

**WATER CONSERVATION ACTION COMMITTEE**  
**MARCH 8, 2010**  
**LEGISLATIVE UPDATE**

- Alexi Schnell provided a legislative update on the Water Authority's two sponsored bills, the Water Bond that will appear on the November 2, 2010 statewide ballot, and recent positions taken by the board on state legislation and initiatives/ballot measures.

**Water Authority Sponsored Legislation**

- The Water Authority is sponsoring two bills in the state Legislature; both are being carried by Assemblymember Lori Saldaña (D-San Diego).

**AB 1774 (Saldaña) Recycled Water: state agency landscape irrigation**

This bill authorizes local public agencies to require that state agencies within their service areas use recycled water for landscape irrigation, if the local public agency makes it available.

Current law requires state agencies to use recycled water for landscape irrigation already, but makes it subject to a certification by the State Water Resources Control Board that certain conditions are met. Clearing the hurdles and the administrative process of the Water board has been a significant obstacle.

Under this bill, the participation of the Water Board would no longer be required, although the conditions in existing law would still have to be met (adequate quality of water, reasonable cost, and that it would not interfere with others' use).

This legislation could lead to substantial savings of potable water, as well as provide an incentive for local agencies to develop recycled water facilities and pipelines by providing a market for recycled water.

**AB 1793 (Saldaña) Common Interest Developments: artificial turf**

This legislation would prohibit homeowners' associations from barring the use of artificial turf by homeowners – providing homeowners with another tool for reducing water use.

The bill would allow Home Owners Associations to set and enforce design standards and maintenance requirements for the use of artificial turf.

## Water Bond

- In November 2009, the Governor signed five bills included in the Bay-Delta bill package aimed at providing a ‘comprehensive solution’ to the current water crisis in California. The legislation included four policy bills and one bond bill.
- The bond bill was SBX7-2 (Cogdill) Safe, Clean and Reliable Water Supply Act of 2010.
- This measure is the water bond that will appear on the November 2, 2010 General Election ballot (Note: this is entirely separate from SBX7-7 (Steinberg) Water Conservation, the legislation that was passed that requires the state to achieve a 20 percent reduction per capita in water use by 2020).
- The Water Authority board adopted a support position on the water bond measure at its January 28 board meeting.
- The water bond would provide about \$11.4 billion in general obligation bonds.
- Regional funding benefits from the bond fit into three categories:
  - Funding directly allocated to the San Diego region
    - \$100 million for San Vicente Dam Raise Project
    - \$87 million in funding for local supply reliability projects (San Diego IRWM funding subregion)
    - \$40 million in funding for local watershed projects
  - Funding that will be available by competitive grants statewide (\$2.4 billion will be allocated based on a competitive grants process)
    - Drought relief projects
    - Conservation, recycling, desalination
    - Environmental protection and restoration
    - Climate change adaptation
  - Funding that would provide indirect benefits to the San Diego region

## Water Authority Positions

- At the February 25 board meeting, the board took an Oppose position on the following legislation:

### **AB 1594 (Huber) Sacramento – San Joaquin Delta: peripheral canal**

(Water Authority Position: Oppose)

This legislation would alter the recently passed Bay-Delta bill package to prohibit the construction of a peripheral canal without legislative approval and the preparation of an economic analysis by the Legislative Analyst’s Office.

The bill contradicts the actions the Legislature took last fall. It would add further delay and chances of obstructing the process of restoring a reliable water supply from the Delta.

- Also at the February 25 board meeting, the board took a Support position on the following initiative:

**Local Taxpayer, Public Safety and Transportation Protection Act of 2010**

(Water Authority Position: Support)

This initiative is currently being qualified via signature gathering, and if qualified, will be on the November 2, 2010 General Election ballot as a constitutional amendment. The measure is sponsored by the League of California Cities, the California Alliance for Jobs, and Public Transit Organizations.

The proposed initiative would prohibit the state from taking, borrowing or restricting the use of tax revenues dedicated to funding local government services, including special districts.

Proposition 1A, passed in November 2004, was intended to protect revenues collected by local governments from being transferred to the state. However, it included a mechanism that allows the state to suspend these protections to borrow local government property taxes twice within a 10 year period in the event of a fiscal emergency. The State elected to use this mechanism this past year and borrowed \$5 billion in funding. The Water Authority and its member agencies lost significant revenues.

The proposed initiative is intended to send a clear message to the legislature that prior to there being long-term structural budget reform, taking funds from local jurisdictions for use by the state isn't the answer.