LEGISLATION, CONSERVATION AND OUTREACH COMMITTEE

AGENDA FOR

JUNE 25, 2009

Marilyn Dailey  – Chair    Frank Hilliker
Ron Morrison – Vice Chair    Jeremy Jungreis
Elsa Saxod – Vice Chair    Mark Muir
Gary Arant       Yen Tu
Gary Croucher      Mark Watton
Mitch Dion       Howard Williams
John Johnson       Ken Williams

1. Roll call – determination of quorum.

2. Additions to agenda (Government Code Section 54954.2(b)).

3. Public comment – opportunities for members of the public to address the Committee on matters within the Committee’s jurisdiction.

4. Chair’s report.
   4-A Directors’ comments.

I.  CONSENT CALENDAR

II. ACTION/DISCUSSION

   1.   Legislative Issues.
       1-A Report by Carpi and Clay. (pickup packet)

       1-B Adopt positions of:

       • HR 856 (Radanovich) – Support
       • HR 1908 (Coffman) – Support and seek amendments
       • S. 531 (Bingaman) – Support
       • AB 1253 (Fuller) - Support

       Staff recommendation: Adopt positions of: Support on HR 856 (Radanovich); Support and seek amendments on HR 1908 (Coffman); Support on S.531 (Bingaman); Support on AB 1253 (Fuller).  (Action)

Jeff Volberg
1-C Adopt policy principles for stormwater management and recapture.  
**Staff recommendation:** Adopt the proposed policy principles.  (Action)

2. **Drought Management Communications.**  
   2-A Regional Drought Management and Conservation Communications update.  (Discussion)  
   2-B Presentation by Jeanne Swaringen, Assistant General Manager, Lakeside Water District on drought conservation plans.

### III. INFORMATION

   **Toby Roy**

2. Metropolitan Water District Credits and Conservation Program update.  
   **Debbie Espe**

   **Alexi Schnell**

   **Jim Bowersox**

5. Government relations update.  
   **Jeff Volberg**

### IV. ADJOURNMENT

**Doria F. Lore**

Clerk of the Board

**NOTE:** This meeting is called as a Legislation, Conservation, and Outreach Committee meeting. Because a quorum of the Board may be present, the meeting is also noticed as a Board meeting. Members of the Board who are not members of the Committee may participate in the meeting pursuant to Section 2.00.060(g) of the Authority Administrative Code (Recodified). All items on the agenda, including information items, may be deliberated and become subject to action. All public documents provided to the committee or Board for this meeting including materials related to an item on this agenda and submitted to the Board of Directors within 72 hours prior to this meeting may be reviewed at the San Diego County Water Authority headquarters located at 4677 Overland Avenue, San Diego, CA 92123 at the reception desk during normal business hours.
June 17, 2009

Attention: Legislation, Conservation and Outreach Committee

Adopt positions of:
• HR 856 (Radanovich) – Support
• HR 1908 (Coffman) – Support and seek amendments
• S. 531 (Bingaman) - Support
• AB 1253 (Fuller) - Support

(Action)

Staff recommendation
Adopt positions of: Support on HR 856 (Radanovich); Support and seek amendments on HR 1908 (Coffman); Support on S. 531 (Bingaman); Support on AB 1253 (Fuller).

Alternatives
Do not adopt recommended positions or modify positions on one or more of these bills.

Fiscal impact
None.

Background
HR 856 (Radanovich) California Drought Alleviation Act of 2009
HR 856 is intended to alleviate the current drought emergency in California by providing flexibility in the operations of the C.W. “Bill” Jones and Harvey O. Banks pumping plants at Tracy in times of drought emergencies and to support the establishment of a fish hatchery program for Delta smelt. The bill provides that, in the event of a drought emergency, pumping restrictions under the Endangered Species Act would be lifted. The federal government would be required to take reasonable and prudent measures to protect the Delta smelt and other listed species, but pumping would be non-discretionary.

The bill also authorizes the Secretary of the Interior to enter into a cooperative agreement with the state of California to support the establishment of a fish hatchery to preserve and restore the Delta smelt population. The Water Authority has supported bills in the state Legislature to create a Delta smelt fish hatchery over the past two years. Having federal support for this effort would be helpful.

Staff recommends adoption of a position of Support on HR 856.

HR 1908 (Coffman) Water Accountability Tax Efficiency Reinvestment Act of 2009
The WATER Act of 2009 provides a tax credit for property certified under the WaterSense program of the federal Environmental Protection Agency (EPA). The EPA’s
WaterSense program certifies toilets, urinals, faucets, and faucet aerators. EPA is in the process of certifying weather-based irrigation controllers and shower heads through the WaterSense program. EPA also certifies irrigation services (there are 14 providers for San Diego on their website) and EPA has a pilot program for homes.

The bill provides a tax credit of 30 percent, up to $1,500, for “WaterSense program property,” but the definition of “property” seems to be anything meeting the requirements of the WaterSense program. The bill needs to be amended to clarify whether the credit would be applicable to:

- irrigation services;
- the value of individual water savings components; or
- the value of the home in which the certified fixtures are installed.

Lastly, the bill states that the credit may not be combined with other applicable tax credits. The bill should clarify whether or not the federal tax credit may be taken in addition to any state or local rebates or vouchers.

Staff recommends the Water Authority adopt a position of Support and seek amendments on HR 1908.

S. 531 (Bingaman) Energy and Water Integration Act of 2009
S. 531 directs the National Academy of Sciences to conduct an in-depth review of the effect of energy development and production on water resources in the United States. As energy and water resources become increasingly scarce, it is necessary to be as efficient as possible in developing and producing both. This bill would provide a scientific basis for decision-making in the development and production of energy resources so as to reduce the impact on water resources as much as possible.

Staff recommends the Water Authority adopt a position of Support on S. 531.

AB 1253 (Fuller) Sacramento-San Joaquin Delta
Much of the state has suffered water shortages in the past year or so, due to restrictions on pumping that are intended to protect fish species that have been listed under the federal and state Endangered Species Acts. However, there are other factors affecting these fish species, which include salmon, steelhead, Delta smelt, and longfin smelt. These factors include water temperature, water quality, invasive species, and predation. Most of these factors are only beginning to be studied in any detail.

As originally introduced, this bill would have removed all state protections from, and spending for non-native fish species in the Delta. The idea was that non-native, predatory fish species such as striped bass and smallmouth bass, are a threat to listed native fish
species such as the Delta smelt and the longfin smelt. If the federal government is going to impose restrictions on water exports to protect these species, the state government should not protect or encourage the proliferation of the non-native species that prey upon them. In light of opposition from sportfishing organizations, the author has amended the bill to require a study of the effects of predation by non-native fish species on the listed species by the CALFED Independent Science Board. The Metropolitan Water District is a sponsor of this bill.

Staff recommends the Water Authority adopt a position of Support on AB 1253.

Prepared by: Jeffrey A. Volberg, Government Relations Manager
Approved by: Dennis A. Cushman, Assistant General Manager

Attachments: 1. HR 856
              2. HR 1908
              3. S. 531
              4. AB 1253
HR 856 IH

111th CONGRESS
1st Session

H. R. 856

To provide flexibility for the operation of the Bureau of Reclamation C.W. 'Bill' Jones Pumping Plant and the Harvey O. Banks Pumping Plant of the State of California in times of drought emergency, to support the establishment of a fish hatchery program to preserve and restore the Delta Smelt in the Sacramento-San Joaquin Delta, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

February 4, 2009

Mr. RADANOVICH (for himself, Mr. NUNES, Mr. CARDOZA, Mr. CALVERT, Mr. MCCARTHY of California, Mr. ROHRABACHER, Mrs. MCMORRIS RODGERS, and Mr. COSTA) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide flexibility for the operation of the Bureau of Reclamation C.W. 'Bill' Jones Pumping Plant and the Harvey O. Banks Pumping Plant of the State of California in times of drought emergency, to support the establishment of a fish hatchery program to preserve and restore the Delta Smelt in the Sacramento-San Joaquin Delta, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'California Drought Alleviation Act of 2009'.

SEC. 2. TEMPORARY EXEMPTION DURING DROUGHT EMERGENCIES.

(a) Exemption for the Operation of Pumping Plants During Drought Emergencies- Upon the declaration of a drought emergency by the Governor of California, the Secretary of the Interior shall make a written determination as to the existence of a drought emergency for the service areas of the Central Valley Project and the State Water Project. If the Secretary determines that a drought emergency exists for all or portions of the service areas of the Central Valley Project and the State Water Project, the Secretary shall temporarily exempt the operations of the Bureau of Reclamation C.W. 'Bill' Jones Pumping Plant and the State of California Harvey O. Banks Pumping Plant from the prohibitions under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) against take of species listed as endangered species or threatened species or adverse modification of critical habitat, until such time as the Secretary determines that the drought emergency conditions are alleviated. For the purposes of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), the action of pumping water from these plants shall not be considered discretionary.

(b) Time for Determination of Drought Emergency- The Secretary shall make such a determination as to the existence of a drought emergency within the 30-day period beginning on the date of a gubernatorial drought emergency declaration referred to in subsection (a). If the Secretary fails to make such determination within such period with respect to any portion of a service area referred to in subsection (a), the Secretary is deemed to have made a written determination that a drought emergency exists for that portion.

(c) Reasonable and Prudent Measures To Protect Species- The Secretary may include in any determination under subsection (a) that a drought emergency exists, reasonable and prudent measures for the protection of an endangered species or its critical habitat. Such reasonable and prudent measures, or the failure of the Secretary to prescribe such reasonable and prudent measures, shall not impede the ability of the C.W. 'Bill' Jones Pumping Plant and the Harvey O. Banks Pumping Plant to supply sufficient water for municipal, industrial, and irrigation uses. The cost of reasonable and prudent measures prescribed by the Secretary under this subsection shall be borne by the United States and shall be nonreimbursable.

(d) No Effect on Other Projects- In carrying out this Act, the Secretary of the Interior and the Secretary of Commerce shall not impose additional prescriptions under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or the Federal Power Act (16 U.S.C. 791a et seq.) on any other water storage or conveyance facility on the San Joaquin River, the Sacramento River, or their tributaries.
SEC. 3. CONTINUED OPERATION OF C.W. `BILL' JONES PUMPING PLANT DURING DROUGHT EMERGENCIES.

If the Secretary of the Interior determines that a drought emergency exists for any portion of the Central Valley Project Service Area in California, the Secretary shall direct the Bureau of Reclamation to operate the C.W. `Bill' Jones Pumping Plant at a capacity consistent with the Coordinated Operation Agreement between the Bureau of Reclamation and the California Department of Water Resources, and consistent with otherwise applicable laws (other than prohibitions under the Endangered Species Act of 1973 from which the operation is exempt under subsection (a)) and existing water right, until such time as the Secretary determines that the drought emergency conditions are alleviated.

SEC. 4. DELTA SMELT HATCHERY PROGRAM.

The Secretary of the Interior is authorized to enter, and shall seek to enter, into a cooperative agreement with the State of California to support the establishment of a fish hatchery program to preserve and restore the species Hypomesus transpacificus (popularly known as Delta Smelt) in the Sacramento-San Joaquin Delta. The hatchery program should be designed to establish a sustainable population of Hypomesus transpacificus sufficient to warrant the species' removal from the lists published under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) and the State of California Endangered Species Act. All Hypomesus transpacificus maintained, cultured, introduced, or reintroduced under the program established under this section are deemed to be members of any subspecies or population segment of Hypomesus transpacificus listed under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) for purposes of determining whether such subspecies or population segment is a threatened species or endangered species under such section.
HR 1908 IH

111th CONGRESS
1st Session
H. R. 1908

To amend the Internal Revenue Code of 1986 to provide a credit for property certified by the Environmental Protection Agency under the WaterSense program.

IN THE HOUSE OF REPRESENTATIVES

April 2, 2009

Mr. COFFMAN of Colorado (for himself, Mr. KIND, Mr. BISHOP of Utah, Mr. LAMBORN, and Ms. MARKEY of Colorado) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to provide a credit for property certified by the Environmental Protection Agency under the WaterSense program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Water Accountability Tax Efficiency Reinvestment Act of 2009' or as the 'WATER Act of 2009'.

SEC. 2. CREDIT FOR WATERSENSE PROGRAM PROPERTY.

(a) In General- Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

`SEC. 30E. WATERSENSE PROGRAM PROPERTY.

` (a) Allowance of Credit- There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 30 percent of the amounts paid or incurred by the taxpayer during such taxable year for certified WaterSense program property.

(b) Lifetime Limitation- The aggregate amount of the credits allowed under this section with respect to any taxpayer for any taxable year shall not exceed the excess (if any) of $1,500 over the aggregate credits allowed under this section with respect to such taxpayer for all prior taxable years.

(c) Certified WaterSense Program Property- For purposes of this section, the term 'certified WaterSense program property' means any property--

` (1) certified by the Environmental Protection Agency as meeting the requirements of the WaterSense program, and

` (2) the original use of which commences with the taxpayer.

(d) Application With Other Credits-

` (1) BUSINESS CREDIT TREATED AS PART OF GENERAL BUSINESS CREDIT- So much of the credit which would be allowed under subsection (a) for any taxable year (determined without regard to this subsection) that is attributable to property of a character subject to an allowance for depreciation shall be treated as a credit listed in section 38(b) for such taxable year (and not allowed under subsection (a)).

` (2) PERSONAL CREDIT-

` (A) IN GENERAL- For purposes of this title, the credit allowed under subsection (a) for any taxable year (determined after application of paragraph (1)) shall be treated as a credit allowable under subpart A for such taxable year.
(B) LIMITATION BASED ON AMOUNT OF TAX- In the case of a taxable year to which section 26(a)(2) does not apply, the credit allowed under subsection (a) for any taxable year (determined after application of paragraph (1)) shall not exceed the excess of—

(i) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

(ii) the sum of the credits allowable under subpart A (other than this section and sections 23, 25D, 30, and 30D) and section 27 for the taxable year.

(e) Special Rules- For purposes of this section—

(1) AGGREGATION RULES- All persons treated as a single employer under subsection (a) or (b) of section 52, or subsection (m) or (o) of section 414, shall be treated as a one person.

(2) BASIS REDUCTION- For purposes of this subtitle, the basis of any property for which a credit is allowable under subsection (a) shall be reduced by the amount of such credit so allowed (determined without regard to subsection (d)).

(3) NO DOUBLE BENEFIT- The amount of any deduction or other credit allowable under this chapter with respect to any property for which credit is allowable under subsection (a) shall be reduced by the amount of credit allowed under subsection (a) with respect to such property (determined without regard to subsection (d)).

(4) PROPERTY USED OUTSIDE UNITED STATES NOT QUALIFIED- No credit shall be allowable under subsection (a) with respect to any property referred to in section 50(b)(1).

(f) Termination- This section shall not apply to any property placed in service after December 31, 2010.'.

(b) Conforming Amendments-

(1)(A) Section 24(b)(3)(B) of such Code is amended by striking `and 30D' and inserting `30D, and 30E'.

(B) Section 25(e)(1)(C)(ii) of such Code is amended by inserting `30E,' after `30D,'.

(C) Section 25B(g)(2) of such Code is amended by striking `and 30D' and inserting `30D, and 30E'.

(D) Section 26(a)(1) of such Code is amended by striking `and 30D' and inserting `30D, and 30E'.

(E) Section 904(i) of such Code is amended by striking `and 30D' and inserting `30D, and 30E'.

(F) Section 1400C(d)(2) of such Code is amended by striking `and 30D' and inserting `30D, and 30E'.

(2) Section 1016(a) of such Code is amended by striking `and' at the end of paragraph (36), by striking the period at the end of paragraph (37) and inserting `, and', and by adding at the end the following new paragraph:

(37) to the extend provided in section 30E(e)(2).'

(3) The table of sections for subpart B of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

'Sec. 30E. WaterSense program property.'.

(c) Effective Date- The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.
S 531 IS

111th CONGRESS
1st Session

S. 531

To provide for the conduct of an in-depth analysis of the impact of energy development and production on the water resources of the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

March 5, 2009

Mr. BINGAMAN (for himself and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for the conduct of an in-depth analysis of the impact of energy development and production on the water resources of the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assemble...

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Energy and Water Integration Act of 2009'.

SEC. 2. ENERGY WATER NEXUS STUDY.

(a) In General- Not later than 90 days after the date of enactment of this Act, the Secretary of Energy (referred to in this Act as the 'Secretary'), in consultation with the Secretary of the Interior and the Administrator of the Environmental Protection Agency, shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct an in-depth analysis of the impact of energy development and production on the water resources of the United States.

(b) Scope of Study-

(1) IN GENERAL- The study described in subsection (a) shall be comprised of each assessment described in paragraphs (2) through (4).

(2) TRANSPORTATION SECTOR ASSESSMENT-

(A) IN GENERAL- The study shall include a lifecycle assessment of the quantity of water withdrawn and consumed in the production of transportation fuels, or electricity, to evaluate the ratio that--

(i) the quantity of water withdrawn and consumed in the production of transportation fuels (measured in gallons), or electricity (measured in kilowatts); bears to

(ii) the total distance (measured in miles) that may be traveled as a result of the consumption of transportation fuels, or electricity.

(B) SCOPE OF ASSESSMENT-

(i) IN GENERAL- The assessment shall include, as applicable--

(I) the exploration for, and extraction or growing of, energy feedstock;

(II) the processing of energy feedstock into transportation fuel;

(III) the generation, transportation, and storage of electricity for transportation; and

(IV) the conduct of an analysis of the efficiency with which the transportation fuel is consumed.
(ii) FUELS- The assessment shall contain an analysis of transportation fuel sources, including--

(I) domestically produced crude oil (including products derived from domestically produced crude oil);
(II) imported crude oil (including products derived from imported crude oil);
(III) domestically produced natural gas (including liquid fuels derived from natural gas);
(IV) imported natural gas (including liquid fuels derived from natural gas);
(V) oil shale;
(VI) tar sands;
(VII) domestically produced corn-based ethanol;
(VIII) imported corn-based ethanol;
(IX) advanced biofuels (including cellulosic- and algae-based biofuels);
(X) coal to liquids (including aviation fuel, diesel, and gasoline products);
(XI) electricity consumed in--

(aa) fully electric drive vehicles; and

(bb) plug-in hybrid vehicles;

(XII) hydrogen; and

(XIII) any reasonably foreseeable combination of any transportation fuel source described in subclauses (I) through (XII).

(3) ELECTRICITY SECTOR ASSESSMENT-

(A) IN GENERAL- The study shall include a lifecycle assessment of the quantity of water withdrawn and consumed in the production of electricity to evaluate the ratio that--

(i) the quantity of water used and consumed in the production of electricity (measured in gallons); bears to

(ii) the quantity of electricity that is produced (measured in kilowatt-hours).

(B) SCOPE OF ASSESSMENT- The assessment shall include, as applicable--

(i) the exploration for, or extraction or growing of, energy feedstock;

(ii) the processing of energy feedstock for electricity production; and

(iii) the production of electricity.

(C) GENERATION TYPES- The assessment shall contain an evaluation and analysis of electricity generation facilities that are constructed in accordance with different plant designs (including different cooling technologies such as water, air, and hybrid systems, and technologies designed to minimize carbon dioxide releases) based on the fuel used by the facility, including--

(i) coal;

(ii) natural gas;

(iii) oil;

(iv) nuclear energy;

(v) solar energy;
(vi) wind energy;
(vii) geothermal energy;
(viii) biomass;
(ix) the beneficial use of waste heat; and
(x) any reasonably foreseeable combination of any fuel described in clauses (i) through (ix).

(4) ASSESSMENT OF ADDITIONAL IMPACTS- In addition to the impacts associated with the direct use and consumption of water resources in the transportation and electricity sectors described in paragraphs (2) and (3), the study shall contain an identification and analysis of any unique water impact associated with a specific fuel source, including an impact resulting from--

(A) any extraction or mining practice;
(B) the transportation of feedstocks from the point of extraction to the point of processing;
(C) the transportation of fuel and power from the point of processing to the point of consumption; and
(D) the location of a specific fuel source that is limited to 1 or more specific geographical regions.

(c) Report to Secretary- Not later than 18 months after the date of enactment of this Act, the National Academy of Sciences shall submit to the Secretary a report that contains a summary of the results of the study conducted under this section.

(d) Availability of Results of Study- On the date on which the National Academy of Sciences completes the study under this section, the National Academy of Sciences shall make available to the public the results of the study.

(e) Authorization of Appropriations- There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this section.

SEC. 3. POWER PLANT WATER AND ENERGY EFFICIENCY.

(a) In General- To protect water supplies and promote the efficient use of water in the electricity production sector, the Secretary, in consultation with the Secretary of the Interior and the Administrator of the Environmental Protection Agency, shall conduct a study to identify the best available technologies and related strategies to maximize water and energy efficiency in the production of electricity by each type of generation.

(b) Generation Types- The study shall include an evaluation of different types of generation facilities, including--

(1) coal facilities, under which the evaluation shall account for--

(A) different types of coal and associated generating technologies; and
(B) the use of technologies designed to minimize and sequester carbon dioxide releases;

(2) oil and natural gas facilities, under which the evaluation shall account for the use of technologies designed to minimize and sequester carbon dioxide releases;

(3) hydropower, including turbine upgrades, incremental hydropower, in-stream hydropower, and pump-storage projects;

(4) thermal solar facilities; and

(5) nuclear facilities.

(c) Report to Congress- Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that contains a description of the results of the study conducted under this section.

(d) Authorization of Appropriations- There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this section, to remain available until expended.

SEC. 4. WATER CONSERVATION AND ENERGY SAVINGS STUDY.
(a) Definitions- In this section:

(1) MAJOR RECLAMATION PROJECT- The term 'major Reclamation project' means a multipurpose project authorized by the Federal Government and carried out by the Bureau of Reclamation.

(2) SECRETARY- The term 'Secretary' means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(b) Study-

(1) IN GENERAL- In accordance with paragraph (2), to promote the efficient use of energy in water distribution systems, the Secretary shall conduct a study to evaluate the quantities of energy used in water storage and delivery operations in major Reclamation projects.

(2) ELEMENTS- In conducting the study, the Secretary shall--

(A) with respect to each major Reclamation project--

(i) assess and estimate the annual energy consumption associated with the major Reclamation project; and

(ii) identify--

(I) each major Reclamation project that consumes the greatest quantity of energy; and

(II) the aspect of the operation of each major Reclamation project described in subclause (I) that is the most energy intensive (including water storage and releases, water delivery, and administrative operations); and

(B) identify opportunities to significantly reduce current energy consumption and costs with respect to each major Reclamation project described in subparagraph (A), including, as applicable, through--

(i) reduced groundwater pumping;

(ii) improved reservoir operations;

(iii) infrastructure rehabilitation;

(iv) water reuse; and

(v) the integration of renewable energy generation with project operations.

(c) Report to Congress- Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that contains a description of the results of the study conducted under this section.

(d) Authorization of Appropriations- There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this section, to remain available until expended.

SEC. 5. BRACKISH GROUNDWATER NATIONAL DESALINATION RESEARCH FACILITY.

(a) Definitions- In this section:

(1) FACILITY- The term 'facility' means the Brackish Groundwater National Desalination Research Facility, located in Otero County, New Mexico.

(2) SECRETARY- The term 'Secretary' means the Secretary of the Interior.

(b) Duty of Secretary- The Secretary shall operate, manage, and maintain the facility to carry out research, development, and demonstration activities to develop technologies and methods that promote brackish groundwater desalination as a viable method to increase water supply in a cost-effective manner.

(c) Objectives; Activities-

(1) OBJECTIVES- The Secretary shall operate and manage the facility as a state-of-the-art desalination research center--
(A) to develop new water and energy technologies with widespread applicability; and

(B) to create new supplies of usable water for municipal, agricultural, industrial, or environmental purposes.

(2) ACTIVITIES- In operating, managing, and maintaining the facility under subsection (b), the Secretary shall carry out--

(A) as a priority, the development of renewable energy technologies for integration with desalination technologies--

(i) to reduce the capital and operational costs of desalination;

(ii) to minimize the environmental impacts of desalination; and

(iii) to increase public acceptance of desalination as a viable water supply process;

(B) research regarding various desalination processes, including improvements in reverse and forward osmosis technologies;

(C) the development of innovative methods and technologies to reduce the volume and cost of desalination concentrated wastes in an environmentally sound manner;

(D) an outreach program to create partnerships with States, academic institutions, private entities, and other appropriate organizations to conduct research, development, and demonstration activities, including the establishment of rental and other charges to provide revenue to help offset the costs of operating and maintaining the facility; and

(E) an outreach program to educate the public on--

(i) desalination and renewable energy technologies; and

(ii) the benefits of using water in an efficient manner.

(d) Authority of Secretary- The Secretary may enter into contracts or other agreements with, or make grants to, appropriate entities to carry out this section, including an agreement with an academic institution to manage research activities at the facility.

(e) Authorization of Appropriations- There are authorized to be appropriated such sums as are necessary to carry out this section, to remain available until expended.

SEC. 6. ENHANCED INFORMATION ON WATER-RELATED ENERGY CONSUMPTION.

Section 205 of the Department of Energy Organization Act (42 U.S.C. 7135) is amended by adding at the end the following:

'(n) Water-Related Energy Consumption-

'(1) IN GENERAL- Not less than once during each 3-year period, to aid in the understanding and reduction of the quantity of energy consumed in association with the use of water, the Administrator shall conduct an assessment under which the Administrator shall collect information on energy consumption in various sectors of the economy that are associated with the acquisition, treatment, or delivery of water.

'(2) REQUIRED SECTORS- An assessment described in paragraph (1) shall contain an analysis of water-related energy consumption for all relevant sectors of the economy, including water used for--

'(A) agricultural purposes;

'(B) municipal purposes;

'(C) industrial purposes; and

'(D) domestic purposes.

'(3) EFFECT- Nothing in this subsection affects the authority of the Administrator to collect data under section 52 of the Federal Energy Administration Act of 1974 (15 U.S.C. 790a).'

SEC. 7. ENERGY-WATER RESEARCH AND DEVELOPMENT ROADMAP.

(a) In General- Not later than 90 days after the date of enactment of this Act, the Secretary shall develop a document to be known as the `Energy-Water Research and Development Roadmap' to define the future research, development, demonstration, and commercialization efforts that are required to address emerging water-related challenges to future, cost-effective, reliable, and sustainable energy generation and production.

(b) Report- Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report describing the document described in subsection (a), including recommendations for any future action with respect to the document.
Introduced by Assembly Members Fuller and Gilmore
(Coauthors: Assembly Members DeVore, Harkey, and Silva)

February 27, 2009

An act relating to the Sacramento-San Joaquin Delta.

LEGISLATIVE COUNSEL'S DIGEST

AB 1253, as amended, Fuller. Sacramento-San Joaquin Delta.
The California Bay-Delta Authority Act establishes in the Natural Resources Agency the California Bay-Delta Authority. The act requires the authority and the implementing agencies to carry out programs, projects, and activities necessary to implement the Bay-Delta Program, defined to mean those projects, programs, commitments, and other actions that address the goals and objectives of the CALFED Bay-Delta Program Record of Decision, dated August 28, 2000, or as it may be amended.

The act requires the authority to establish a board of independent scientists, known as the Independent Science Board, to advise and make recommendations to the authority and the Bay-Delta Public Advisory Committee, as appropriate, on the science relative to implementation of all program elements.

This bill would require the board to conduct an independent scientific review of existing literature and studies on fish predation in the Sacramento-San Joaquin Delta, and to prepare and submit to the
Legislature and the Governor a report, including a recommendation as to whether additional studies are needed, and, if so, additional recommendations for the design and scope of those studies and an estimate of the total costs for the studies.

The bill would also authorize the board to enter into funding agreements with public agencies and nongovernmental organizations to pay for the cost of the independent scientific review.


The people of the State of California do enact as follows:

SECTION 1. (a) The Independent Science Board shall conduct an independent scientific review of existing literature and studies on fish predation in the Sacramento-San Joaquin Delta, for the purpose of evaluating whether additional studies are needed on the effects of predation on species listed as threatened or endangered under the state or federal endangered species acts, and to determine whether predator species are adversely affecting, at a population level, native salmonids or other indigenous pelagic species in the Delta, and, if so, whether policy and operational changes are needed in the Delta to reduce the effects of predation. The review shall also include a review of existing studies on fish salvage methods and other mitigation protocols at state and federal pumping facilities and recommendations for changes in methodologies to improve survival.

(b) After completing the review required by subdivision (a), the Independent Science Board shall prepare and submit to the Legislature and the Governor a report that includes the following:

(1) A recommendation on whether additional studies are needed.

(2) If the Independent Science Board recommends additional studies, recommendations for the design and scope of those studies and an estimate of the total costs for the studies.

(c) The Independent Science Board may enter into funding agreements with public agencies and nongovernmental organizations to pay for the cost of the independent scientific review specified in subdivision (a).
June 17, 2009

Attention: Legislation, Conservation and Outreach Committee

Adopt Policy Principles for Stormwater Management and Recapture. (Action)

Staff recommendation
Adopt the proposed policy principles.

Alternatives
1. Direct staff to make changes as determined by the board.
2. Do not adopt the proposed policy principles.

Fiscal Impact
There is no fiscal impact with this action.

Background
Water use efficiency is an important part of the Water Authority’s efforts to diversify its water supply. Among the methods of achieving water use efficiency is the use of stormwater management and recapture.

Several aspects of stormwater management are of interest to water agencies. Locally, the Water Authority’s member agencies capture stormwater in surface water reservoirs and rely on capture of stormwater in local groundwater basins to make up an important part of the region’s water supply portfolio.

Three bills have been introduced in the Legislature this year relating to stormwater management and recapture:

- **AB 408 (Saldaña) Local Planning: water supplies**
  This bill would require a local planning agency, such as a city or county, to submit its general plan to the applicable regional water quality control board. The board would then be required to send the local planning agency information on low-impact development water management to increase local water supplies by increasing stormwater recharge and reuse. The regional board would also be required to increase local water supplies by an unspecified amount by 2015, through regulatory requirements of stormwater recharge and reuse. This bill did not make it out of committee in the Legislature.

- **SB 310 (Ducheny) California Watershed Improvement Act of 2009**
  SB 310 would authorize a city or county to develop a stormwater management plan and to impose fees on activities that generate or contribute to runoff, stormwater, or surface runoff pollution. The bill passed out of the Senate and is now in the Assembly.
SB 790 (Pavley) Stormwater Management
This bill authorizes grants for projects that implement or promote low-impact development, improve water quality, or reduce stormwater runoff. The bill also authorizes cities, counties, special districts, and regional water management groups to develop stormwater management plans that meet certain requirements. This bill passed out of the Senate and is now in the Assembly.

Discussion
The regional water quality control boards regulate the quality of stormwater runoff through their stormwater discharge permits, and the State Water Resources Control Board regulates water rights and water quality. Currently, there is significant legislative and regulatory interest in how stormwater is managed to maximize the quality and use of this resource, minimize runoff and water quality problems from over-irrigation, and protect the environment through a greater integrated planning approach.

One of the foundational principles that underlies the Water Authority’s policies over the years has been local control over local projects. Because of the complexity of stormwater management and the diverse and localized nature of watershed management, attempting to manage or control the stormwater management through state legislation does not appear to be the best solution. A better approach for the state could be through providing incentives and clear authority for local and regional agencies to take action at the local or regional level, an approach consistent with the intent of integrated resource water management planning.

A concern for some agencies is that legislation or administrative mandates to capture stormwater or to reduce runoff upstream in a watershed could impact the water supplies of one or more agencies downstream. For instance, an agency may rely on stormwater runoff to recharge and replenish groundwater supplies or to refill surface reservoirs. If upstream agencies become much more efficient in capturing and reducing stormwater runoff, a member agency could lose some of its water supply. Such actions could trigger water rights disputes.

The Water Authority is interested in protecting both the quantity and quality of the stormwater that may be used for domestic water supplies. Better integrated planning and management of stormwater resources can have a positive impact on local water supplies. However, legislative and administrative actions can interfere with the rights of the Water Authority and its member agencies to use and manage water.

The attached proposed policy principles are intended to strike a balance between advocating for improvements in water supply and water quality and protecting the rights of member agencies to continue to utilize water supplies. Staff recommends adoption of the proposed policy principles for stormwater management legislation.

Prepared by: Jeffrey A. Volberg, Government Relations Manager
Approved by: Dennis Cushman, Assistant General Manager

Attachment: Proposed policy principles for stormwater management legislation
PROPOSED POLICY PRINCIPLES
FOR
STORMWATER MANAGEMENT

1. Decision-making with regard to stormwater management and recapture must be kept at the local or regional level through local water agencies, stormwater districts, cities, counties, and regional water management groups.

2. Actions to manage or recapture stormwater must not restrict the ability of the Water Authority or its member agencies to manage, store, or distribute water supplies.

3. Stormwater management and recapture are important tools in a diversified water portfolio that can help to achieve improved water quality in local water supplies, augment water supplies for local water agencies, and promote landscape conservation from a water runoff perspective.

4. Stormwater management and recapture can be used to achieve low-impact development that places reduced demand on local or imported water supplies.

5. The state's role in stormwater management and recapture must be to provide incentives and to reduce or remove regulatory hurdles.

6. Actions to manage or recapture stormwater must not diminish the water rights of downstream water users.
June 17, 2009

Attention: Legislation, Conservation, and Outreach Committee

Regional Drought Management and Conservation Communications Update (Information)

Purpose
This report provides an update on the 20-Gallon Challenge advertising and marketing campaign and other regional actions recently taken or under way as part of drought management communications outreach.

Background
Stage 1 of the Drought Management Plan (DMP) calls for implementing a regional communication strategy to promote increased voluntary conservation. Stage 2 calls for enhancing existing conservation outreach activities and supporting that effort with a drought response advertising and marketing campaign to increase public awareness and immediate participation in extraordinary conservation. Stage 3 calls for these outreach activities to continue to ensure public understanding of regional water shortages and mandatory water use restrictions.

Discussion
Radio traffic tags will run through June 30. Television advertisements to increase public awareness of mandatory water use restrictions are in production, with production scheduled to be completed by the end of June. The ads will be ready to be deployed in the event that performance by the public during the shortage allocation year beginning July 1 fails to meet demand reduction targets. Each month, beginning in August, performance in demand reduction for the prior month will be evaluated and, if the trend suggests the public is not responding appropriately to mandatory water use restrictions, the Water Authority will respond by airing the advertisements in one- to two-week, brief but well-saturated advertising bursts. This will allow the Water Authority to effectively manage limited advertising funds in the coming year, while preserving advertising dollars for the second year of the two-year budget when the water supply condition may warrant a longer, more-sustained advertising campaign. The commercials aim to capture attention with humorous scenarios of socially unacceptable behavior, and then associate them with the unacceptable nature of water waste during mandatory water use restrictions. Three ads are being produced. One shows a woman changing into her gym clothes on a trolley. Another shows a family cutting into line at an amusement park. A third shows a man and a dog destroying a child’s sandcastle at the beach.

Staff is also developing social media tools to extend the reach of the Water Authority’s message about conservation and other important topics. These tools include a Facebook “fan page” which will be posted by July 1. The Facebook page will provide frequent updated content about Water Authority initiatives, water supply issues, and local water conservation events and programs. Members of the public will be encouraged to link to the page to receive these updates automatically.
Staff continues to pursue and implement media relations, marketing and community outreach opportunities to ensure the public is aware of the urgent need to conserve water and the implementation of mandatory water use restrictions. The following are highlights of activities conducted over the past month:

**Conservation Media Coverage:**

Since the May board update, 26 broadcast stories, website articles, and print articles on water supply issues and the implementation of mandatory water use restrictions have been generated.

KFMB-TV, KGTV, KNSD-TV, KPBS radio, *The San Diego Union-Tribune* and the *North County Times* covered the Water Conservation Summit. The exhaustion of MWD funding for conservation rebates and the approval of additional funds by the Water Authority to provide rebates to San Diego County residents and businesses resulted in three articles in *The San Diego Union-Tribune* and one in the *North County Times*.

The April board action to declare a Level 2 Drought Alert condition resulted in news coverage that aired on KGTV and XETV, and an article in Voice of San Diego. An opinion-editorial on mandatory water use restrictions submitted by Chair Lewis ran in *The San Diego Union-Tribune*. The KPBS program “These Days” aired a one-hour live broadcast featuring Water Authority staff discussing mandatory water use restrictions.

KGTV broadcast a 30-minute special program on drought and the water supply challenges that included interviews with Water Authority staff. The San Diego News Network, a new news website, ran a series of articles on the water supply situation and the need for conservation.

Additional stories that featured Water Authority staff interviews include a KSWB-TV news feature on the Water Conservation Garden, and a KGTV story on fire-wise and water-wise plants. In addition, *The San Diego Union-Tribune* published two articles on Department of Water Resources decisions to increase deliveries from the State Water Project, and KPBS radio and the Voice of San Diego ran stories on the June 4 National Marine Fisheries Service Biological Opinion and its impact on water deliveries from the State Water Project. The *North County Times* published an article on the use of recycled water by golf courses in the county. The *Ramona Sentinel* published an article on the Water Authority’s public opinion poll.

To date, 311 print and broadcast reports mentioning or discussing the 20-Gallon Challenge or calls for related water-saving actions have run in San Diego County since June 2007.

Community outreach to support conservation continues to be pursued through presentations, booths or displays at community events, and partnerships with community organizations. The Water Authority’s 2009 speaker’s bureau outreach program continues to communicate water supply and water rate outlook information to key organizations throughout San Diego County. Presentations have been given recently to the Lincoln Club, Vistage business group, the New Majority, Past Grand Juror’s Association, Ramona Community Planning Group, Catfish Club, Port of San Diego Environmental Advisory Committee, UCSD Distinguished Lecture Series,
Tierrasanta Kiwanis Club, Vista Irrigation District, Encinitas Rotary, La Jolla Professional Men’s Association, and the San Marcos City Council.

Presentations were also made to the San Diego County Purchasing Officers, the Industrial Environmental Association, Regional Board Secretaries, San Diego County Department of Environmental Health employees, San Carlos Area Council, San Diego-based State Parks employees, Institute of Real Estate Management, Surfrider Foundation, Escondido Senior Anglers and attendees of an open house held by San Diego City Councilmember Carl DeMaio.

Since June 2007, 282 water supply and conservation-themed presentations have been completed. This includes more than 110 presentations which have been made by staff and Board members as part of the speaker’s bureau program since January 2009. At this point the speaker’s bureau program has briefed the vast majority of high-priority community organizations in the region on water supply and rate issues, and therefore staff expects the frequency of presentations to lessen over the next few months. Staff will prepare to make another concentrated speaker’s bureau effort late this year to educate groups about water supply and rate issues facing the region in 2010.

Water Authority staff participated with member agencies at community events, including the KIFM Jazz Fest, SDG&E Community Energy Showcase, Fiesta del Sol, Encinitas Environment Day, and the 94.9 FM Independence Jam. The 20-Gallon Challenge water conservation exhibit and information are on display at the County Administration Building throughout June, and the Water Authority hosted an information booth during the County’s water conservation media event on June 10. The Water Authority provided materials to Quail Botanical Garden and the San Diego County Farm Bureau for their San Diego County Fair displays.

The 20gallonchallenge.com website set another record in May, with 17,347 unique visits. Staff also communicated water supply and conservation updates through email newsletters to the 20gallonchallenge.com and Water Source distribution list.

Prepared by: Denise Vedder, Public Affairs Manager
Reviewed by: Jason Foster, Director of Public Affairs
June 17, 2009

Attention: Legislation, Conservation and Outreach Committee

Statewide Water Conservation Policy Update. (Information)

Purpose
This report provides an update on the statewide activities related to water conservation policies and legislation.

Background
Landscape policies related to water conservation are changing rapidly as the water supply situation in California becomes more challenging. The trend has been to move away from goal-setting based on implementation of specific conservation activities, such as rebates, audits, or public outreach. This would be replaced by setting targets to reduce gallons per capita per day (GPCD) of water use. The Governor made a call for action in a letter dated February 28, 2008, where he challenged the Legislature, state agencies, and water agencies to achieve a 20-percent reduction in GPCD by the year 2020. In that call for action, the Governor called on the Legislature to enact laws that would support the target and on state agencies to develop a plan for meeting the target. By setting a GPCD target, water agencies have the flexibility to manage their conservation programs in a manner that best suits their service area.

The California Urban Water Conservation Council (CUWCC) continues to adapt to changing circumstances and has been updating its approaches to water conservation. In 2008, the CUWCC updated the Best Management Practices (BMPs) for water agency conservation programs. The new BMPs include foundational BMPs, which are required for all signatories and programmatic BMPs. The programmatic BMPs can be implemented: (1) through a checklist approach where agencies must implement specific programs; (2) a flex-track approach that provides an equivalent level of water savings; or (3) a GPCD reduction approach. Each signatory can decide which approach works best for its service area.

The Water Authority Board has also taken a GPCD reduction approach in the Board’s strategic plan. The strategic plan sets a goal of 170 GPCD by January 2015.

Discussion
State Agency 20 X 2020 Plan
State agencies with jurisdiction over water issues are developing a plan to reduce GPCD water use 20 percent by 2020. Agencies that have been actively participating in the plan development include the Department of Water Resources, State Water Resources Control Board, Department of Public Health, Public Utilities Commission, and the Energy Commission. Other entities involved in the plan development include CALFED, U.S. Bureau of Reclamation, and the CUWCC. While the state has had two workshops to gain stakeholder input, the approach to the plan has been primarily a top-down approach developed by the state agencies.
The 20 percent X 2020 plan addresses only potable urban water uses and sets regional GPCD targets based on an assessment of the conservation potential in the region through code requirements and implementation of the CUWCC BMPs. For the South Coast Region (Region 4), which covers primarily the Metropolitan Water District Service area, the proposed goal is a 17 percent overall reduction in water use which would decrease average regional per capita use from a baseline of 180 GPCD to 149 GPCD by 2020. However, the draft plan does not include a methodology for setting targets on an individual agency basis. Methodologies for determining agency targets may be established through the legislative process and are being considered by the CUWCC.

The draft plan also includes suggestions on actions that could be taken to meet the goals. The draft plan calls for:

1. Streamlined data collection and management.
2. A focus on landscape conservation.
3. Continued attention to efficiency standards and codes.
4. A statewide public education campaign.

There are numerous suggestions in the draft plan that appear to be directed toward legislation or regulatory action. These include recommendations for:

1. Putting targets into legislation.
2. Accelerating meter installation and setting state standards for meter accuracy.
3. Mandating for uniform data collection.
4. Mandating implementation of the landscape irrigation BMP.
5. Encouraging or mandating conservation pricing.
7. State enforcement actions to prevent waste and unreasonable use of water.
8. Providing additional enforcement tools for water agencies.

The state would like to investigate the use of conservation offsets for water demand generated by new development and the establishment of a cap-and-trade regime.

Legislative Activities
Conservation legislation in the current session was focused on establishing approaches to setting conservation targets. Last month, the Board adopted policy principles for engaging in this discussion. Two bills that continue to work their way through the legislative process are SB 261 (Dutton/Duchen) and AB 49 (Feuer). A summary of the content of those bills as of the time of this Board memo is included in the Attachment 1. The Water Authority’s sponsor bill, AB 1465, continues to work its way through the process. This bill would update the urban water management plan requirements to reflect the current CUWCC conservation BMPs.

California Urban Water Conservation Council (CUWCC) Activities
The CUWCC continues with its collaborative approach between water agencies, environmental groups, and industry groups to set approaches for conservation programs. In June 2009, the CUWCC adopted a third option for compliance with the BMPs, based on a reduction in GPCD. The “simple approach” requires an 18 percent reduction in potable water GPCD by the year 2018, from a baseline
determined from a 10-year average for years 1997-2006. Signatories will have the option of including or excluding agricultural meters as part of their calculation. This methodology was approved by the Council membership on June 11, 2009. There is an appeal process in place to allow for adjustments due to exceptional or unique circumstances. Under this approach, the Water Authority’s service area would reduce use from a baseline (excluding recycled water) of 176 GPCD to 144 GPCD by 2018. If agricultural water use is included in the average, the use would be reduced from a baseline of 202 GPCD to 165 GPCD as shown in Attachment 2. The 2008 average per capita potable municipal and industrial (M &I) use is 171 GPCD. The 2008 average total potable use is 195 GPCD.

A second method for compliance with GPCD reduction is being considered that would be based on “efficient water use.” This method would consider size of property, climate zone, and local hydrology to determine efficient outdoor water use, an assumed 20 percent reduction in the commercial industrial sector and specific efficiency standards for indoor water use. The “efficient water use” approach will be more difficult to calculate, but may be appropriate for agencies that are already extremely efficient.

The CUWCC is also considering an update to the Water Loss BMP (BMP3). This method will use software developed by the American Water Works Association to assess the amount of water loss in the agency’s distribution system and the potential to reduce those losses. BMP3 was presented to the plenary session on June 11, 2009, and will come back for a vote at the September 2009 plenary session.

Prepared by: Toby Roy, Water Resources Manager
Reviewed by: Ken Weinberg, Director Water Resources

Attachment 1: Proposed Conservation Legislation
Attachment 2: Legislation table for WUE
<table>
<thead>
<tr>
<th>Issue</th>
<th>Board Policy</th>
<th>AB 49 (Feuer/Huffman)</th>
<th>SB 261 (Dutton/Ducheny)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meets 20 X 2020 Goal</td>
<td>Should be designed to meet goal.</td>
<td>Intended to meet goal through setting urban water use efficiency targets.</td>
<td>Intended to meet goal through setting urban water use efficiency targets.</td>
</tr>
<tr>
<td>Other Goals</td>
<td>Recognize and account for investments in recycled water.</td>
<td>Recognize and account for investments in recycled water.</td>
<td>Encourage efficient use of local water, such as stormwater, recycled water, desalinated water, or treated water. Support economy.</td>
</tr>
<tr>
<td>Includes multiple compliance approaches?</td>
<td>Should include multiple compliance options.</td>
<td>Includes three options: 20% reduction from baseline, efficient water use or 95% of the State 2020 plan regional goal (only CUWCC members prior to 1994). Must calculate only option selected.</td>
<td>Includes two options: 20% reduction or efficient water use. Must calculate both approaches.</td>
</tr>
<tr>
<td>Allows for individual or regional compliance?</td>
<td>Should allow for either individual or regional compliance.</td>
<td>May comply by urban retail supplier service area, IRWMP area or other appropriate geographic scales developed by DWR.</td>
<td>May comply by urban water supplier or regional water management group.</td>
</tr>
<tr>
<td>Baseline</td>
<td>Should recognize unique hydrology, weather, land use patterns and past conservation.</td>
<td>Applies baseline to 20% reduction approach: Ten year average, ending in 2004 or later. Three approaches recognize unique agency differences.</td>
<td>Applies to 20% reduction approach: 20% reduction from the 2020 projection in the agency's 2005 Urban Water Management Plan, but including the conservation goal in the 2005 plan. Two approaches recognize unique agency differences.</td>
</tr>
<tr>
<td>Water use to set baseline and measure compliance</td>
<td>See above</td>
<td>Includes potable water entering distribution system, may include or exclude ag use, may exclude nonpotable and indirect potable recycled water.</td>
<td>All potable water excluding local sources (i.e. only imported water).</td>
</tr>
<tr>
<td>Water Efficient Standard</td>
<td>See above</td>
<td>Includes combined residential and CII use. Ag is optional.</td>
<td>Includes only residential uses.</td>
</tr>
<tr>
<td>2020 Target-residential</td>
<td>See above</td>
<td>Indoor: 55 GPCD, Outdoor per State model landscape ordinance.</td>
<td>Indoor: 70 gpcd or per CUWCC, Outdoor: per State model landscape ordinance.</td>
</tr>
<tr>
<td>2020 Target- CII</td>
<td>See above</td>
<td>Current CUWCC BMP.</td>
<td>Excludes CII from target until task force completes recommendations.</td>
</tr>
<tr>
<td>Issue</td>
<td>Board Policy</td>
<td>AB 49 (Feuer/Huffman)</td>
<td>SB 261 (Dutton/Ducheny)</td>
</tr>
<tr>
<td>-------</td>
<td>--------------</td>
<td>-----------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>2020 Target-Ag from Urban Supplier</td>
<td>See above</td>
<td>May include or exclude ag use. Efficient water use based on model landscape ordinance</td>
<td>Not addressed</td>
</tr>
<tr>
<td>BMP requirements</td>
<td>Should include BMP compliance by retail and wholesale suppliers</td>
<td>Recognizes criteria developed in BMPs, does not specifically mandate BMP compliance.</td>
<td>Mandates retail/wholesale BMPs. Does not match with current CUWCC BMPs</td>
</tr>
<tr>
<td>Credits for recycled water</td>
<td>Credit is given for recycled water for both nonpotable and indirect potable reuse</td>
<td>Credit is given for recycled water</td>
<td>Credit is given for stormwater, desalinated water, and treated water that reduce demand for imported water</td>
</tr>
<tr>
<td>Other Credits</td>
<td>Not recommended.</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>Metrics to evaluate progress</td>
<td>Reduction in per capita water use.</td>
<td>GPCD is use to measure progress</td>
<td>Agency can set its own metrics</td>
</tr>
<tr>
<td>Reporting</td>
<td>Report through Urban Water Management Plan in 2010 and 2015.</td>
<td>Report through UWMP</td>
<td>Two year reporting of progress on milestones to DWR. May use report to CUWCC</td>
</tr>
<tr>
<td>Verification</td>
<td>N/A</td>
<td>Agencies must report compliance data to DWR as part of their Urban Water Management Plan.</td>
<td></td>
</tr>
<tr>
<td>Water Rights</td>
<td>N/A</td>
<td>Water Rights are not mentioned.</td>
<td>Water Rights are protected.</td>
</tr>
<tr>
<td>Commercial, Institutional, Industrial (CII) Task Force</td>
<td>Formation of CII task force to develop industry BMPs for sector.</td>
<td>Form CII task for the development BMPs for efficient use in the CII sector.</td>
<td>Form CII task force to look at metrics, BMPs, alternative CII supplies, barriers and feasibility/cost effectiveness to reduce use.</td>
</tr>
<tr>
<td>Link to grants</td>
<td>Eligibility for State Grants and Loans linked to compliance.</td>
<td>Linked to eligibility for state grants.</td>
<td>Failure to meet milestones results in point deduction on grants and loans.</td>
</tr>
<tr>
<td>Agriculture Only Requirements</td>
<td>Ag management plan requirement. Reasonable threshold for applicability.</td>
<td>Requires an agricultural water use efficiency plan and compliance with BMPs. Proposed threshold is 2000 AFY (Not reasonable).</td>
<td>Does not address agricultural water use.</td>
</tr>
</tbody>
</table>
### San Diego County Water Authority Per Capita Water Use (Simple Approach)

<table>
<thead>
<tr>
<th>FISCAL YEAR</th>
<th>ESTIMATED POPULATION</th>
<th>AG WATER USE (AF)</th>
<th>M&amp;I WATER USE (AF)</th>
<th>TOTAL WATER USE (AF) *</th>
<th>M&amp;I (GPCD)</th>
<th>Total (GPCD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1997</td>
<td>2,640,861</td>
<td>69,720</td>
<td>529,303</td>
<td>599,023</td>
<td>179</td>
<td>202</td>
</tr>
<tr>
<td>1998</td>
<td>2,689,493</td>
<td>52,819</td>
<td>485,942</td>
<td>538,761</td>
<td>161</td>
<td>179</td>
</tr>
<tr>
<td>1999</td>
<td>2,733,035</td>
<td>71,191</td>
<td>536,827</td>
<td>608,019</td>
<td>175</td>
<td>199</td>
</tr>
<tr>
<td>2000</td>
<td>2,814,481</td>
<td>92,319</td>
<td>589,010</td>
<td>681,329</td>
<td>187</td>
<td>216</td>
</tr>
<tr>
<td>2001</td>
<td>2,813,278</td>
<td>83,071</td>
<td>550,347</td>
<td>633,418</td>
<td>175</td>
<td>201</td>
</tr>
<tr>
<td>2002</td>
<td>2,825,574</td>
<td>97,367</td>
<td>575,470</td>
<td>672,837</td>
<td>182</td>
<td>213</td>
</tr>
<tr>
<td>2003</td>
<td>2,843,697</td>
<td>82,683</td>
<td>553,758</td>
<td>636,441</td>
<td>174</td>
<td>200</td>
</tr>
<tr>
<td>2004</td>
<td>2,867,237</td>
<td>100,459</td>
<td>602,056</td>
<td>702,515</td>
<td>187</td>
<td>219</td>
</tr>
<tr>
<td>2005</td>
<td>2,977,337</td>
<td>72,575</td>
<td>559,673</td>
<td>632,248</td>
<td>168</td>
<td>190</td>
</tr>
<tr>
<td>2006</td>
<td>3,035,858</td>
<td>85,011</td>
<td>587,415</td>
<td>672,425</td>
<td>173</td>
<td>198</td>
</tr>
<tr>
<td><strong>10-Year Average</strong></td>
<td>-</td>
<td>80,721</td>
<td>556,980</td>
<td>637,702</td>
<td>176</td>
<td>202</td>
</tr>
</tbody>
</table>

* Excludes recycled water use.

2018 GPCD Target: 144
(18% reduction from 1997 - 2006 average)

GPCD Reduction: 32
June 17, 2009

Attention: Legislation, Conservation and Outreach Committee

Metropolitan Water District Credits and Conservation Program Update (Information)

Purpose
This report summarizes recent activities associated with the Metropolitan Water District (MWD) Conservation Credits Program (CCP) in fiscal year 2009 and actions planned for fiscal year 2010.

Background
Water supply reliability is progressively more challenging statewide. The ecological and economic consequences of the state’s evolving water crisis could further deteriorate with each new biological opinion that imposes additional pumping restrictions at the Bay-Delta and the potential shifting of precipitation patterns due to changing climate patterns. By design, MWD and its member agencies have led water conservation measures, realizing early on its value as an “alternate water source.” MWD reported that since 1990, MWD and its member agencies achieved a water savings of about 125,000 acre-feet annually due to $250 million in conservation incentives in place. These “active” conservation actions further augmented the 760,000 acre-feet of “passive” conservation actions from code- and price-based and system improvements resulting in a total annual conservation amount of about 885,000 acre-feet. However, as water reliability challenges have grown and retail water agencies began imposing water use restrictions, consumer interest in water conservation rebate programs has increased. As a result, MWD’s existing CCP received an overwhelming response that accelerated fiscal year 2009 funding requests to more than three times historic levels.

Discussion
Funding the CCP in Fiscal Years 2009 and 2010. MWD, in partnership with its member agencies, developed an array of programs that provide for conservation activities based on the California Urban Water Conservation Council guidelines and MWD’s Integrated Water Resources Plan. The CCP included two financial incentive programs that support retrofitting equipment with more efficient models: the Regional Rebate and Public Sector Programs (PSP), and a reimbursement program for locally implemented water conservation projects – the Locally Implemented Conservation Program. In March 2008, MWD’s board approved the fiscal year 2009 budget, which earmarked $20.1 million for the CCP.

In November 2008, MWD’s board approved the expansion of the CCP fund to cover extraordinary programs that included the PSP Phase II and the Turf Removal Pilot Program. Accordingly, the board assigned an additional $8.5 million to the CCP spending plan for fiscal year 2009. Due to heightened interest in the incentives and rebates, in February 2009, MWD staff returned to the board, and the board approved additional cost management actions and authorized staff to sustain the conservation credits programs to an amount equal to $40 million. In April 2009, the board approved the fiscal year 2010 budget, which allocated $19.1 million for the CCP.
Shortly thereafter, in March and April 2009, for the Save-a-Buck (CII) and SoCal WaterSmart (residential) updates, MWD staff reported there was record response to existing conservation incentive programs, which caused MWD to establish a reservation system that limits the rebates available each month. Reservations were accepted for April and May. However, the rebates were fully exhausted in a short amount of time each month. Because of negative feedback from customers, MWD did not take reservations in June. At that time, MWD staff reported that there was a backlog of about $10 million, which would cut into the recently adopted CCP fiscal year 2010 budget of $19.1 million. This prompted the board to discuss how the rebate programs are conducted by MWD and whether additional funding should be allocated or if the member agencies should begin to look at funding programs without relying on MWD incentives.

This month, the Water Planning and Stewardship Committee and MWD board debated whether MWD should cover a backlog of past incentives and rebates, which had grown to $24 million, by using unspent water transfer budget funds as well as drawing down the water stabilization fund in fiscal year 2009, as recommended by staff. The MWD board also deliberated whether the backlog should be funded with the budgeted funds from fiscal year 2010 or the funding program be terminated entirely. The supporters of terminating MWD’s incentives, including the Water Authority’s Delegates, stated that this position in no way represents that conservation is not important. On the contrary, conservation remains a critical component of the overall demand management. However, they noted that MWD had just completed an extremely difficult budget cycle where the board struggled to hold the rate increase to 21.3 percent with another 20-plus-percent pending in January 2011; taking money from reserves to pay for CCP does not make sense in light of the rate impact. They questioned whether MWD can keep the fiscal year 2010 budget at $19.1 million, when the proposed expenditures for fiscal year 2009 were tracking over $64 million. They maintained that continued subsidies could send the wrong message – that customers should make conservation investments only when paid by someone else. Moreover, as MWD begins allocating water to member agencies, funding for conservation programs should be best done at the member agencies’ level when they are expected to maintain their MWD demands at the allocation level. Several board members supporting MWD’s continued funding for conservation suggested that conservation is the cheapest source of supply and MWD should maintain its regional role in funding conservation. Some went as far as suggesting a regional program is needed because certain agencies cannot afford to fund program without the regional assistance.

Ultimately, the board approved (by a vote of 89.81% versus 7.4%) a motion to direct the General Auditor to validate the current dollar amount of the backlog, and include in his report an evaluation of the relative effectiveness of various conservation investments (such as, advertising, audits, incentive payments for different conservation devices, etc.). After receipt of the General Auditor's report, the board will decide what guidelines are appropriate for the conservation program in fiscal year 2010, and what, if any, part of the backlog to fund.

**Water Authority’s Water Conservation Program (WCP).** The Water Authority’s WCP seeks to encourage savings by the use of water efficient appliances and fixtures both indoors and outdoors for residential, commercial, industrial and institutional land uses. During the last multi-year budget, $1.53 million allocated for the 20-Gallon Challenge media campaign was redirected to enhance and supplement the WCP. For fiscal years 2010 and 2011, the General Manager’s proposed budget includes $6.9 million for existing programs. Staff is actively pursuing state and
federal grants to supplement its programs. To date, the Water Authority has submitted competitive funding requests totaling $11 million.

Water Authority staff is working to coordinate regional water use efficiencies with a focus on promoting long-term behavioral change through targeted programs. Staff is partnering with San Diego Gas & Electric to expand an existing clothes washer rebate program and homeowners associations to encourage water savings improvements to landscaping. Staff also intends to continue to participate in MWD’s CCP, as long as funds are made available. Staff believes that MWD’s fiscal year 2010 CCP budget of $19.1 million, if not used for backlogged incentives or rebates, may extend San Diego’s participation in MWD’s CCP to about three-to-four months.

**Next Steps.** MWD’s General Auditor plans to return to the board in July to discuss the findings on the CCP and the board will decide how to proceed. Water Authority staff continues to participate and provide input to the conservation workgroup consistent with the Water Authority’s strategic goals. On a parallel track, Water Authority staff is working closely with the Water Authority’s member agencies to ensure that their concerns are addressed in the process.

Prepared by: Debbie Discar-Espe, Senior Water Resources Specialist  
Reviewed by: Amy I. Chen, MWD Program Chief  
William J. Rose, Water Conservation Program Executive
June 17, 2009

Attention: Legislation Conservation and Outreach Committee

Status Report on Legislation and Legislative Positions (Information)

Background
Water Authority staff is currently reviewing 111 bills in the state Legislature and Congress for potential impact on the organization and its member agencies. Some of these bills are placeholder bills that do not propose substantive changes in the law, but which may be amended to propose such changes. The legislative deadline for the Assembly and Senate to pass bills out of the house of origin was June 5, 2009. Committee meetings resumed the following week. The legislative summer recess is scheduled to begin July 17, 2009, provided a budget bill has been passed.

The Water Authority’s staff and legislative advocates review each bill in the context of the adopted 2009 Legislative Policy Guidelines. The Legislative Policy Guidelines provide direction to staff and the Water Authority’s legislative advocates to communicate support or opposition to legislation and amendments. Bills for which staff recommends a position are brought before the Legislation, Conservation and Outreach Committee and the board for consideration.

Discussion
As of June 9, 2009, the board has taken a position of Support on 13 bills, a position of Support, if amended on three bills, a position of Oppose on two bills, and a position of Oppose, unless amended on one bill. AB 1465 (Hill) is sponsored by the Water Authority. In addition to these positions taken on state legislation, the board has adopted positions on two federal bills; a Support position on one federal bill, and an Oppose position on one federal bill. Water Authority staff and its legislative advocates will continue to track and monitor bills throughout the legislative session to ensure consistency with board policies, positions and the 2009 Legislative Policy Guidelines.

Attached is a chart outlining current positions on legislation of interest to the Water Authority as of June 9, 2009. Also attached is a comprehensive list of bills that are under review and are being monitored by staff and legislative advocates.

Prepared by: Alexandra Schnell, Management Analyst
Reviewed by: Jeffrey Volberg, Government Relations Manager
Dennis Cushman, Assistant General Manager

Attachments: 1. Chart summarizing the Water Authority’s current positions on 2009-2010 legislation as of June 9, 2009
2. List of legislation under review by Water Authority staff as of June 9, 2009
<table>
<thead>
<tr>
<th>Date of Board Action/Activity</th>
<th>Position</th>
<th>Bill Number</th>
<th>Author</th>
<th>Bill Name</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>18-Dec-08</td>
<td>Sponsor</td>
<td>AB 1465</td>
<td>Hill</td>
<td>Urban Water Management Planning</td>
<td>Senate Committee on Natural Resources and Water</td>
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<tr>
<td>22-Jan-09</td>
<td>Support</td>
<td>AB 13</td>
<td>Salas</td>
<td>Sacramento-San Joaquin Delta Conservancy</td>
<td>Senate Committee on Rules</td>
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<td>22-Jan-09</td>
<td>Oppose</td>
<td>SB 42</td>
<td>Corbett</td>
<td>Coastal Resources: once-through cooling</td>
<td>Senate Committee on Energy, Utilities and Communications</td>
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<td>26-Feb-09</td>
<td>Support</td>
<td>AB 28</td>
<td>Jeffries</td>
<td>Natural Gas Engines: water movement: emissions limitation requirements</td>
<td>Failed passage - reconsideration granted; Assembly Committee on Natural Resources</td>
</tr>
<tr>
<td>26-Mar-09</td>
<td>Support</td>
<td>AB 804</td>
<td>Hall</td>
<td>Invasive Aquatic Species: mussels</td>
<td>Senate Committee on Rules</td>
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<td>Date of Board Action/Activity</td>
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<td>Bill Number</td>
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<td>26-Mar-09</td>
<td>Support</td>
<td>AB 1061</td>
<td>Lieu</td>
<td>Common Interest Developments: water-efficient landscapes</td>
<td>Senate Committee on Transportation and Housing</td>
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<td>26-Mar-09</td>
<td>Support</td>
<td>AB 1366</td>
<td>Feuer</td>
<td>Residential Self-Regenerating Water Softeners</td>
<td>Senate Committee on Rules</td>
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<tr>
<td>26-Mar-09</td>
<td>Support</td>
<td>SB 407</td>
<td>Padilla</td>
<td>Property Transfers: plumbing fixtures replacement</td>
<td>Assembly (held at desk after first reading)</td>
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<td>26-Mar-09</td>
<td>Support</td>
<td>S 22</td>
<td>Bingaman</td>
<td>Omnibus Public Land Management Act of 2009</td>
<td>Failed in House</td>
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<td></td>
<td>(Contents of S 22 were amended into HR 146)</td>
<td>HR 146</td>
<td>Holt</td>
<td>Omnibus Public Land Management Act of 2009</td>
<td>Signed by President 03/30/09; Public Law No: 111-11</td>
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<td>23-Apr-09</td>
<td>Support</td>
<td>AB 900</td>
<td>De Leon</td>
<td>Water Diversion: statements of water diversion and use</td>
<td>Senate Committee on Rules</td>
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<tr>
<td>Date of Board Action/Activity</td>
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<tr>
<td>23-Apr-09</td>
<td>Support, if amended</td>
<td>AB 1408</td>
<td>Krekorian</td>
<td>Subdivisions: Water Demand Mitigation Fund</td>
<td>Assembly Inactive File</td>
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<td>23-Apr-09</td>
<td>Oppose, unless amended</td>
<td>SB 565</td>
<td>Pavley</td>
<td>Water Recycling</td>
<td>Assembly (held at desk after first reading)</td>
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<tr>
<td>23-Apr-09</td>
<td>Support, if amended</td>
<td>ACA 9</td>
<td>Huffman</td>
<td>Local Government Bonds: special taxes: voter approval</td>
<td>Assembly Committee on Revenue and Taxation</td>
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<td></td>
<td>Support</td>
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<td></td>
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<td></td>
<td>(position modified to full</td>
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<td></td>
<td>Support following adoption of requested amendments</td>
<td></td>
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<tr>
<td></td>
<td>Support</td>
<td></td>
<td></td>
<td>on 4/27/2009</td>
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<tr>
<td>28-May-09</td>
<td>Support</td>
<td>AB 234</td>
<td>Huffman</td>
<td>Federal Stimulus Funds for Energy and Water Use Efficiency</td>
<td>Senate Committee on Energy, Utilities and Communications</td>
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<tr>
<td>28-May-09</td>
<td>Support, if amended</td>
<td>AB 262</td>
<td>Bass</td>
<td>Federal Stimulus Funds for Energy Activities, Programs, or Projects</td>
<td>Senate Committee on Rules</td>
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## San Diego County Water Authority
### Summary of Current Positions on
#### 2009-2010 Legislation
##### as of June 9, 2009

<table>
<thead>
<tr>
<th>Date of Board Action/Activity</th>
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<th>Bill Number</th>
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<tr>
<td>28-May-09</td>
<td>Support, if amended</td>
<td>AB 300</td>
<td>Caballero</td>
<td>Subdivisions: Water Supply</td>
<td>Senate Committee on Local Government</td>
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<tr>
<td>28-May-09</td>
<td>Support</td>
<td>AB 410</td>
<td>De La Torre</td>
<td>Recycled Water</td>
<td>Senate Committee on Rules</td>
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<tr>
<td>28-May-09</td>
<td>Support</td>
<td>AB 1100</td>
<td>Duvall</td>
<td>Potable Reuse Demonstration Water</td>
<td>Senate Committee on Rules</td>
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<tr>
<td>28-May-09</td>
<td>Support</td>
<td>SB 207</td>
<td>Florez</td>
<td>Delta Smelt Preservation and Restoration Act</td>
<td>Senate Committee on Natural Resources and Water</td>
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<tr>
<td>28-May-09</td>
<td>Support</td>
<td>SB 555</td>
<td>Kehoe</td>
<td>Eminent Domain: Conservation Easements</td>
<td>Assembly (held at desk after first reading)</td>
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<tr>
<td>28-May-09</td>
<td>Oppose</td>
<td>SB 711</td>
<td>Leno</td>
<td>Public Meetings: Closed Sessions: Labor Negotiations</td>
<td>Senate Committee on Local Government</td>
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<tr>
<td>Date of Board Action/Activity</td>
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<td>Bill Number</td>
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</tr>
<tr>
<td>28-May-09</td>
<td>Oppose</td>
<td>S 787</td>
<td>Feingold</td>
<td>Clean Water Restoration Act</td>
<td>Senate Committee on Environment and Public Works</td>
</tr>
</tbody>
</table>
Legislation Under Review by the Water Authority as of June 9, 2009

**CA AB 13**

**AUTHOR:** Salas [D]  
**TITLE:** Sacramento-San Joaquin Delta Conservancy  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/01/2008  
**LAST AMEND:** 04/29/2009  
**DISPOSITION:** Pending  
**LOCATION:** SENATE  
**SUMMARY:** Establishes the Sacramento-San Joaquin Delta Conservancy to restore, maintain, and enhance ecosystems, including habitats, wildlife corridors, native species, and open space, in the Sacramento-San Joaquin Delta and Suisun Marsh, and to develop and implement projects to address the economic viability of the Delta region, consistent with a comprehensive Delta sustainability program.  
**STATUS:** 06/03/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

**CA AB 25**

**AUTHOR:** Gilmore [R]  
**TITLE:** Water Quality: Minimum Civil Penalties  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/01/2008  
**LAST AMEND:** 04/02/2009  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Environmental Safety and Toxic Materials Committee  
**SUMMARY:** Prohibits the State Water Resources Control Board or a regional board from imposing a mandatory minimum penalty for a violation of the federal Clean Water Act or the Porter-Cologne Water Quality Control Act for which an action to impose liability is not requested or imposed by those boards within a certain time from notice of the violation. Authorizes those boards, in lieu of assessing penalties on a small publicly owned treatment works (POTW), to require the POTW to spend that amount on compliance.  
**STATUS:** 04/21/2009 In ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Not heard.

**CA AB 28**

**AUTHOR:** Jeffries [R]  
**TITLE:** Natural Gas Engines: Water Movement: Emissions  
**FISCAL COMMITTEE:** no  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 12/01/2008  
**LAST AMEND:** 04/13/2009  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Natural Resources Committee  
**SUMMARY:** Requires any requirement imposed by an air pollution control district, an air quality management district, or other local agency or local regulatory body relating to emissions limitations on, or imposing monitoring, testing, inspection,
maintenance, or reporting requirements relating to emissions caused by, the use of a natural gas engine to comply with prescribed requirements.

**STATUS:**
05/04/2009 In ASSEMBLY Committee on NATURAL RESOURCES: Failed passage.
05/04/2009 In ASSEMBLY Committee on NATURAL RESOURCES: Reconsideration granted.

**CA AB 39**

**AUTHOR:** Huffman [D]
**TITLE:** Sacramento-San Joaquin Delta FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 12/01/2008
LAST AMEND: 04/02/2009
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY: Require the State Delta and Ecosystem Water Council to prepare a plan to implement the Delta Vision Strategic Plan issued by the Delta Vision Blue Ribbon Task Force in October 2008, and to submit that plan to the Legislature prior to a specified date.

**STATUS:**
06/03/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

**CA AB 49**

**AUTHOR:** Feuer [D]
**TITLE:** Agricultural Water Management Planning FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 12/01/2008
LAST AMEND: 06/01/2009
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY: Relates to water conservation measures, programs, and incentives that prevent the water waste and promote reasonable and efficient use and reuse. Requires the state to achieve specified reduction in urban per capita water use. Requires urban retail water suppliers to develop urban and interim urban water use targets and for agricultural water suppliers to implement water use efficiency best management practices. Relates to agricultural water management planning and standardized water use reporting.

**STATUS:**
06/03/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

**CA AB 55**

**AUTHOR:** Jeffries [R]
**TITLE:** Water Supply Planning FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 12/04/2008
DISPOSITION: Pending
LOCATION: Assembly Water, Parks and Wildlife Committee
SUMMARY:
Revises the definition of "project" under the California Environmental Quality Act to provide that specified business, commercial, hotel or motel, industrial, manufacturing, and mixed-use developments are within the scope of that definition only if the projected water demand of the development would be equivalent to, or greater than, the amount of water required by a 500 dwelling unit project, as determined by the public water system.

**STATUS:**

02/05/2009 To ASSEMBLY Committees on WATER, PARKS AND WILDLIFE and LOCAL GOVERNMENT.

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**CA AB 80**

**AUTHOR:** Blakeslee [R]

**TITLE:** Reservoirs: Recreational Use

**FISCAL COMMITTEE:** no

**URGENCY CLAUSE:** no

**INTRODUCED:** 12/19/2008

**DISPOSITION:** Pending

**COMMITTEE:** Senate Environmental Quality Committee

**HEARING:** 06/15/2009 1:30 pm

**SUMMARY:**

Exempts Lopez Lake Reservoir from the prohibition against the recreational use of reservoirs where water is stored for domestic use if certain conditions are met. Permits an agency that removes water from either the Nacimiento Reservoir or Lopez Lake Reservoir to use specified alternative filtration systems to satisfy the water treatment requirement.

**STATUS:**

04/30/2009 To SENATE Committee on ENVIRONMENTAL QUALITY.

---

**CA AB 155**

**AUTHOR:** Mendoza [D]

**TITLE:** Local Government: Bankruptcy Proceedings

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 01/26/2009

**LAST AMEND:** 06/01/2009

**DISPOSITION:** Pending

**LOCATION:** SENATE

**SUMMARY:**

Provides that a local public entity may only file under federal bankruptcy law with the approval of the State Debt and Investment Advisory Commission.

**STATUS:**

06/03/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

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**CA AB 231**

**AUTHOR:** Huffman [D]

**TITLE:** Global Warming Solutions Act of 2006: Trust Fund

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/05/2009

**LAST AMEND:** 04/29/2009

**DISPOSITION:** Pending

**LOCATION:** SENATE

**SUMMARY:**

Requires the State Air Resources Board to adopt a schedule of fees to be paid by the sources of greenhouse emissions which would be deposited in the
Climate Protection Trust Fund, for purposes of carrying out the Global Warming Solutions Act of 2006.

**STATUS:**

06/02/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY.

*****To SENATE.

**CA AB 300**

**AUTHOR:** Caballero [D]

**TITLE:** Subdivisions: Water Supply

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/17/2009

**LAST AMEND:** 04/20/2009

**DISPOSITION:** Pending

**COMMITTEE:** Senate Local Government Committee

**HEARING:** 06/17/2009 9:30 am

**SUMMARY:**

Requires a public water system, or, if none exists, a local agency, to review and verify for accuracy a housing subdivider's water savings projections attributable to voluntary demand management measures. Authorizes the public water agency to collect fees necessary to provide the additional analysis. Requires any city, county, or system preparing a water supply assessment to reduce projected water demand for the project to an amount below the current statutory, regulatory, and local-ordinance requirements.

**STATUS:**

06/04/2009 To SENATE Committees on LOCAL GOVERNMENT and NATURAL RESOURCES AND WATER.

**CA AB 301**

**AUTHOR:** Fuentes [D]

**TITLE:** Vended Water

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/17/2009

**LAST AMEND:** 04/01/2009

**DISPOSITION:** Pending

**COMMITTEE:** Senate Health Committee

**HEARING:** 06/10/2009 1:30 pm

**SUMMARY:**

Relates to quality, reporting and labeling standards for bottled water and private water sources and limits the levels of certain contaminants that may be contained in such products. Requires each applicant for a license as a water-bottling plant or private water source to provide to the Department of Public Health specified information. Requires the department to annually compile a listing of such information and make it available to the public.

**STATUS:**

05/21/2009 To SENATE Committees on HEALTH and ENVIRONMENTAL QUALITY.

**CA AB 348**

**AUTHOR:** Salas [D]

**TITLE:** South Bay Irrigation District: Directors

**FISCAL COMMITTEE:** no

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/19/2009

**DISPOSITION:** Pending
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<th>COMMITTEE:</th>
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<tr>
<td>HEARING:</td>
<td>06/17/2009 9:30 am</td>
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<tr>
<td>SUMMARY:</td>
<td>Eliminates the landownership requirement for the purpose of being elected to, or serving on, the Board of Directors of the South Bay Irrigation District.</td>
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<tr>
<td>STATUS:</td>
<td>05/21/2009 To SENATE Committee on LOCAL GOVERNMENT.</td>
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<tr>
<td>AUTHOR:</td>
<td>Saldana [D]</td>
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<tr>
<td>TITLE:</td>
<td>Local Planning: Water Supplies</td>
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<tr>
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<td>URGENCY CLAUSE:</td>
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<tr>
<td>INTRODUCED:</td>
<td>02/23/2009</td>
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<td>DISPOSITION:</td>
<td>Pending</td>
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<td>LOCATION:</td>
<td>Assembly Local Government Committee</td>
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<td>SUMMARY:</td>
<td>Requires a city or county to notify the Regional Water Quality Control Board servicing the area before adopting or amending its general plan; requires the Regional Board to provide the planning agency with certain information regarding implementation of low impact development water management to increase local water supplies by increasing stormwater recharge and reuse.</td>
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<td>STATUS:</td>
<td>03/09/2009 To ASSEMBLY Committees on LOCAL GOVERNMENT and WATER, PARKS AND WILDLIFE.</td>
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<tr>
<td>AUTHOR:</td>
<td>De La Torre [D]</td>
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<tr>
<td>SUMMARY:</td>
<td>Relates to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 that provides funds to certain hydrologic regions for preparation of salt and nutrient management plans consistent with the recycled water policy of the State Water Resource Control Board. Sets a target to recycle a total of a specified amount of acre feet of water per year by the year 2020, and by another total amount of acre feet by the year 2030.</td>
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<td>STATUS:</td>
<td>06/01/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.</td>
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<td>CA AB 410</td>
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<tr>
<th>COMMITTEE:</th>
<th>Assembly Appropriations Committee</th>
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<tr>
<td>HEARING:</td>
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<tr>
<td>AUTHOR:</td>
<td>De La Torre [D]</td>
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<tr>
<td>TITLE:</td>
<td>Recycled Water: Oil Refineries</td>
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<td>Pending</td>
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SUMMARY:
Declares that the use of potable domestic water for oil refineries is a waste or unreasonable use of water if suitable recycled water is available and prohibits a person or public agency from doing so. States that it is the intent of the Legislature to provide incentives to facilitate compliance with these provisions.

STATUS:
05/28/2009 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

CA AB 460
AUTHOR: Anderson [R]
TITLE: Water Resources: Salinity: Water Softeners
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/24/2009
DISPOSITION: Pending
SUMMARY:
Expresses the intent of the Legislature to enact legislation that would require new residential water softening equipment sold in the state to have a minimum salt efficiency rating of no less than 4,400 grains of hardness removed per pound of salt used in regeneration. Expresses the intent of the Legislature to enact legislation that would achieve a 20% reduction in the per capita use of salt in water softening equipment.

STATUS:
02/24/2009 INTRODUCED.

CA AB 466
AUTHOR: Coto [D]
TITLE: Santa Clara Valley Water District
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2009
LAST AMEND: 04/15/2009
DISPOSITION: Pending
COMMITTEE: Senate Local Government Committee
HEARING: 06/17/2009 9:30 am
SUMMARY:
Repeals certain provisions of the Santa Clara Valley Water District Act relating to the board of the district. Revises the composition of the board. Requires the board to adopt a resolution establishing boundaries. Requires the board to review its financial reserves and its reserve management policy, and to provide an opportunity for the public to make comments before acting on a budget. Authorizes district tax exemptions for a taxpayer who qualifies as totally disabled.

STATUS:
05/21/2009 To SENATE Committee on LOCAL GOVERNMENT.

CA AB 474
AUTHOR: Blumenfield [D]
TITLE: Water Efficiency Improvements
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/24/2009
LAST AMEND: 05/18/2009
DISPOSITION: Pending
COMMITTEE: Senate Local Government Committee
HEARING: 07/01/2009 9:30 am

SUMMARY:
Authorizes the legislative body of any public agency to designate an area within which authorized city officials and free and willing property owners may enter into contractual assessments to finance the installation of water efficiency improvements that are permanently fixed to real property. Requires that notice be provided of a hearing to any entity providing water or energy within the boundaries of the proposed area.

STATUS:
06/04/2009 To SENATE Committee on LOCAL GOVERNMENT.

CA AB 580
AUTHOR: Huber [D]
TITLE: Onsite Sewage Treatment Systems
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/25/2009
LAST AMEND: 06/01/2009
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:
Amends the Porter-Cologne Water Quality Control Act. Requires that onsite sewage treatment systems be classified by the State Water Resources Control Board, into regulatory tiers based on the demonstrated risk each system poses to the public health and environment. Specifies that an exemption to the criteria contained in the regulations may also be established by the state board in addition to the regional boards.

STATUS:
06/02/2009 In ASSEMBLY. Read second time. To third reading.
06/02/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

CA AB 626
AUTHOR: Eng [D]
TITLE: Bond Revenues: Water Management: Grants
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/25/2009
LAST AMEND: 05/04/2009
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:
Relates to bond revenue grants under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 requires the Department of Water Resources to achieve its statewide grant allocation to address the critical water supply needs of disadvantaged communities by awarding grants for that purpose to disadvantaged communities within a hydrologic region in a total dollar amount that is equivalent to 10% of the total dollar amount of grants awarded in that region.

STATUS:
06/02/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

CA AB 629
AUTHOR: Krekorian [D]
TITLE: Water: School Facilities
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/25/2009
LAST AMEND: 05/06/2009
DISPOSITION: Pending
LOCATION: Assembly Appropriations Committee
SUMMARY: Requires a school district to conduct a one-time analysis of the level of lead in water in schools with plumbing that has not been completely replaced since a certain date. Authorizes a school district, if the analysis reveals the presence of lead in water that is available for human consumption on a schoolsite, to compete for funding from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act.
STATUS: 05/28/2009 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

CA AB 642
AUTHOR: Huber [D]
TITLE: Conservancies: Sacramento-San Joaquin Delta
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/25/2009
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Assembly Natural Resources Committee
SUMMARY: Establishes the Sacramento-San Joaquin Delta Conservancy to undertake activities related to the Delta and Suisun Marsh, including measures identified in the Delta sustainability program to restore and manage habitat in the Delta and Suisun Marsh. Prescribes the management, powers and duties of the conservancy. Provides that expenses of the conservancy may be paid from funds appropriated by the Legislature or from gifts, donations, bequests or other public and private sources.
STATUS: 04/27/2009 In ASSEMBLY Committee on NATURAL RESOURCES: Failed passage.
04/27/2009 In ASSEMBLY Committee on NATURAL RESOURCES: Reconsideration granted.

CA AB 687
AUTHOR: Salas [D]
TITLE: Tijuana River Valley Conservancy
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
LAST AMEND: 04/16/2009
DISPOSITION: Pending
LOCATION: Assembly Natural Resources Committee
SUMMARY: Enacts the Tijuana River Valley Conservancy Act. Establishes in the Natural Resources Agency the Tijuana River Valley Conservancy. Specifies the composition of the board of the conservancy. Requires the Conservancy to oversee the implementation of a comprehensive Tijuana River Valley cleanup
and restoration program.

**STATUS:**

04/16/2009 To ASSEMBLY Committee on NATURAL RESOURCES.

04/16/2009 From ASSEMBLY Committee on NATURAL RESOURCES with author’s amendments.

04/16/2009 In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

**CA AB 694**

**AUTHOR:** Saldana [D]

**TITLE:** Tidelands and Submerged Lands: San Diego

**FISCAL COMMITTEE:** no

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/26/2009

**DISPOSITION:** Pending

**LOCATION:** SENATE

**SUMMARY:**

Repeals the provisions freeing former tidelands granted to the City of San Diego from use restrictions; requires the State Lands Commission to request the state and to cooperate in resolving title and boundary issues involving tidelands and submerged lands.

**STATUS:**

05/28/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

**CA AB 696**

**AUTHOR:** Hagman [R]

**TITLE:** Environmental Quality Act: Arbitration

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/26/2009

**LAST AMEND:** 04/16/2009

**DISPOSITION:** Pending

**LOCATION:** Assembly Natural Resources Committee

**SUMMARY:**

Amends a provision of the Environmental Quality Act which requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project. Allows an applicant for a project and the lead agency to opt to resolve all disputes arising out of a subsequent environmental impact report for that project before an arbitrator, in lieu of retaining the option to file an action or proceeding arising out of those disputes before a court.

**STATUS:**

04/27/2009 In ASSEMBLY Committee on NATURAL RESOURCES: Failed passage.

04/27/2009 In ASSEMBLY Committee on NATURAL RESOURCES: Reconsideration granted.

**CA AB 737**

**AUTHOR:** Env Safety & Toxic Material Cmt

**TITLE:** Public Water Systems: Public Notification

**FISCAL COMMITTEE:** no

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/26/2009

**DISPOSITION:** Pending

**COMMITTEE:** Senate Environmental Quality Committee

127 of 296
Relates to existing law that requires every public water system to notify users when certain monitoring or other requirements have not been complied with, to notify customers when failure to comply with a primary drinking water standard that represents an imminent danger. Requires posting of the notices and reports on the public waters system's Internet Web site, if the public water system maintain an Internet Web site.

STATUS:
04/30/2009 To SENATE Committee on ENVIRONMENTAL QUALITY.

CA AB 752
AUTHOR: Arambula [D]
TITLE: State Water Pollution Control Revolving Fund
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
LAST AMEND: 06/03/2009
DISPOSITION: Senate Environmental Quality Committee
HEARING: 06/15/2009 1:30 pm
SUMMARY:
Defines a severely disadvantaged community as a community with a median household income of less than a specified percentage of the statewide median household income for purposes of the provisions governing expenditures of moneys in the State Water Pollution Control Fund Small Community Grant Fund.

STATUS:
06/03/2009 From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.
06/03/2009 In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.

CA AB 771
AUTHOR: Torres [D]
TITLE: Public Utilities: Residential Utility Services
FISCAL COMMITTEE: yes
URGENCY Clause: no
INTRODUCED: 02/26/2009
DISPOSITION: Pending
LOCATION: Assembly Utilities and Commerce Committee
SUMMARY:
Increases the maximum amortization period for the unpaid balance of a utility bill from a prohibition from terminating service by a utility that collects sanitation or sewerage charges for a public agency. Deletes an exemption. Prohibits corporations from seeking to recover charges or penalties, in connection with furnishing services to a tenant of the owner of the residential property to which services were provided, from any subsequent tenant or the property owner.

STATUS:
03/23/2009 To ASSEMBLY Committee on UTILITIES AND COMMERCE.

CA AB 804
AUTHOR: Hall [D]
TITLE: Invasive Aquatic Species: Mussels
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
LAST AMEND: 05/04/2009
DISPOSITION: Pending
LOCATION: SENATE

SUMMARY:
Provides that an operator of water delivery and storage facilities, who has prepared and initiated, and is in compliance a plan to eradicate dreissenid mussels, would not be subject to any civil or criminal liability for the introduction of such mussel species as a result of operations of those facilities. Provides the prohibition on a person possessing or transporting the mussels does not apply to an operator who has prepared an eradication plan. Requires a study on eradication of quagga mussels.

STATUS:
06/02/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

CA AB 853
AUTHOR: Arambula [D]
TITLE: Local Government: Organization
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
LAST AMEND: 05/18/2009
DISPOSITION: Pending
LOCATION: SENATE

SUMMARY:
Amends the Cortese-Know-Hertzberg Act of 2000 that governs the organization and reorganization of local government entities, including, among other things, the annexation of island territories to a city or county. Provides procedures for annexing unincorporated fringe communities and unincorporated island communities to a city under specified circumstances, including provisions for a revenue neutrality agreement between the affected local government entities.

STATUS:
05/26/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

CA AB 890
AUTHOR: Perez J [D]
TITLE: City of Maywood: Drinking Water
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
LAST AMEND: 06/01/2009
DISPOSITION: Pending
LOCATION: SENATE

SUMMARY:
Requires the State Department of Public Health, upon a request by a majority of the Maywood City Council, to determine whether a public water system serving residents within the city's jurisdiction possesses the adequate financial, managerial, and technical capability to ensure the delivery of safe, wholesome, and potable drinking water and, if the department finds that the public water system does not meet this requirement, to take specified actions.

STATUS:
06/02/2009 In ASSEMBLY. Read second time. To third reading.
06/02/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY.
CA AB 900

**To SENATE.**

**AUTHOR:** De Leon [D]

**TITLE:** Statements of Water Diversion and Use

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/26/2009

**LAST AMEND:** 04/28/2009

**DISPOSITION:** Pending

**LOCATION:** SENATE

**SUMMARY:**
Relates to a requirement that each person who diverts water file with the State Water Resources Control Board a prescribed statement of diversion and use. Deletes an exception to the statement requirement included in the consumptive use data for the delta lowlands. Adds an exception to the statement requirement for surface water diversion from the Sacramento-San Joaquin Delta. Imposes record requirements on any surface water diversion within the Delta but, not on certain diversions outside the Delta.

**STATUS:**
06/02/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY.

CA AB 916

**AUTHOR:** Logue [R]

**TITLE:** Onsite Sewage Treatment Systems

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/26/2009

**DISPOSITION:** Pending

**LOCATION:** Assembly Environmental Safety and Toxic Materials Committee

**SUMMARY:**
Amends the Porter-Cologne Water Quality Control Act. Requires the Water Resources Control Board to adopt recommended standards for the permitting and operation of specified onsite sewage treatment systems.

**STATUS:**
04/14/2009 In ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Not heard.

CA AB 934

**AUTHOR:** Gilmore [R]

**TITLE:** San Joaquin Valley: Water Supply

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/26/2009

**DISPOSITION:** Pending

**LOCATION:** Assembly Second Reading File

**SUMMARY:**
Requires the Department of Water Resources to study the economic impacts of water supply reduction in specified counties in the San Joaquin Valley, and to report its findings to the Legislature.

**STATUS:**
05/28/2009 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.
CA AB 958

**AUTHOR:** Eng [D]

**TITLE:** Design-build: Metropolitan Water District

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/26/2009

**LAST AMEND:** 04/20/2009

**DISPOSITION:** Pending

**LOCATION:** SENATE

**SUMMARY:**

Authorizes the Metropolitan Water District of Southern California to enter into design-build contracts for projects involving the design, construction, fabrication, and installation of a solar energy system.

**STATUS:**

05/28/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

CA AB 968

**AUTHOR:** Knight [R]

**TITLE:** Eminent Domain

**FISCAL COMMITTEE:** no

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/26/2009

**DISPOSITION:** Pending

**LOCATION:** ASSEMBLY

**SUMMARY:**

Makes nonsubstantive, technical changes to existing law which provides that if the Legislature provides by statute that a use, purpose, object, or function is one for which the power of eminent domain may be exercised, that is deemed to be a declaration that the use, purpose, object, or function is a public use.

**STATUS:**

02/26/2009 INTRODUCED.

CA AB 969

**AUTHOR:** Calderon C [D]

**TITLE:** Recycled Water

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/26/2009

**DISPOSITION:** Pending

**LOCATION:** Assembly Water, Parks and Wildlife Committee

**SUMMARY:**

Changes the statewide goal for recycled water to an unspecified number of acre-feet of water per year by the year 2020. Makes changes to findings and declarations under the act.

**STATUS:**

03/26/2009 To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.

CA AB 1041

**AUTHOR:** Strickland A [R]

**TITLE:** Drinking Water: Private Wells: County Regulations

**FISCAL COMMITTEE:** no

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/27/2009

**DISPOSITION:** Pending

**LOCATION:** Assembly Environmental Safety and Toxic Materials Committee
SUMMARY:
Prohibits a city, county, or city and county from regulating a private water system with a specified number of service connections.

STATUS:
04/02/2009 To ASSEMBLY Committees on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS and LOCAL GOVERNMENT.

CA AB 1061

AUTHOR: Lieu [D]
TITLE: Common Interest Developments: Water-Efficient Landscape
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 05/27/2009
DISPOSITION: Pending
COMMITTEE: Senate Transportation and Housing Committee
HEARING: 06/16/2009 1:30 pm
SUMMARY:
Provides that a provision of any of the governing documents of a common interest development shall be void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, the use of low water-using plants as a group, or has the effect of prohibiting or restricting compliance with a local water efficient landscape ordinance or water conservation measure.

STATUS:
05/27/2009 From SENATE Committee on TRANSPORTATION AND HOUSING with author's amendments.
05/27/2009 In SENATE. Read second time and amended. Re-referred to Committee on TRANSPORTATION AND HOUSING.

CA AB 1079

AUTHOR: Perez V [D]
TITLE: Environment: California-Mexico Border
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 06/01/2009
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:
Requires the California-Mexico Board Relations Council to coordinate the activities of the state agencies to initiate and develop the New River Improvement Project with specified objectives. Creates the New River Improvement Project Account in the State Border Environmental and Public Health Protection Fund. Provides the moneys in the account would be expended for activities related to the project.

STATUS:
06/03/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

CA AB 1091

AUTHOR: Ruskin [D]
TITLE: Natural Resources: Climate Change
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 05/06/2009
Authorizes the Natural Resources Agency to develop and amend as necessary a climate change adaptation strategy to assess the state's vulnerability to impacts of climate change, including the impacts of projected sea-level rise, on the state's physical and natural infrastructure. Permits the agency to develop or augment the strategy by region. Provides that the strategy is subject to a specified revenue process prior to adaptation or approval.

STATUS:
05/28/2009 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

CA AB 1100
AUTHOR: Duvall [R]
TITLE: Potable Reuse Demonstration Water
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 05/05/2009
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:
Allows the bottling of potable reuse demonstration water to be distributed, free of charge, for educational purposes or to promote water recycling. Establishes specific bottling, labeling, and sanitation requirements for potable reuse demonstration water and would require an operator seeking to bottle potable reuse demonstration water to establish a collection and recycling program for distributed bottles.

STATUS:
05/28/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

CA AB 1102
AUTHOR: Duvall [R]
TITLE: State Water Resources Control Board: Water Quality
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
Relates to provisions authorizing the State Water Resources Control Board to submit certification to a federal agency that there is reasonable assurance that an activity of any person subject to the jurisdiction of the state will not reduce water quality below applicable standards. Makes technical, nonsubstantive changes.

STATUS:
02/27/2009 INTRODUCED.

CA AB 1107
AUTHOR: Blakeslee [R]
TITLE: Environmental Protection Agency: Rules: Analysis
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
Relates to a requirement that the Environmental Protection Agency enter into an agreement with a scientific institution of higher learning to conduct an external peer review of the scientific basis for any rule proposed by any board, department, or office within the agency. Requires the agency to complete and place into the rulemaking record an economic analysis of the rule. Requires the agency to solicit public comment on the analysis. Allows any interested person to request a peer review of the analysis.

STATUS:
04/21/2009 In ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Not heard.

Revises provisions of existing law relating to the Central Valley Flood Protection Board. Relates to the board's monitoring of progress on a flood protection system, the number of board members that makes a quorum, ex parte communications with other persons or organizations, hearings on permits that may affect the State Plan of Flood Control, and the removal or modification of an encroachment on levees, channel, or other flood control works, and specified watershed flood control financial assistance.

STATUS:
05/28/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

Specifies the powers and purposes of the Eastern San Joaquin County Water District on and after the date on which the San Joaquin Local Agency Formation Commission approves the consolidation of the Stockton-East Water District and the Central San Joaquin Water Conservation District. Provides the number divisions and directors within the district.

STATUS:
06/04/2009 From SENATE Committee on LOCAL GOVERNMENT with
Enacts the Safe, Clean, Reliable Drinking Water Supply Act of 2010 which would authorize, for the purposes of financing specified water supply reliability and water source protection programs, the issuance of bonds in a specified amount pursuant to the State General Obligation Bond Law. Provides the act, if approved by the voters, requires establishing and imposing a fee on users of water to be used for the purposes of the act.

Status:
03/26/2009
To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.

Relates to fish passages. Requires the Department of Transportation to report the location of past, current, or future remediation projects and a schedule for the remediation of existing barriers to anadromous fish passage. Requires the department to prioritize certain projects. Repeals provisions requiring the department to perform an assessment for repair or construction projects using transportation funds that affect those stream crossings. Requires the department to fix certain barriers to fish passage.

Status:
04/28/2009
From ASSEMBLY Committee on TRANSPORTATION with author's amendments.
04/28/2009
In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.

Declares that it is the established policy of the state that every human being
has the right to clean, affordable, and accessible water on an equitable basis, that is adequate for the health and well-being of the individual and family. Requires relevant state agencies, including the Department of Water Resources, the State Water Resources Control Board, and the State Department of Public Health to revise, adopt, or establish policies, regulations, and grant criteria to further this policy.

STATUS:
05/28/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

CA AB 1253

AUTHOR: Fuller [R]
TITLE: Sacramento-San Joaquin Delta
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 06/01/2009
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY: Requires the Bay-Delta Authority to establish the Independent Science Board to advise and make recommendations to the authority and the Bay-Delta Public Advisory Committee on the science relative to implementation of all elements of the Bay-Delta Program. Requires the board to conduct a review of existing literature and studies on the fish predation in the Sacramento-San Joaquin Delta, and to submit a related report to the Legislature. Authorizes funding agreements.

STATUS:
06/02/2009 In ASSEMBLY. Read second time. To third reading.
06/02/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

CA AB 1279

AUTHOR: Monning [D]
TITLE: Salmon Restoration Projects: Funding
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY: Declares the intent of the Legislature to enact legislation that would fund salmon restoration projects.

STATUS:
02/27/2009 INTRODUCED.

CA AB 1294

AUTHOR: Monning [D]
TITLE: State Water Resources Development System
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY: Makes technical, nonsubstantive changes to existing law which authorizes the
issuance of bond funds for the purposes of the Water Resources Development Bond Act.

STATUS:
02/27/2009 INTRODUCED.

CA AB 1347

AUTHOR: Price [D]
TITLE: Water Resources: Desalination
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
DISPOSITION: Pending
LOCATION: Assembly Water, Parks and Wildlife Committee
SUMMARY:

Relates to desalination and water resources.

STATUS:
03/31/2009 To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.

CA AB 1365

AUTHOR: Berryhill T [R]
TITLE: Sacramento-San Joaquin Delta
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Assembly Water, Parks and Wildlife Committee
SUMMARY:

Amends existing law allowing a private party to agree to convey an interest in real property to the state to mitigate adverse impacts to the environment resulting from development or other permitted activities. Makes an appropriation to the Department of Water Resources for the purposes of acquiring land in the Sacramento-San Joaquin Delta in order to implement improvements relating to flood control, habitat enhancement, reduction of greenhouse gas emissions, recreation, and sustainability.

STATUS:
04/13/2009 To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
04/13/2009 From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.
04/13/2009 In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.

CA AB 1366

AUTHOR: Feuer [D]
TITLE: Residential Self-Regenerating Water Softeners
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Authorizes any local agency that maintains a community sewer system within specified areas of the state to take action, by ordinance or resolution and after a public meeting, to control salinity inputs from residential self-regenerating water softeners to protect the quality of the waters of the state.

STATUS:
05/28/2009  In ASSEMBLY. Read third time. Passed ASSEMBLY.
*****To SENATE.

CA AB 1371

AUTHOR: Smyth [R]
TITLE: Reasonable Use of Water: Generating Facilities
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 04/29/2009
DISPOSITION: Pending
LOCATION: Assembly Natural Resources Committee
SUMMARY: Declares that the use of potable domestic water for cooling towers that are part of a generating facility that is an eligible renewable energy resource is a reasonable use of water if certain conditions are met.
STATUS: 04/29/2009  In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

CA AB 1388

AUTHOR: Hernandez [D]
TITLE: Local Agencies: General Obligation Bonds
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 05/11/2009
DISPOSITION: Pending
COMMITTEE: Senate Local Government Committee
HEARING: 06/17/2009 9:30 am
SUMMARY: Authorizes a local agency to issue bonds, without further approval, at a negotiated sale for a price above or below par value if the legislative body the local agency adopts a specified resolution that includes certain disclosures before the negotiated sale. Imposes duties on the legislative body after the negotiated sale.
STATUS: 05/21/2009  To SENATE Committee on LOCAL GOVERNMENT.

CA AB 1404

AUTHOR: De Leon [D]
TITLE: Global Warming Solutions Act of 2006: Offset
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 06/01/2009
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY: Amends the Global Warming Solutions Act which designates the Air Resources Board as the agency charged with monitoring and regulating sources of emissions of greenhouse gases. Requires the board, if the board allows the use of market-based compliance mechanisms to reduce emissions, to limit the use of certain compliance offsets to a certain percentage of the greenhouse gas emission reductions expected from market mechanisms during the compliance period. Imposes a fee.
CA AB 1405

AUTHOR: De Leon [D]
TITLE: California Global Warming Solutions Act of 2006
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 06/01/2009
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:
Amends the State Global Warming Solutions Act of 2006 that requires the revenues collected from fees paid by the sources of greenhouse gas emissions regulated under the act. Establishes the Community Benefits Fund. Requires a specified percentage of revenues generated pursuant to the act include the above fees, to be deposited into the fund. Provides the moneys in the fund would go to the most impacted and disadvantaged communities in the state to accelerate greenhouse gas emission reductions.

CA AB 1408

AUTHOR: Krekorian [D]
TITLE: Subdivisions: Water Demand Mitigation Fund
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 04/30/2009
DISPOSITION: Pending
FILE: A-12
LOCATION: Assembly Inactive File
SUMMARY:
Requires a city or county to include as a condition in any tentative map a requirement that a subdivision have a sufficient water supply available or that sufficient water supplies will be made available through a Water Conservation Demand Fund held by the public water system. Authorizes the public water supplier to collect fees necessary to provide analysis of water conservation measures. Requires the water system to use moneys in the Fund on water conservation measures to offset the project demand.

CA AB 1425

AUTHOR: Fuller [R]
TITLE: Water: Central Valley Flood Protection Board
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
DISPOSITION: Pending
LOCATION: Assembly Water, Parks and Wildlife Committee
Amends existing law that provides the Central Valley Flood Protection Board with the authority to construct and maintain various flood control works, and that requires that plans involving similar activities within the board's jurisdiction be approved by the board before construction. Provides that the board may hold hearings on applications coming before it and to acknowledge receipt of all applications in writing within 14 days of receipt.

**STATUS:**
04/02/2009 To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.

**CA AB 1438**
**AUTHOR:** Conway [R]  
**TITLE:** Safe Drinking Water State Revolving Fund  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/27/2009  
**LAST AMEND:** 05/04/2009  
**DISPOSITION:** Pending  
**LOCATION:** SENATE

**SUMMARY:**
Relates to the safe drinking water state revolving fund. Allows the establishment of a wellhead protection account within the fund. Requires the Department of Public Health to set and publish the maximum grant amounts for the planning, engineering studies, environmental documentation, design, or construction of a single project. Includes fire flow as part of the water demand in the definition of reasonable amount of growth to serve the water demand.

**STATUS:**
06/01/2009 In ASSEMBLY. Read third time. Passed ASSEMBLY.  
*****To SENATE.

**CA AB 1465**
**AUTHOR:** Hill [D]  
**TITLE:** Urban Water Management Planning  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/27/2009  
**LAST AMEND:** 04/21/2009  
**DISPOSITION:** Pending  
**LOCATION:** Senate Natural Resources and Water Committee

**SUMMARY:**
Relates to urban water management planning. Requires an urban water supplier to describe opportunities for development of recycled water supplies, including nonpotable and indirect potable reuse and stormwater recapture and reuse as a long-term water supply. Requires the department to determine that an urban water supplier is eligible for a water management grant or loan, despite a failure to implement all of the water demand management measures if the supplier submits certain documentation.

**STATUS:**
06/04/2009 To SENATE Committee on NATURAL RESOURCES AND WATER.

**CA AB 1482**
**AUTHOR:** Anderson [R]  
**TITLE:** Department of Water Resources: Water Softener Study  
**FISCAL COMMITTEE:** yes  
**URGENCY CLAUSE:** no  
**INTRODUCED:** 02/27/2009
Requirements the Department of Water Resources to study whether the Legislature should establish a rating system to measure the efficiency levels of self-regenerating water softener systems.

**CA AB 1520**

**AUTHOR:** Evans [D]

**TITLE:** Statewide Watershed Program

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/27/2009

**LAST AMEND:** 05/05/2009

**DISPOSITION:** Pending

**LOCATION:** Assembly Appropriations Committee

**SUMMARY:**

Establishes the Statewide Watershed Program as a voluntary and nonregulatory program to provide assistance and funds to local community-based efforts in the conservation, protection, and restoration of the state’s watersheds and to promote coordinated management under the authority of the Secretary of the Natural Resources Agency and the Department of Conservation. Creates a state Watershed Advisory Committee. Specifies committee membership. Authorizes contracting. Requires research Internet posting.

**STATUS:**

05/28/2009 In ASSEMBLY Committee on APPROPRIATIONS: Heard, remains in Committee.

**CA ACA 9**

**AUTHOR:** Huffman [D]

**TITLE:** Local Government Bonds: Special Taxes: Voter Approval

**FISCAL COMMITTEE:** no

**URGENCY CLAUSE:** no

**INTRODUCED:** 02/06/2009

**LAST AMEND:** 04/27/2009

**DISPOSITION:** Pending

**LOCATION:** Assembly Revenue and Taxation Committee

**SUMMARY:**

Proposes and amendment to the Constitution. Changes the voter-approval requirement for special taxes to authorize a city, county, or special district to impose a special tax with the approval of 55% of its voters voting on the tax. Lowers the voter-approval threshold for a city, county, city and county, or special district to incur bonded indebtedness, exceeding in one year the income and revenue provided in that year, that is in the form of general obligation bonds to fund specified public improvements.

**STATUS:**

05/06/2009 From ASSEMBLY Committee on LOCAL GOVERNMENT: Be adopted to Committee on REVENUE AND TAXATION.
CA SB 12

AUTHOR: Simitian [D]
TITLE: Clean Drinking Water and Water Supply Security
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 12/01/2008
LAST AMEND: 06/02/2009
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY: Enacts the Sacramento-San Joaquin River Delta, Clean Drinking Water, Water Supply Security, and Environmental Improvement Act of 2009. Establishes the Delta Ecosystem and Water Council to advance the coequal goals of restoring the Delta Ecosystem and creating a more reliable water supply in the state. Requires the council to prepare and adopt a plan referred to as the Delta Ecosystem and Water Plan to carry out the requirement of the act.
STATUS: 06/03/2009 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

CA SB 42

AUTHOR: Corbett [D]
TITLE: Coastal Resources: Once Through Cooling
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/06/2009
LAST AMEND: 04/14/2009
DISPOSITION: Pending
LOCATION: Senate Energy, Utilities and Communications Committee
SUMMARY: Prohibits a state agency from authorizing, approving or certifying a new powerplant or industrial facility that uses once-through cooling. Requires the implementation of a statewide policy on once-through cooling at coastal and estuarine powerplants. Requires a fee on powerplants and industrial installations using once-through cooling.
STATUS: 04/21/2009 In SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Not heard.

CA SB 51

AUTHOR: Ducheny [D]
TITLE: Salton Sea Restoration Council
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Author</th>
<th>Title</th>
<th>Fiscal Committee</th>
<th>Urgency Clause</th>
<th>Introduced</th>
<th>Last Amended</th>
<th>Disposition</th>
<th>Location</th>
<th>Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td>CA SB 104</td>
<td>Oropeza [D]</td>
<td>Global Warming Solutions Act of 2006: Greenhouse Gases</td>
<td>yes</td>
<td>no</td>
<td>01/27/2009</td>
<td>04/30/2009</td>
<td>Pending</td>
<td>ASSEMBLY</td>
<td>Amends the Global Warming Solution Act of 2006. Includes in the definition of greenhouse gas under the Act nitrogen trifluoride, and any other gas designated as a greenhouse gas by the United Nations Framework Convention on Climate Change. Requires the board to adopt emission limits and emission reduction measures for a gas designated as a greenhouse gas by the above-mentioned organization or by a state board within a specified time period of the designation.</td>
</tr>
<tr>
<td>CA SB 133</td>
<td>Corbett [D]</td>
<td>Groundwater: Wells, Exploratory Holes, Excavations</td>
<td>yes</td>
<td>no</td>
<td>02/09/2009</td>
<td>05/12/2009</td>
<td>Pending</td>
<td>ASSEMBLY</td>
<td>Authorizes the Alameda County Water District to establish a permit program with regard to the construction, operation, decommissioning, abandonment, or destruction of wells, exploratory holes, or other excavations for the purpose of protecting groundwater. Establishes a procedure for the abatement as a public nuisance of any abandoned or unused well, exploratory hole, or other excavation that creates or threatens to create a water contamination hazard. Creates a lien for the related costs by the district.</td>
</tr>
</tbody>
</table>
CA SB 207

AUTHOR: Florez [D]
TITLE: Delta Smelt
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/23/2009
LAST AMEND: 03/31/2009
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee

SUMMARY: Enacts the Delta Smelt Preservation and Restoration Act of 2009. Requires the Department of Fish and Game to develop a Delta smelt fishery program to preserve and restore the Delta smelt. Provides that the program would operate as a mitigation bank that provides take authorizations to banking partners and obtains funding from banking agreements. Provide for the transfer of an unspecified amount of funds from an unspecified source for the program.

STATUS: 04/28/2009 In SENATE Committee on NATURAL RESOURCES AND WATER: Not heard.

CA SB 229

AUTHOR: Pavley [D]
TITLE: California Water Commission
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/23/2009
LAST AMEND: 06/01/2009
DISPOSITION: Pending
LOCATION: ASSEMBLY

SUMMARY: Relates to the California Water Commission. Revises membership and functions. Requires the commission to serve as lead agency to implement projects recommended by the final environmental impact report of the Bay-Delta Conservation Plan, or delegate these responsibilities. Requires prioritizing of goals for the Sacramento-San Joaquin Delta. Requires a per-acre-foot fee on water diversions within the Sacramento-San Joaquin Delta watershed, and a fee on any water conveyed.

STATUS: 06/03/2009 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

CA SB 233

AUTHOR: Aanestad [R]
TITLE: State Water Resources Control Board: Regional Boards
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/23/2009
DISPOSITION: Pending
LOCATION: Senate Environmental Quality Committee

SUMMARY: Relates to the Porter-Cologne Water Quality Control Act and members of the State Water Resources Control Board or a regional water quality control board. Subjects a person to a prohibition if he or she receives, or has received a percentage of his or her income directly or indirectly from any person subject to
specified waste discharge requirements of applicants for specified waste discharge requirements.

CA SB 261

03/05/2009 To SENATE Committee on ENVIRONMENTAL QUALITY.

AUTHOR: Dutton [R]
TITLE: Water Use
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/24/2009
LAST AMEND: 05/28/2009
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
Requires an urban water supplier to develop and implement a water use efficiency and efficient water resources management plan to reduce residential potable water use in a specified manner or achieve extraordinary water use efficiency. Requires the supplier or regional water management group to report its related progress. Enacts the Comprehensive Urban Water Efficiency Act. Requires the convening of a task force to develop best management practices for commercial and industrial uses to achieve reductions.

CA SB 301

06/03/2009 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

AUTHOR: Florez [D]
TITLE: Water Supply Reliability and Ecosystem Recovery
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 02/25/2009
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee
SUMMARY:
Enacts the Water Supply Reliability and Ecosystem Recovery Restoration Act. Authorizes, for the purpose of financing specified water supply reliability and ecosystem recovery and restoration programs, the issuance of bonds pursuant to the State General Obligation Bond Law. Provides for submission of the bond act to the votes.

CA SB 310

03/05/2009 To SENATE Committee on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.

AUTHOR: Ducheny [D]
TITLE: Water Quality: Stormwater and Other Runoff
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/25/2009
LAST AMEND: 05/28/2009
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
Authorizes a county, city or special district that is a permittee or co-permittee under a National Pollutant Discharge Elimination System permit for a municipal
separate storm sewer system to develop a watershed improvement plan that
addresses major sources of pollutants in receiving water, stormwater, urban
runoff or other surface runoff pollution within the watershed to which the plan
applies.
STATUS:
06/02/2009 In SENATE. Read third time. Passed SENATE. *****To
ASSEMBLY.

CA SB 371
AUTHOR: Cogdill [R]
TITLE: Safe, Clean, Reliable Drinking Water Supply Act of 2009
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 02/25/2009
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee
SUMMARY:
Enacts the Safe, Clean, Reliable Drinking Water Supply Act of 2009 which would
authorize, for the purposes of financing specified water supply reliability and
water source protection programs, the issuance of bonds pursuant to the State
General Obligation Bond Law.
STATUS:
03/05/2009 To SENATE Committees on NATURAL RESOURCES AND
WATER and ENVIRONMENTAL QUALITY.

CA SB 407
AUTHOR: Padilla [D]
TITLE: Property Transfers: Plumbing Fixtures Replacement
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
LAST AMEND: 05/20/2009
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
Requires that all existing plumbing fixtures in any residential or commercial real
property that are not water-conserving plumbing fixtures be replaced prior to
the time of sale or transfer by the property owner with water-conserving
plumbing fixtures. Provides exceptions. Requires compliance be included as a
condition of escrow for any specified sale or transfer. Requires a seller or
transferor to certify that the requirement has been satisfied. Requires a real
estate agent to disclose these requirements.
STATUS:
06/03/2009 In SENATE. Read third time. Passed SENATE. *****To
ASSEMBLY.

CA SB 413
AUTHOR: Ducheny [D]
TITLE: Waste Discharge Requirements: Fees
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
LAST AMEND: 04/29/2009
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee
SUMMARY:
Specifies, for the purpose of calculating the annual fee imposed on a waste discharger pursuant to the Porter-Cologne Water Quality Control Act, that recoverable costs include costs incurred by the State Water Resources Control Board and the regional water quality control boards in the preparation of water quality control plans.

STATUS:
04/29/2009 In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

CA SB 428

AUTHOR: Kehoe [D]
TITLE: Tide and Submerged Lands: San Diego
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
DISPOSITION: Pending
LOCATION: Assembly Natural Resources Committee
SUMMARY:
Amends existing law that grants to the City of San Diego all of the right, title, and interest of the State in and to a specified portion of the tide and submerged lands bordering on and situated below the ordinary high water mark of the Pacific Ocean. Includes in the list of uses and purposes a marine mammal park for the enjoyment and education benefit of children.

STATUS:
05/21/2009 To ASSEMBLY Committee on NATURAL RESOURCES.

CA SB 456

AUTHOR: Wolk [D]
TITLE: Safe, Clean, Reliable Drinking Water Supply Act
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 02/26/2009
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee
SUMMARY:
Enacts the Safe, Clean, Reliable Drinking Water Supply Act of 2010. Authorizes for the purposes of financing specified water supply reliability and water source protection programs, the issuance of bonds pursuant to the State General Obligation Bond Law.

STATUS:
03/12/2009 To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.

CA SB 457

AUTHOR: Wolk [D]
TITLE: Sacramento-San Joaquin Delta
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
LAST AMEND: 06/01/2009
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
Requires the Delta-Protection Commission to require all general plans of cities and counties within the Delta, and the resource management plan, to be consistent with any new Delta management plan the commission may create or
adopt. Authorizes the commission to impose a fee on any water diversion within the Delta watershed, and on water conveyed through or around the Delta. Requires the commission to request participation of federal agencies in liaison capacities to better access specified issues.

STATUS:
06/03/2009 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

CA SB 458

AUTHOR: Wolk [D]
TITLE: Sacramento-San Joaquin Delta Conservancy
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
LAST AMEND: 06/02/2009
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY: Establishes the Sacramento-San Joaquin Delta Conservancy to support efforts that advance both environmental protection and economic well-being of Delta residents, and to cooperate with other Delta governance entities. Requires the Conservancy be funded from the funds of a specified bond measure.

STATUS:
06/03/2009 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

CA SB 460

AUTHOR: Wolk [D]
TITLE: Water Management Plans
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
LAST AMEND: 04/30/2009
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee
SUMMARY: Requires, pursuant to the Urban Water Management Planning Act and the Agricultural Water Management Planning Act, respectively, urban water suppliers to include in their reports detailed descriptions and analysis of long-term plans to reduce water use. Requires agricultural water suppliers to prepare and adopt a water management plan. Creates an unspecified entity to develop a transparent process for collection and analysis of such information and to submit an annual report to the Legislature.

STATUS:
05/28/2009 In SENATE Committee on APPROPRIATIONS: Not heard.

CA SB 493

AUTHOR: Maldonado [R]
TITLE: Water Conservation
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY: Declares legislative intent to enact legislation to promote water conservation.
CA SB 497

AUTHOR: Correa [D]
TITLE: School Recycling Programs
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
LAST AMEND: 05/04/2009
DISPOSITION: Pending
LOCATION: Senate Appropriations Committee

SUMMARY:
Requires each school district to establish a beverage container recycling program at each school campus and public office of that district that does not incur costs. Authorizes a district to choose whether to operate its own recycling program, to contact its local Community Conservation Corps or another recycler to collect the beverage containers, to provide a collection program as a fundraising activity, or to continue a program in existence on a specified date.

STATUS:
05/28/2009 In SENATE Committee on APPROPRIATIONS: Not heard.

CA SB 498

AUTHOR: Cogdill [R]
TITLE: The State Water Resources Law
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
DISPOSITION: Pending
LOCATION: Senate Rules Committee

SUMMARY:
Makes technical, nonsubstantive changes to the State Water Resources Law relating to flood waters and the control, storage, and use of the state's water resources.

STATUS:
03/12/2009 To SENATE Committee on RULES.

CA SB 514

AUTHOR: Aanestad [R]
TITLE: Water Quality: Discharge Requirements: Penalties
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/26/2009
DISPOSITION: Pending
LOCATION: Senate Environmental Quality Committee

SUMMARY:
Provides that the mandatory minimum penalty for water discharge would not apply if that civil liability, either upon the request of a state board to the Attorney General or by the initiation of administration proceedings, is not imposed within a certain time of the board learning of the violation.

STATUS:
03/12/2009 To SENATE Committees on ENVIRONMENTAL QUALITY and JUDICIARY.

CA SB 539

AUTHOR: Wiggins [D]
TITLE: Salmon and Steelhead Trout: Ocean Protection Trust Fund
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Author</th>
<th>Title</th>
<th>Fiscal Committee</th>
<th>Urgency Clause</th>
<th>Introduced</th>
<th>Last Amend</th>
<th>Disposition</th>
<th>Location</th>
<th>Summary</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>CA SB 555</td>
<td>Kehoe</td>
<td>Eminent Domain Law: Conservation Easement</td>
<td>yes</td>
<td>no</td>
<td>02/27/2009</td>
<td>05/21/2009</td>
<td>Pending</td>
<td>Assembly</td>
<td>Revises the Eminent Domain Law to establish requirements for acquisition of property subject to a conservation easement. Requires the person seeking to acquire the property to give the holder of the easement a notice and an opportunity to state any objections to the acquisition. Provides the procedures which will govern the objection process by the easement holder and any related public entity. Specifies the easement holder is entitled to compensation under the law.</td>
<td>06/02/2009 In Senate. Read third time. Passed Senate. *****To Assembly.</td>
</tr>
<tr>
<td>CA SB 561</td>
<td>Cogdill</td>
<td>Urban Water Suppliers: Water Management Plans</td>
<td>no</td>
<td>no</td>
<td>02/27/2009</td>
<td>05/05/2009</td>
<td>Pending</td>
<td>Senate Rules Committee</td>
<td>Makes technical, nonsubstantive changes to existing law which requires every urban water supplier to prepare and adopt an urban water management plan.</td>
<td>03/12/2009 To Senate Committee on Rules.</td>
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<tr>
<td>CA SB 565</td>
<td>Pavley</td>
<td>Water Recycling</td>
<td>yes</td>
<td>no</td>
<td>02/27/2009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>03/12/2009 To Senate Committee on Rules.</td>
</tr>
</tbody>
</table>
LAST AMEND: 06/02/2009
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
Requires the State Water Resources Control Board to develop a plan to ensure that a percentage of wastewater that is annually discharged in to the ocean is recycled and put to beneficial use. Imposes a fee on specified persons discharging wastewater in the ocean, the San Francisco Bay, or any other enclosed bay in the state, to be deposited into the Ocean Discharge Recycling Fund.
STATUS:
06/03/2009 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

CA SB 581
AUTHOR: Leno [D]
TITLE: Hetch Hetchy Water and Power
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 05/14/2009
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
Authorizes the City and County of San Francisco to elect to designate specific renewable electricity generation facilities at-site renewable generation as Hetch Hetchy Water and Power remote renewable generation. Authorizes the City and County of San Francisco to elect to designate specific renewable facilities or a portion of specific renewable electricity generation facilities.
STATUS:
05/26/2009 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

CA SB 613
AUTHOR: Harman [R]
TITLE: Irvine Ranch and Santa Margarita Water District
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 04/14/2009
DISPOSITION: Pending
LOCATION: Senate Local Government Committee
SUMMARY:
Authorizes the Irvine Ranch Water District and the Santa Margarita Water District to form improvement districts and to pledge and apply all or part of the revenues of each district to the payment or security of any or all of the principal, redemption price, and purchase price of general obligation bonds for improvement districts and consolidated general obligation bonds for improvement districts, and the interest thereon, in accordance with specified requirements.
STATUS:
04/14/2009 Withdrawn from SENATE Committee on RULES.
04/14/2009 To SENATE Committee on LOCAL GOVERNMENT.
04/14/2009 From SENATE Committee on LOCAL GOVERNMENT with author's amendments.
CA SB 672

04/14/2009 In SENATE. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

AUTHOR: Cox [R]
TITLE: South Lake Tahoe Public Utilities: Water Meters
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee
SUMMARY:
Amends existing law that requires an urban water supplier to install water meters on all municipal and industrial service connections located within its service area on or before a specified date. Extends, with regard to the South Tahoe Public Utilities District that date to a specified date.

STATUS: 05/12/2009 In SENATE Committee on NATURAL RESOURCES AND WATER: Not heard.

CA SB 686

05/12/2009 To ASSEMBLY Committee on NATURAL RESOURCES.

AUTHOR: DeSaulnier [D]
TITLE: Environment: CEQA Exemption
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
DISPOSITION: Pending
LOCATION: Assembly Natural Resources Committee
SUMMARY:
Makes a technical nonsubstantive changes to a provision of the Environmental Quality Act. Exempts from the provisions of the Acts regarding the addition or deletion of a class of projects.

STATUS: 05/12/2009

CA SB 699

05/28/2009 From SENATE Committee on REVENUE AND TAXATION with author's amendments.

AUTHOR: Alquist [D]
TITLE: Sales and Tax Use: Sustainable Development
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 05/28/2009
DISPOSITION: Pending
LOCATION: Senate Revenue and Taxation Committee
SUMMARY:
Exempts from a specified portion of the Sales and Use Tax Law, the gross receipts from sustainable development equipment investments of tangible personal property purchased for use by a qualified person and tangible personal property used primarily during the research and development process on qualified research and also for tangible personal property purchased by a qualified person for use primarily in any stage of the manufacturing, processing, refining, fabricating, or recycling of property.

STATUS: 05/28/2009 In SENATE. Read second time and amended. Re-referred to
Committee on REVENUE AND TAXATION.

CA SB 711

AUTHOR: Leno [D]
TITLE: Public Meetings: Sessions: Labor Negotiations
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
LAST AMEND: 04/13/2009
DISPOSITION: Pending
LOCATION: Senate Local Government Committee
SUMMARY: Amends the Ralph M. Brown Act. Requires a local agency, before holding a closed session regarding employee compensation, to identify the employee or class of employees that are the subject of the negotiations, the representatives of the employees, and to provide an oral report by its designated representative on the current status of the negotiations. Requires any action of the legislative body on the collective bargaining agreement or initial proposal to be taken at an open and public session.
STATUS: 04/13/2009 From SENATE Committee on LOCAL GOVERNMENT with author's amendments.
04/13/2009 In SENATE. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

CA SB 729

AUTHOR: Walters [R]
TITLE: Global Warming Solutions Act
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/27/2009
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY: Relates to the Global Warming Solutions Act of 2006 which requires the State Air Resources Board to adopt regulations to require the reporting and verification of emissions of greenhouse gases and to monitor and enforce compliance with the reporting and verification program, and requires the board to adopt a specified statewide greenhouse gas emissions limit. Makes a technical, nonsubstantive change to a legislative finding within the act.
STATUS: 03/19/2009 To SENATE Committee on RULES.

CA SB 735

AUTHOR: Steinberg [D]
TITLE: Safe, Clean, Reliable Drinking Water Supply Act of 2010
FISCAL COMMITTEE: yes
URGENCY CLAUSE: yes
INTRODUCED: 02/27/2009
DISPOSITION: Pending
LOCATION: Senate Natural Resources and Water Committee
SUMMARY: Enacts the Safe, Clean, and Reliable Drinking Water Supply Act of 2010. Authorizes the issuance of bonds to finance a water supply reliability and water source protection program. Authorizes the Department of Water Resources to impose fees on water users.
CA SB 736

AUTHOR: Pavley [D]  
TITLE: Water Consumption Fee  
FISCAL COMMITTEE: no  
URGENCY CLAUSE: no  
INTRODUCED: 02/27/2009  
DISPOSITION: Pending  
LOCATION: Senate Natural Resources and Water Committee  
SUMMARY: Imposes on a person diverting or extracting more than an unspecified amount of water, a water resource consumption fee and deposits the proceeds in the Water Resources Consumption Fund.

CA SB 790

AUTHOR: Pavley [D]  
TITLE: Resources: Water Quality: Stormwater Management  
FISCAL COMMITTEE: yes  
URGENCY CLAUSE: no  
INTRODUCED: 02/27/2009  
LAST AMEND: 05/04/2009  
DISPOSITION: Pending  
LOCATION: ASSEMBLY  
SUMMARY: Amends the Watershed, Clean Beaches, and Water Quality Act. Authorizes grants for projects designed to implement or promote low impact development that will contribute to the improvement of water quality or reduce stormwater runoff and for projects designed to implement specified stormwater management plans. Authorizes a city, county, or special district to develop, jointly or individually, stormwater management plans that meet certain requirements.

CA SB 808

AUTHOR: Wolk [D]  
TITLE: San Francisco Bay/Sacramento-San Joaquin Delta Estuary  
FISCAL COMMITTEE: yes  
URGENCY CLAUSE: yes  
INTRODUCED: 02/27/2009  
DISPOSITION: Pending  
LOCATION: Senate Natural Resources and Water Committee  
SUMMARY: Requires the State Water Resources Control Board to implement its resolution entitled the Strategic Workplan for Actions to Protect Beneficial Uses of the San Francisco Bay/Sacramento-San Joaquin Delta Estuary by commencing an investigation of the reasonableness of the methods of diversions from the Sacramento–San Joaquin Delta used by the State Water Project and the federal Central Valley Project.
CA AB 7 a

**AUTHOR:** Evans [D]

**TITLE:** Budget Act of 2008

**FISCAL COMMITTEE:** yes

**URGENCY CLAUSE:** yes

**INTRODUCED:** 12/08/2008

**VETOED:** 01/06/2009

**DISPOSITION:** Vetoed

**LOCATION:** Vetoed

**SUMMARY:**
Amends the Budget Act of 2008 to make specified appropriations regarding public transit, state highway improvements, land use, parks, pollution, water management, flood protection, community conservation, and community colleges.

**STATUS:**
03/19/2009 To SENATE Committee on NATURAL RESOURCES AND WATER.
01/06/2009 *****To GOVERNOR.
01/06/2009 Vetoed by GOVERNOR.

CA SB 27 c

**AUTHOR:** Negrete McLeod [D]

**TITLE:** Drinking Water: Federal Stimulus Funding

**FISCAL COMMITTEE:** no

**URGENCY CLAUSE:** yes

**INTRODUCED:** 03/16/2009

**ENACTED:** 03/27/2009

**DISPOSITION:** Enacted

**LOCATION:** Chaptered

**CHAPTER:** 25

**SUMMARY:**
Allows the Department of Public Health to expend moneys in the Safe Drinking Water State Revolving Fund that are received from the American Recovery and Reinvestment Act of 2009 in accordance with the guidelines of that Act. Provides a maximum grant amount. Provides for an exemption of projects funded under the Act from specified conditions in existing law. Includes specified projects funded by the Act in the definition of financial assistance under the federal Clean Water Act. Allows for grants.

**STATUS:**
03/27/2009 Signed by GOVERNOR.
03/27/2009 Chaptered by Secretary of State. Chapter No. 25

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June 17, 2009

Attention: Legislation, Conservation and Outreach Committee

Government Relations Update (Information)

Discussion
This report is an update of the Water Authority’s government relations program.

The State Budget
On June 2, Governor Schwarzenegger addressed a joint session of the Legislature. He emphasized that the state was approaching insolvency and could only balance its budget through cuts in spending. The Governor also called for a restructuring of California’s government and tax system.

The failure of the five ballot measures on May 19 exacerbated the state’s fiscal crisis. There are two separate, but related problems that must be solved: the first is the 2009-2010 budget itself, and the second is the looming cash flow problem that begins in July. The 2009-2010 budget that was enacted in February is now projected to be out of balance by somewhere between $21 billion and $24 billion. The cash flow problem in July is projected to be between $21 billion and $23 billion.

Although the Governor’s original proposal in the “May Revise” was to cut $10 billion in spending and to issue Revenue Anticipation Warrants (RAW) for an additional $5.5 billion, he has since realized that the issuance of further debt will compound the problem. RAWs are intended for short-term cash flow borrowing, not longer term budget balancing. The Governor is now trying to balance the budget entirely through spending cuts, which will require the cessation of major programs and deep cuts in many other programs. Welfare programs, prisons, education, state parks, healthcare, and other programs will be affected.

The Governor has proposed the suspension of Proposition 1A, which would allow the state to borrow up to eight percent of the property taxes allocated to local governments and special districts. The Governor anticipates raising $2.1 billion through this borrowing. Under Proposition 1A, the state will have to pay back the property tax with interest in three years, which many observers are skeptical the state will be able to do.

The Legislative Analyst’s Office (LAO), on the other hand, has suggested that the state should take more than a quarter of the $2.1 billion from water and wastewater districts. It is the view of the LAO that enterprise special districts should not receive property taxes, because they are able to recover needed revenues through their rates. Water and wastewater districts strongly dispute this notion, and are vigorously opposing the LAO’s recommendation.

Another impact on local government, which may force some counties into bankruptcy, would be the deferral of payments to counties for various health and welfare programs in order to retain
cash for the state. Unless the state can make sufficient spending cuts in the budget, the cash flow deficit in July may force the state to defer these payments.

There are rumors that the state will not attempt to borrow from local governments at all. To do so would increase its overall indebtedness and make it more difficult to borrow funds to cover the cash flow deficiencies.

**Legislative Updates**

The deadline for bills to pass out of their houses of origin was June 5. A large number of bills that would impose costs on state government were held on the “suspense files” in the respective Appropriations Committees in each house. Once bills are passed out of the house of origin, they proceed through the policy committee and fiscal committee process in the other house.

**Committee Goals: Legislative Alert Program**

At its meeting on April 23, 2009, the Legislation, Conservation and Outreach Committee adopted its committee goals for 2009 and 2010. In addition to the goals that were formally presented to the committee, the committee adopted a goal of developing a program to engage member agencies in legislative alert campaigns. In response, staff has developed a proposed plan for a legislative alert program, which is attached to this memo.

**Water Authority Staff Participation in Legislation**

Water Authority staff and legislative advocates have worked with stakeholder groups and legislators to support or oppose bills on which the Water Authority board has taken positions or in accordance with the board’s Legislative Policy Guidelines. Water Authority staff and legislative advocates have also worked to secure amendments to bills that might cause concerns for the Water Authority, but on which the Water Authority board has not yet taken positions. These bills include:

**AB 49 (Feuer/Huffman) Water Conservation**

Water Authority staff have been participating in various stakeholder groups, including ACWA and MWD member agencies, to achieve a comprehensive plan for achieving the Governor’s goal of reducing water use statewide by 20 percent per capita by 2020. This is one of several water conservation bills under consideration, but it appears to be the vehicle for the comprehensive plan. Water Authority staff and legislative advocates are guided by the Legislative Policy Guidelines and the policy principles on water use efficiency adopted by the Water Authority board of directors on May 28, 2009.

**SB 12 (Simitian) Bay-Delta Governance**

SB 12 is one of a number of Bay-Delta governance bills. Water Authority staff have been working with a workgroup of stakeholders on the governance aspects of the bill.

**Lobbyist Activities**

Jonathan Clay of Carpi and Clay will provide a separate report of the firm’s monthly activities and provide oral remarks to the committee.
V. John White Associates reports that John White performed the following activities on behalf of the Water Authority in May:

- Meetings and discussions with Bob Giroux, Jonathan Clay, and Jeff Volberg;
- Participation in weekly conference calls with Chairman Bud Lewis regarding legislation and the state budget;
- Discussions with Barry Nelson, Natural Resources Defense Council, and with the Bay-Delta Solutions Ad Hoc Committee of the Water Authority board regarding meetings with business and legislative leaders in Northern and Southern California;
- Meetings and discussions with Kip Lipper, Environmental Advisor, Senate Pro Tempore Darrell Steinberg.

Bob Giroux of Lang Hansen O’Malley & Miller reports that he and Joe Lang performed the following activities on behalf of the Water Authority in May:

- Meetings and discussions with Kip Lipper, Chief Environmental Advisor to the President pro tem of the State Senate regarding environmental/water budget issues, including possible water quality and efficiency investments in California; and
- Participation in weekly conference calls with Chairman Lewis regarding legislation and the state budget.

**Washington, D.C.**
Congress returned from a recess in early June. Congress has been focused on the nomination of Sonia Sotomayor to the U.S. Supreme Court, and on health care reform. There has been very little activity on water related legislation of interest to the Water Authority. The deadline for passing federal appropriations bills is September 30.

Ken Carpi of Carpi Clay & Smith will provide a separate report of his monthly activities and provide oral remarks to the committee.

Prepared by: Jeffrey A. Volberg, Government Relations Manager
Reviewed by: Dennis A. Cushman, Assistant General Manager

Attachment: Proposed legislative alert program
PROPOSED PLAN
TO ENGAGE MEMBER AGENCIES
IN LEGISLATIVE ALERT CAMPAIGNS

At its meeting on April 23, 2009, the board adopted the Legislative, Conservation and Outreach Committee’s goals for 2009 and 2010, with the addition of a goal to develop a program to engage member agencies in legislative alert campaigns. This proposed plan outlines how the Water Authority can engage member agencies in legislative alert campaigns, in accordance with the goal.

The Water Authority’s Government Relations Manager will:

1. Ask member agency general managers to designate themselves or their members of their staffs as legislative coordinators to receive legislative alerts.

2. Identify state and federal bills that would affect the interests of the Water Authority or its member agencies.

3. Prepare and send legislative alerts to the member agencies’ general managers or their designated legislative coordinators on legislation of potential significant concern to the Water Authority or to its member agencies.

4. Prepare and send sample letters to the member agencies’ general managers or their designated legislative coordinators on legislation of potential significant concern to the Water Authority or to its member agencies.

5. Invite member agencies to join in joint letters and legislative floor alerts on legislation of vital interest.

6. Report on legislation to the member agencies’ general managers at their monthly meetings.

7. Organize roundtable discussion forums as needed with the member agencies on select bills presenting new concepts or requiring technical input from retail agencies.

8. Request that member agencies copy any correspondence or report any contacts with legislators in response to the legislative alert program to the Water Authority’s Sacramento office in order to avoid duplication of effort by Water Authority staff or legislative advocates and to track results.