be filibustered by Democrats in the Senate. After introducing the resolution the same week lawmakers convened the 115th Congress, some Republican lawmakers have expressed skepticism with moving forward on repealing the Affordable Care Act until a replacement is ready for floor consideration. Nevertheless, Republicans opted to move forward with the budget resolution to set up the reconciliation procedure without divulging when that legislation will come to the floor.

Senators spent nearly a week debating the budget resolution amid a number of confirmation hearings before taking roll call votes on amendments in a budget "vote-a-rama". After completing consideration, the Senate adopted the budget resolution on a vote of 51-48 with Senator Rand Paul (R-KY) as the sole Republican voting with Democrats against the resolution. Due to confirmation hearings, votes on amendments to the budget resolution did not gain as much media attention as they have in years past. Traditionally, the amendment process to budget resolutions is used to force Senators to take hard votes that could be used to embarrass them during their next election.

In the House, lawmakers narrowly passed the fiscal year 2017 budget resolution after it was sent over from the Senate on a vote of 227-198. Nine House Republicans joined Democrats in voting against the resolution. House rules allowed for the expedited consideration of the resolution only one day after it was received from the Senate.

The Senate Finance Committee, Senate Health, Education, Labor, and Pensions Committee, House Energy and Commerce Committee, and the House Ways and Means Committee now have until January 27 to submit deficit reduction legislation to their respective Budget Committees. That legislation will be used as the vehicle to repeal parts of the Affordable Care Act, but it is unclear when the respective Budget Committees might report that legislation to the floor.



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### ***House Appropriator Eyes Action on FY17 Bills***

House Appropriators are looking at several options to wrap up the fiscal year 2017 appropriations process, including the possibility that the Defense Appropriations bill will be considered on its own during the Spring. Lawmakers would then turn their attention to the 10 remaining domestic discretionary appropriations bills in one legislative package, according to one member of the House Appropriations Committee.

“As soon as the Trump administration comes in we are going to start moving on the Defense appropriations bill immediately,” Representative Tom Cole (R-OK), the chairman of the Labor-HHS-Education Appropriations Subcommittee, said in early January, though no action has yet been taken by the House Appropriations Committee. “Then we are going to turn to a domestic omnibus, if you will. The remainder of the programs. This will give the new administration an opportunity if they want to do something a little different or add something here or there,” he continued. “The aim would be to get that passed by the April 28 end of the CR. Then we could operate the rest of the year with a normal functioning government; without the restraints of a CR.”

While lawmakers had originally hoped to move all fiscal year 2017 appropriations bills before the end of the 114th Congress, intervening action by President-elect Trump saw the passing of a continuing resolution through the end of April.

The House Appropriations Committee met for the first time on January 24 for its organizational meeting. The new Chairman of the Committee, Representative Rodney Frelinghuysen (R-NJ), recently asked the Appropriations Subcommittee staff to submit an list of outstanding issues from last year, but has not yet provided guidance on how the committee will address the remainder of the fiscal year 2017 appropriations bills.

Complicating the calendar for the appropriations process is the number of nominees the Senate will need to devote floor time to early in the year. With the number of nominees who will be contested by Democrats, it is unclear how much time the Senate will have to dedicate to the consideration of appropriations legislation until April. While the House does not have the constitutional responsibility of confirming presidential nominees, it is unlikely they will move forward with appropriations legislation until the Senate is also ready to take action. Additionally, Congress has historically waited until there is a deadline approaching to finalize appropriations legislation—setting up the possibility that fiscal year 2017 appropriations legislation will not be passed until late April.

### ***With Trump's Promise of an Infrastructure Plan, Democrats Introduce Their Own***

President Donald Trump renewed his promise to rebuild crumbling infrastructure in his inaugural address after making repeated campaign promises to focus on the nation's infrastructure woes. The president's team reached out the National Governors Association (NGA) in December to collect states' project wish lists, and approximately 40 states have responded thus far. Scott Pattison, the executive director of the NGA, said in an interview he believes that the administration wants to assess how many projects there are as it crafts the president's infrastructure initiative. Former President Barack Obama's administration made a similar request for “shovel-ready” projects for the more than \$800 billion stimulus package developed in 2009.

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While President Trump has proposed spending between \$550 billion and \$1 trillion on an infrastructure initiative, House Speaker Paul Ryan (R-WI) and Senate Majority Leader Mitch McConnell (R-KY) have indicated they would not support an infrastructure spending plan that was not paid for either through spending cuts or a tax-reform package. As we have previously reported, House Transportation and Infrastructure Committee Leaders have indicated that the committee will use the early days of the administration to identify potential pay-fors before drafting an infrastructure package.

Recognizing the administration's desire to pass an infrastructure bill, Senate Democrats capitalized on the fact that Republicans have not introduced a legislative package by introducing their own. In unveiling their \$1 trillion infrastructure package in late January, Democrats say that the legislation would create as many as 15 million jobs without using public/private partnerships that that would provide tax credits to private investors. The 10-year infrastructure rebuilding plan did not include a mechanism to pay for the legislation, nor were potential offsets identified. The legislation does include a "Buy America" provision that has been a popular theme with President Trump. The provision would require the use of US made products where government funds are being used for projects.

It is unlikely that the Democrat's plan will move, as they do not control the House or Senate. However, it will give Democrats some leverage when Republicans look to draft a framework later this year. The president has taken a personal interest in infrastructure projects, given his background in commercial real estate and construction. He has asked New York real estate developers Richard LeFrak and Steven Roth to lead a new council devoted to giving him advice on infrastructure projects with the aim of introducing an infrastructure package later this spring.

### ***Leadership of House Committees Finalized***

House Republicans and Democrats have announced the following full committee leaders for the 115<sup>th</sup> Congress.

<b>House Committee</b>	<b>Chairman</b>	<b>Ranking Democrat</b>
Agriculture	Mike Conaway (TX)	Collin Peterson (MN)
Appropriations	Rodney Frelinghuysen (NJ) - new	Nita Lowey (NY)
Armed Services	Mac Thornberry (TX)	Adam Smith (WA)
Budget	Diane Black-interim (TN) - new*	John Yarmuth (KY) - new
Education / Workforce	Virginia Foxx (NC) - new	Bobby Scott (VA)
Energy and Commerce	Greg Walden (OR) - new	Frank Pallone (NJ)
Ethics	Susan Brooks (IN) - new	Ted Deutch (FL) - new
Financial Services	Jeb Hensarling (TX)	Maxine Waters (CA)
Foreign Affairs	Ed Royce (CA)	Eliot Engel (NY)
Homeland Security	Michael McCaul (TX)	Bennie Thompson (MS)
House Administration	Gregg Harper (MS) - new	Robert Brady (PA)
Intelligence	Devin Nunes (CA)	Adam Schiff (CA)
Judiciary	Bob Goodlatte (VA)	John Conyers (MI)

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Natural Resources	Rob Bishop (UT)	Raul Grijalva (AZ)
Oversight / Government Reform	Jason Chaffetz (UT)	Elijah Cummings (MD)
Rules	Pete Sessions (TX)	Louise Slaughter (NY)
Science, Space and Technology	Lamar Smith (TX)	Eddie Bernice Johnson (TX)
Small Business	Steve Chabot (OH)	Nydia Velazquez (NY)
Transportation and Infrastructure	Bill Shuster (PA)	Peter DeFazio (OR)
Veterans' Affairs	Phil Roe (TN) - new	Tim Walz (MN) - new
Ways and Means	Kevin Brady (TX)	Richard Neal (MA) - new
Joint Economic	Pat Tiberi (OH) - new	Carolyn Maloney (NY)
* President Donald Trump announced his intention to nominate Price as secretary of Health and Human Services. Black was named by House Speaker Paul Ryan to head the House Budget Committee on an interim basis, which could give her a leg up in a race for the permanent slot if Price is confirmed.		

### ***President Trump Signs Immigration Executive Orders***

President Donald Trump acted on two of the most fundamental—and controversial—elements of his presidential campaign, declaring that he would build a wall on the border with Mexico and greatly tighten restrictions on who can enter the U.S. Trump signed a pair of orders to set in motion the construction of a "physical wall" across the 1,989-mile length of the southern border and to strengthen immigration enforcement within the U.S. The second order includes an attempt to crack down on "sanctuary cities" that refuse to allow their police to enforce federal immigration law.

The executive order regarding the wall instructs the Department of Homeland Security to deliver a report in six months detailing how to build the barrier and how much money Congress will be asked to provide, both for construction and to acquire land from private owners on the border. The order specifies that the wall must be "a contiguous, physical wall or other secure, contiguous and impassable physical barrier," a definition that appears to prohibit fencing or electronic surveillance.

Trump also called for hiring 5,000 additional Border Patrol agents and 10,000 immigration officers, though that move is subject to available appropriations. And the Department of Homeland Security is directed to allocate what money it can to building new detention facilities to house undocumented immigrants apprehended near the border.

The order also prioritizes the removal of immigrants who have been convicted or charged with a criminal offense or abused public benefits provided by the government, similar to the policy President Barack Obama set.

The second order will increase federal agency efforts to stop illegal immigration, including restoration of the "Secure Communities Program." The State Department is directed to take steps to ensure countries of origin accept the return of illegal immigrants who have committed

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criminal acts. The Attorney General and Secretary of Homeland Security are given the ability to withhold federal grants from so-called sanctuary cities that do not help the federal government deport immigrants. It's unclear what impact the penalty will have because the order says funding cannot be withheld in violation of the law or when federal dollars are needed for law enforcement.

### **Supreme Court to Decide "Waters" Jurisdictional Question**

The U.S. Supreme Court has agreed to decide whether challenges to the Environmental Protection Agency and Army Corps of Engineers "waters of the United States" rule properly lie in federal district courts, or a specific federal appeals court. The court granted a request filed by the National Association of Manufacturers, which asked the court to determine whether the US Court of Appeals for the Sixth Circuit erred when it claimed exclusive jurisdiction to decide petitions to review the waters rule.

According to legal experts, an interlocutory appeal—or one made from a non-final judgement order—is rarely granted and is akin to a Hail Mary. A decision in the case is expected in the Supreme Court term that ends by early July. As this is a jurisdictional question, it is unclear how the Justices will come down on the challenge.

Several states and industry groups argue and have sued on the basis that the waters of the U.S. rule, jointly released by the EPA and U.S. Army Corps of Engineers on June 29, 2015, improperly expands federal authority. In February 2016, the Sixth Circuit ruled in favor of the Obama administration in a 1-1-1 opinion that said the appeals court, not the district courts, was the proper venue to hear challenges to the rule. It is a Sixth Circuit rule that only the court sitting en banc, rather than a panel, can overrule circuit precedent. The full court denied such a petition, but the circuit stayed the rule nationwide on October 9, 2015 while it studied the challenge.

"The panel's ruling, if allowed to stand, would disserve the federal judicial process, which depends on district courts and courts of appeals independently analyzing legal issues," the National Association of Manufacturers wrote in its petition to the high court. "Under the panel's ruling, challenges to important CWA regulations would be funneled to a single court of appeals, without the benefit of initial consideration by the district courts or the opinions of the other federal courts of appeals on the same issues."

While the rule continues to make its way through the courts, Republican lawmakers have identified the rule as a top target to roll back in the new administration. Previous efforts have failed, as Republicans have been unable to include language prohibiting the implementation in the appropriations process and came up short in attempting to use the Congressional Review Act to overturn it. Republican Chairmen whose Committees will have jurisdiction over the rule—Senator John Barrasso (R-WY) and Representative Bill Shuster (R-PA)—have both indicated that a rollback will be a high priority in the 115th Congress, but cautioned that it could be weeks before their committees were stood up and ready to address the issue.

### ***Cabinet Confirmations and Senior Administration Picks***

President Trump's cabinet is beginning to take shape with the confirmation of two Cabinet Secretaries and the confirmation of his United Nations Ambassador. We have included a list

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below of the nominees along with the status of their confirmation and/or the next steps at the committee level. Additionally, we have included a list below that includes senior White House staff not requiring Senate confirmation.

<b>Cabinet</b>	<b>Trump's Pick</b>	<b>Next Committee/Floor Action</b>
Secretary of State	Rex Tillerson	Jan. 30 (cloture vote)
Treasury Secretary	Steve Mnuchin	Next steps unscheduled (hearing held)
Defense Secretary	James Mattis	Confirmed 1/20/17
Attorney General	Jeff Sessions	Jan. 30 (committee vote)
Interior Secretary	Ryan Zinke	Jan. 31 (committee vote)
Agriculture Secretary	Sonny Perdue	Next steps unscheduled
Commerce Secretary	Wilbur Ross	Jan. 24 (committee vote)
Labor Secretary	Andrew Puzder	Feb. 7 (hearing – HELP)
HHS Secretary	Tom Price	Next steps unscheduled (hearing held)
HUD Secretary	Ben Carson	Jan. 12 (committee vote)
Transportation Secretary	Elaine Chao	Jan. 30 (confirmation vote)
Energy Secretary	Rick Perry	Jan. 31 (committee vote)
Education Secretary	Betsy DeVos	Jan. 31 (committee vote)
Veterans Affairs Secretary	David Shulkin	Feb. 1 (hearing – VA)
Homeland Security Secretary	John F. Kelly	Confirmed 1/20/17
<b>High-level Offices</b>	<b>Trump's Pick</b>	<b>Hearing Date</b>
White House Chief of Staff	Reince Priebus	n/a
Director of Office of Management and Budget	Mick Mulvaney	Feb. 1 (committee vote)
Director of the CIA	Mike Pompeo	Confirmed 1/23/17
Admin. of the Small Business Admin	Linda McMahon	Jan. 30 (committee vote)
Admin. of the EPA	Scott Pruitt	Next steps unscheduled (hearing held)
Admin. Centers for Medicare & Medicaid	Seema Verma	Next steps unscheduled
Deputy Commerce Secretary	Todd Ricketts	Next steps unscheduled
Secretary of the Army	Vincent Viola	Next steps unscheduled
Trade Representative	Robert Lighthizer	Next steps unscheduled
Chair Securities and Exchange Commission	Jay Clayton	Next steps unscheduled
<b>Selected Ambassadors</b>	<b>Trump's Pick</b>	<b>Hearing Date</b>
Ambassador to the United Nations	Nikki Haley	Confirmed 1/25/17
United States Ambassador to China	Terry Branstad	Next steps unscheduled
United States Ambassador to Israel	David Friedman	Next steps unscheduled
<b>Assistants to the President</b>		<b>Trump's Pick</b>
Counsel to the President	Don McGahn	
Special Advisor on Regulatory Reform	Carl Icahn	

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Economic Policy and National Econ Council	Gary Cohn
Counselor to the President	Kellyanne Conway
Deputy National Security Advisor	KT McFarland
National Security Advisor	Michael Flynn
National Trade Council	Peter Navarro
Special Rep. International Negotiations	Jason Greenblatt
Senior Counselor and Chief Strategist	Stephen Bannon
Press Secretary	Sean Spicer
Director of Strategic Communications	Hope Hicks
Senior Advisor to the President for Policy	Stephen Miller
Director of Social Media	Dan Scavino
Deputy Chief of Staff for Operations	Joe Hagin
Deputy Chief of Staff for Implementation	Rick Dearborn
Deputy Chief of Staff	Katie Walsh
Director of Legislative Affairs	Marc Short
Director of Presidential Personnel	John DeStefano
Director of Communications Office of Public Liaison	Omarosa Manigault
Chief of Staff to the Vice President	Josh Pitcock
Director of Oval Office Operations	Keith Schiller
President and Director of Advance	George Gigicos
Deputy Communications Director	Jessica Ditto
Deputy Communications and Research Director	Raj Shah
Political Director	Bill Stepien
Deputy Chief of Staff to the Vice President	Jen Pavlik
Personal Aide to the President	John McEntee
Director Domestic Policy Council	Andrew Bremberg
Dep. Dir. of the Domestic Policy Council and Dir. of Budget Policy	Paul Winfree
Healthcare Policy	Katy Talento
Urban Affairs and Revitalization	Ja'Ron Smith
Education Policy	Rob Goad
Justice and Homeland Security Policy	John Zadrozny
Regulatory Reform	Zina Bash
Senior Policy Analyst	Peter J. White
Director of Policy and Interagency Coord.	Carlos Diaz-Rosillo
Advisor for Policy	Vince Haley
Advisor for Policy	Ross Worthington

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Advisor for Policy Dev. and Speechwriting	Ryan Jarmula
Special Assistant to the Senior Advisor	Robert Gabriel
Dep. Dir. of the Natl Trade Council for the Def Industrial Base	Alexander Gray
Dep. Dir. of the Natl Trade Council for "Buy American"	Rolf Lundberg

### ***Outlook for February***

The House and Senate are scheduled to be in session for three out of four weeks during the month of February, with a recess occurring the week of President's Day.

Starting next week, the Senate is expected to devote significant floor time to the consideration of President Trump's nominees for cabinet positions. Elaine Chao, the nominee to serve as Secretary of Transportation and the wife of Senate Majority Leader Mitch McConnell, is expected to be confirmed on Monday, January 30. The Senate is also expected to take a cloture vote on the nomination of Rex Tillerson to serve as Secretary of State. While Senate Democrats cannot block votes on President Trump's nominees, they can force Republicans to file cloture petitions on the nominees, which delays final confirmation votes by at least 3 days absent an agreement to yield back time.

Senate Democrats have indicated that they will force Republicans to file a cloture petition on most of the remaining nominees. At this time, it is unclear if Republicans will use their control of the schedule to force votes at random hours of the night, or if Democrats will agree to hold cloture votes earlier by unanimous consent.

One additional complication for the floor schedule in the Senate is that President Trump is expected to announce his nominee for the Supreme Court on Thursday, February 2. When the Democrats used the nuclear option to reduce the number of votes necessary to advance cabinet and most judicial nominees, they specifically exempted Supreme Court nominees. That means that Republicans would either need to get the support of some Democrats to advance a Supreme Court pick, or use the nuclear option themselves if the nominee didn't gain support from Democrats.

The House is expected to use the first week or two of the month to introduce and pass Congressional Review Act (CRA) resolutions of disapproval on regulations and rules finalized at the end of President Obama's term. Using the CRA, Congress can pass a resolution with a simple majority in both chambers and, with the president's signature, repeal final rules from executive agencies. The procedure has only been successfully employed once when Congress used the CRA to overturn a Clinton-era rule regarding ergonomics in the opening days of President Bush's first term.

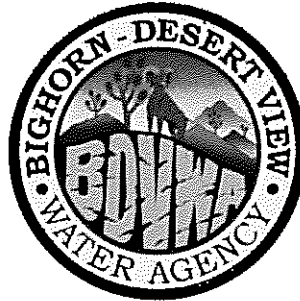
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In late February, the House may move forward with the reconciliation legislation allowed for in the recently passed fiscal year 2017 budget resolution. The reconciliation legislation being drafted would repeal many parts of the Affordable Care Act. Though not expected in February, Republicans are expected to introduce replacement legislation for the healthcare law to be passed soon after a repeal is finalized. The reconciliation legislation will only require a simple majority in the House and Senate, thwarting any potential filibusters in the Senate.

While unannounced and so far unrequested from the administration, the House and Senate may also consider supplemental appropriations requests from the Department of Defense (for overseas military operations) and from the Department of Homeland Security (to build the border wall between the US and Mexico and fund border control activities).



Bighorn-Desert View Water Agency



**Board of Directors**

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**Planning/Legislative/Engineering  
Grant & Security Committee  
Regular Meeting Report**

Board Meeting Office  
1720 N. Cherokee Trail, Landers, CA 92285  
Tuesday, October 18, 2016 - 9:15 a.m.

**Committee Members: Director Burkhart & Director Staley**

**Call to Order**

Director Burkhart called the meeting to order at 9:29 a.m.

**Pledge of Allegiance**

Led by John Burkhart

**Roll Call**

Directors: Terry Burkhart  
J. Dennis Staley (Director Corl-Lorono absent with prior notice)

Staff: Marina West  
Michelle Corbin

**Approval of the Agenda**

Director Burkhart and Director Staley approved the agenda as presented.

**Conference Call with Mojave Water Agency's Legal/Legislative and Public Information Committee**

Carolyn Jensen of KP Public Affairs reported on Senate Bill 1263 (Wieckowski) as it pertains to hauled water. Ms. Jensen explained that SB 1263 will prevent any future new development within California if the source of water is hauled water. Ms. Jensen also reported on Senate Bill 1262 (Pavley) of which reads that hauled water is not a source of water for the purposes of a water supply assessment.

Letitia White of Innovative Federal Strategies reported on appropriations bills and the upcoming election. Ms. White then introduced Mr. Drew Tatum and Ms. Jean Denton. Mr. Tatum reported on the California Solution for the West Wide Drought Bill and current discussions on funding for Flint, Michigan. Ms. Denton discussed future actions dependent on the election outcome.

No public comment.

### **Bureau of Land Management (BLM) Lease Update**

General Manager West reviewed all that had transpired once the original thirty year right-of-way grant from BLM expired. West went on to explain that once this grant expired and was renewed, the Agency was offered a long term rental agreement. At the time the Agency decided to the rent on a yearly basis. Since 2009 the BLM right-of-way rent has increased significantly. West reminded the Committee of the Agency request for appeal to BLM regarding the rent increase. The BLM has suggested the Agency apply for a hardship waiver. West reviewed with the Committee other items discussed between Agency and BLM which include access roads and width of land actually needed for the water mainlines.

Public comment:

Anonymous asked if the Bureau of Land Management is currently maintaining the roads in question.

Anonymous asked if there are other water utilities experiencing the same issue.

### **Consent Items**

- a. Special PLEGS Meeting Report, September, 20 2016

Public comment:

Director Burkhart and Director Staley approved the report.

### **Public Participation**

No public comment.

### **Verbal Reports**

No Committee Member Reports.

### **General Manager's Report**

General Manager West reported Mojave Water Agency refinanced the Morongo IDM Debt. The agencies involved will collectively save \$1.969 million dollars. Collection of this tax will be complete by the year 2020.

West also reported on the Local Agency Formation Commission (LAFCO) Annexation of CSA 70/W-1 to the Agency, as it pertains to the transfer of monies and properties

**Adjournment** - Director Burkhart adjourned the meeting at 11:06 a.m.