

**San Diego County Water Authority
Summary of Current Positions on 2011-2012 Legislation
as of May 16, 2011**

Bill Number	Author	Bill Title, Summary & Status	SDCWA Position
AB 19	Fong	<p>Water Charges and Meters: multiunit residential structures</p> <p>AB 19 requires the Department of Housing and Community Development to develop building standards for water submeters in multi-unit residential structures. The bill requires water agencies to adopt policies that require landowners to install water submeters and charge their tenants separately for water by the volume of water delivered. The sought amendment would allow water providers to collect a fee for time spent inspecting the installation of submeters.</p> <p>This bill has failed passage in policy committee.</p>	Support, if amended
AB 134	Dickinson	<p>Appropriation of Water: Sacramento Regional County Sanitation District</p> <p>AB 134 allows the Sacramento Regional County Sanitation District (SRCSD) to file an application to obtain a permit to appropriate an amount of water equal to the amount of treated wastewater discharged, less carriage losses, if water is redirected from the Sacramento River or Sacramento-San Joaquin Delta. The author has amended the bill to remove the Water Authority's concerns. As amended, the bill's language is procedurally consistent with existing law to ensure appropriate review by the SWRCB prior to the award of a permit.</p> <p>The bill is currently in the Assembly Appropriations Committee.</p>	<p>Neutral</p> <p>(Original position of '<u>Oppose</u>' removed; bill has been amended to address the Water Authority's concerns).</p>
AB 275	Solorio	<p>Rainwater Capture Act of 2011</p> <p>AB 275 authorizes landowners to install and operate rain barrel systems for the collection of rainwater. The collected rainwater may be used for outside uses such as landscape irrigation, or for limited indoor uses such as toilet flushing. The bill also authorizes certified landscape contractors to install rain barrel systems.</p> <p>This bill has passed the Assembly and is in the Senate.</p>	Support

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AB 342	Atkins	<p>Office of Planning and Research</p> <p>In 2006, an executive order was issued by Governor Schwarzenegger that designated the Office of Planning and Research (OPR) as the state executive branch's liaison to the Department of Defense (DOD). AB 342 would put this relationship into statute. The Water Authority seeks amendments to the bill to clarify that OPR shall act as a conduit between local governments, state agencies, and DOD when dealing with federal issues as well as local matters that have impacts on federal activities.</p> <p>AB 342 is on the consent calendar in the Assembly.</p>	Support and seek amendments
AB 550	Huber	<p>Sacramento-San Joaquin Delta: peripheral canal</p> <p>AB 550 would undo a portion of the 2009 Bay-Delta bill package, by prohibiting the construction of a "peripheral canal" as defined in the bill, unless it is explicitly authorized by the Legislature. The 2009 Bay-Delta bill package, supported by the Water Authority, provides a process by which a facility can be approved and built to move water under or around the Delta, without further debate and authorization by the Legislature. The bill package was the result of extensive negotiations and compromise among the stakeholders in the Delta, and is intended to avoid the need for further legislative action on the issue. A requirement for further legislative approval could only delay or jeopardize the construction of a project to achieve the co-equal goals of water supply reliability and environmental restoration.</p> <p>This bill was not heard in policy committee, and will become a two-year bill.</p>	Oppose

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<p>AB 576</p>	<p>Dickinson</p>	<p>Delta Stewardship Council: Delta Plan: financing</p> <p>The Bay-Delta bill package (Nov. 2009) created the Delta Stewardship Council. The Council is charged with preparing a Delta Plan and ensuring that actions in the Delta conform to the plan. No funding has been set aside to cover the Council's administrative and planning costs. AB 576 provides short-term funding for the Council through a fee on the State Water Project (SWP) and Central Valley Project (CVP) contractors. The Water Authority's Legislative Policy Guidelines state that the Water Authority will oppose a bill that "imposes a water user fee for statewide projects or programs, for which the projects or programs are not clearly defined, the beneficiaries identified, and the reasonable costs identified." This bill imposes a fee solely on the SWP and CVP contractors, although the benefits will extend to many more users of the Delta. The California Urban Water Agencies (CUWA) has developed a table of the many beneficiaries of state activities in the Delta, which could be used to spread the costs across a much wider base. As amended, the bill should:</p> <ul style="list-style-type: none"> • Include other beneficiaries besides the SWP and CVP contractors in the proposed initial fee; • Spread the Council's planning and administrative costs more broadly to all persons or groups that benefit from or cause impacts to the Delta watershed; • Require that any fees recommended by the Council be developed through an open, transparent public process and be adopted by the Legislature; and • Include a funding cap and sunset clause for the initial fee. <p>AB 576 was not heard in policy committee, and will become a two-year bill.</p>	<p>Oppose, unless amended</p>
<p>AB 1048</p>	<p>Harkey</p>	<p>Water Quality: recycled water and wastewater: fluoride</p> <p>The state's regional water quality control boards maintain standards for the concentration of fluoride in recycled and waste water discharges. These standards are maintained in the regional boards' basin plans. To the extent that concentrations of fluoride required to be maintained in drinking water exceed the concentrations allowed in the basin plans, the regional boards may require that producers of recycled water and wastewater treatment plants remove the excess fluoride. AB 1048 would prevent the regional board from requiring that wastewater or recycled water contain a concentration of fluoride that is less than the concentration required to be maintained in drinking water. State Water Resources Control Board staff has identified this to be an issue for the San Diego area only. The Water Authority is pursuing discussions with the San Diego Regional Water Quality Control Board on this matter.</p> <p>AB 1048 will become a two-year bill while this is addressed.</p>	<p>Sponsor</p>

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<p>SB 34</p>	<p>Simitian</p>	<p>California Water Resources Investment Act of 2011</p> <p>SB 34 would impose a charge on each retail water agency, based on the volume of water it serves for non-agricultural purposes, or on the number of acres served for agricultural purposes. The revenues from the charge would be placed in a Water Resources Investment Fund (WRIF), from which half would be allocated to eleven regions, based on the regional water quality control board regions, for distribution to integrated regional water management planning entities within each region. The remaining half would be used by the state to finance various state programs and projects. The Water Authority's Legislative Policy Guidelines state that the Water Authority will oppose a bill that "imposes a water user fee for statewide projects or programs, for which the projects or programs are not clearly defined, the beneficiaries identified, and the reasonable costs identified." SB 34 imposes an open-ended fee on water users to fund the state's share of water infrastructure and water quality projects and programs, as well as to provide funding for integrated regional water management plans, regulated by the Department of Water Resources.</p> <p>SB 34 is in the Senate Appropriations Committee.</p>	<p>Oppose</p>
<p>SB 200</p>	<p>Wolk</p>	<p>Sacramento-San Joaquin Delta: Bay Delta Conservation Plan</p> <p>SB 200 requires that any state agency undertaking an action to implement the Bay-Delta Conservation Plan (BDCP) must ensure that the action is consistent with specific provisions of the bill. The provisions primarily protect in-Delta residents, businesses, and local governments from any impacts arising from the BDCP. The provisions also define the beneficiaries of the BDCP as only those receiving permits and regulatory assurances under the BDCP and require that only those beneficiaries pay for implementation of the BDCP.</p> <p>Water Authority staff has approached the author with suggested amendments to the bill. Much of the existing language would be removed and the bill would instead require that any contract between the state and any wholesale water agency for implementation of the BDCP include a provision requiring that the wholesale water agency provide an assured revenue stream to pay for all of the wholesale water agency's obligations for the entire duration of the contract. An assured revenue stream could consist of contracts with member agencies that provide an assured payment regardless of the member agencies' actual purchase of water from the wholesale agency, or a property tax revenue stream.</p> <p>SB 200 was not amended as requested by the Water Authority. The bill was not heard in policy committee, and will become a two-year bill.</p>	<p>Support, if amended</p>

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<p>SB 328</p>	<p>Kehoe</p>	<p>Eminent Domain: conservation easements</p> <p>Under current law, state agencies may acquire easements that conserve parcels of land from development. This helps the state meet its wildlife habitat goals, as well as preserve open land for future generations through voluntary transactions with willing landowners. However, sometimes these conservation easements are condemned through the eminent domain process by other state agencies for public purposes. Often the state agency or non-governmental organization that holds the easement is not informed of the condemnation or given an opportunity to object.</p> <p>This bill establishes procedures for informing the holders of conservation easements of condemnation proceedings and gives them an opportunity to object.</p> <p>SB 328 is on the Senate floor.</p>	<p>Support</p>
<p>SB 759</p>	<p>Lieu</p>	<p>Common Interest Developments: artificial turf</p> <p>SB 759 would ban homeowners' associations (HOA's) from outright prohibiting the use of artificial turf for landscaping purposes, while allowing HOA's to implement design guidelines.</p> <p>This bill is essentially the same as AB 1793 (Saldana), sponsored by the Water Authority in 2010. AB 1793 was vetoed by Governor Schwarzenegger; however, there is an improved likelihood that Governor Brown will sign the bill if it passes in the Legislature this year.</p> <p>AB 759 has cleared the Senate and is now in the Assembly.</p>	<p>Sponsor</p>

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<p>S. 519</p>	<p>Reid</p>	<p>Hoover Power Allocation Act of 2011</p> <p>S. 519 * provides for the continued allocation of power from the Hoover Dam power plant to existing users and to some new users after the current contracts expire in 2017. Electrical power from Hoover Dam is a vital power resource for more than 29 million people in California, Arizona, and Nevada. The Metropolitan Water District (MWD) is a major contractor for Hoover power, which it uses to move water from the Colorado River to the coastal plain of Southern California. Since 1928, Hoover power contractors have invested \$1.3 billion to construct, upgrade, operate, maintain, and replace Hoover Dam power equipment. The contractors will invest another \$600 million between 2010 and 2017 when the current contracts expire. This bill provides for continued contracts starting in 2017 and continuing for a period of 50 years. Hoover power is a low-cost, clean, and renewable source of power. The bill allocates five percent of the existing allocations to various federally recognized Indian tribes and other eligible entities. On the whole, the bill provides long-term certainty of power supply for MWD and other water suppliers that depend on Hoover power to ensure efficient and reliable Colorado River water deliveries.</p> <p>S. 519 is in the Senate Committee on Energy and Natural Resources.</p> <p>* H.R. 470 (Heck) is the companion (identical) bill in the House of Representatives.</p>	<p>Support</p>
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