

## ● External Affairs September 2005 Activity Report

### Summary

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This report discusses significant activities in which External Affairs was involved during September 2005

### Attachments

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MWD State Legislative Matrix

### Detailed Report

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#### Media Services

In the aftermath of Hurricane Katrina, several stories appeared examining the vulnerability of the San Francisco Bay-Sacramento-San Joaquin River delta levees, including pieces in the *Los Angeles Times*, *San Jose Mercury News*, *Riverside Press Enterprise*, *Ventura County Star* and *Contra Costa Times*. Metropolitan officials were interviewed and quoted in the *Times* piece.

Metropolitan issued two press releases about taste and odor issues impacting southwestern Riverside and San Diego counties, which spurred stories in the *San Diego Union Tribune*, *North County Times* and *Riverside Press Enterprise* newspapers.

The District also issued a release praising the U.S. Department of Energy decision that clears the way for removal of 11.9 million tons of radioactive uranium mill tailings from the banks of the Colorado River at Moab, Utah. Chairman Bannister recognized the collective efforts of U.S. Reps. Grace Napolitano (D-Santa Fe Springs), Bob Filner (D-Chula Vista) and Lucille Roybal Allard (D-Los Angeles) who helped spearhead efforts that ultimately led to the DOE plans to move the mountain of tailings to a site more than 30 miles from the Colorado River. A story about the issue appeared in the *Las Vegas Review Journal*.

Following the Metropolitan Board of Directors' approval, a press release was issued announcing the 25-year agreement with Three Valleys Municipal Water District to store water in an aquifer underlying the north Claremont area. The project will receive nearly \$1.23 million of the \$45 million Metropolitan was given by the state from Proposition 13 to help develop groundwater storage in Southern California.

"Broad Visions," a headquarters exhibit that recognizes William Mulholland's contributions to the water community and includes displays of early photographs of the Colorado River Aqueduct opened with an evening reception Sept. 12.

#### Education and Community Outreach

Staff conducted five inspection trips in the month of September, including Colorado River Aqueduct trips for directors Murray and Brick as well as one for employees; a State Water Project trip for Director Koopman; and a one-day trip to Diamond Valley Lake with the Western Riverside Council of Governments.

Plans for Solar Cup 2006 are well under way with 39 teams tentatively scheduled to compete, representing 13 member agencies, one retail agency, the County of Riverside and one outside agency. A full tally of teams will be released in October.

Metropolitan staff educated Hermosa Beach children and parents on the importance of groundwater protection during that city's first ever "Friends of the Parks" educational event. More than 500 kids and parents – including the Mayor and several city council members attended the event at Valley Park in Hermosa Beach. Chevron, Southern California Edison, the City of Hermosa Beach and other community groups joined Metropolitan in making the event a success.

Message points on the South Delta Improvement Program are being revised to reflect insights gained from focus groups held in Northern and Southern California. Metropolitan staff is working on several projects

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related to the issue, including a video production, a special issue of Aqueduct and a dedicated Website. The Website is timed to go live just prior to the release of the draft EIR/EIS in mid-October.

Metropolitan briefed the Building Industry Association of San Diego's South County Builders at their monthly meeting. Builders were encouraged to participate in Metropolitan's California Friendly Model Home Program in coordination with the San Diego County Water Authority and several retail agencies in San Diego County. The San Diego County Water Authority plans to coordinate outreach meetings with the Otay and Olivenhain water districts to solicit additional homebuilders to participate in the California Friendly Model Home program.

Director Pocklington and Bobbi Becker, Interim Vice President for External Affairs, spoke at a ribbon-cutting ceremony in National City for the Paradise Creek Educational Park project, a 2005-06 City Makeover grant winner. The project will restore a degraded urban creek by providing a wetland pond vegetated with salt march plants, coastal sage upland habitat, and interpretive signage to educate the public about the watershed and environmental issues.

Metropolitan staff spoke at the Arizona Hydrological Society annual conference in Flagstaff, AZ, on Metropolitan's innovative conservation programs with a focus on its California Friendly efforts. Conservation staff from Southern Nevada Water Authority and the cities of Tucson and Phoenix also participated on the panel.

Staff attended an event celebrating Nora Jaeschke's retirement from the San Diego County Water Authority. Ms. Jaeschke was a director for the SDCWA and chair of the San Diego County Conservation Action Committee. The Mayor of San Diego declared September 26, 2005 Nora Jaeschke Day in her honor.

Bobbi Becker, former CEO Ron Gastelum and about 200 invitees attended the Southern California premier of "Running Dry," a documentary about the global water crisis, at the Arclight Theatres on September 6th. The film, sponsored in part by a Metropolitan Community Partnering Program award, details the pervasiveness and seriousness of the current global water crisis by capturing scenes in nations throughout the world. The film ends with a focus on solutions and the need for developed nations, including the United States, to develop a long-term plan to help water-stressed regions.

### **Business Outreach and Customer Service**

Metropolitan, along with the Small Business Department of the San Diego County Water Authority, held a training class for San Diego businesses at the Water Authority's offices. More than 30 small businesses learned strategies for bidding on Water Authority and Metropolitan procurement contracts.

Bobbi Becker and Business Outreach staff met with staff from the Public Utilities Commission to discuss Metropolitan's BidNet procurement process and to seek ways to combine both groups' regional and small business databases for the benefit of the vendors as well as the utility districts.

At Union Station, staff facilitated a meeting for Metropolitan's member agency purchasing managers. Suggestions were given on how to bid cooperatively and "piggy-back" on each others' existing contracts. Best practices for contracting were also discussed. Additionally, Metropolitan made a brief presentation about Connect@Met, a vehicle for Metropolitan's Directors to introduce Business Outreach opportunities to their business constituents. There was also a presentation of The Network, an on-line bidding system in which Metropolitan, SDCWA and Inland Empire Utilities Agency post contracting opportunities.

During September, External Affairs staff participated in community events or professional association activities with the following organizations: Building Industry Association of Southern California; Building Industry Legal Foundation; California Foundation on the Environment & the Economy; Construction Management Association of America; Friends of Harbors, Beaches, & Parks; Hermosa Beach Friends of the Park; Los Angeles Minority Business Development Center; Montebello Chamber of Commerce; National Association of Woman Business Owners; National Association of Women in Construction; National Center for American Indian Enterprise; Orange County Women Business Enterprise Council; San Diego County Dept. of Agriculture; San Diego Regional Chamber of Commerce; San Gabriel Valley Council of

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Governments; Southern California Minority Business Development Center; Urban Water Institute; and Yuima Municipal Water District.

Community Partnering Program presentations were made to Upper San Gabriel Valley Municipal Water District, the City of Beverly Hills and the Southern California Wetlands Recovery Project.

Metropolitan and Randall Lewis of the Lewis Operation Corp hosted the Building Industry Association of Southern California Board of Directors at the Preserve in Chino. Randall Lewis, master developer of the Preserve in Chino, highlighted his commitment to Metropolitan's California Friendly Model Home program to the local builders at the meeting. Attending builders visited some of the first completed California Friendly Model Homes under the program.

Bobbi Becker spoke at the annual Blythe Area Chamber of Commerce "Teacher Appreciation Day" about the community aspects of Metropolitan's water education program. The purpose for the event, attended by some 300 plus community leaders, was to recognize outstanding teachers and to welcome new teachers who have relocated to the Palo Verde Valley.

External Affairs and Conservation staff met with City of Long Beach Water Department officials and Boeing to discuss the company's possible participation in the California Friendly Model Home program in a planned commercial and residential development of property Boeing owns in Long Beach.

### **Legislative Activities**

#### *Regional*

Metropolitan was a sponsor at the 2005 Southwest California Legislative Summit in Temecula. Keynote speakers included State Sen. Dennis Hollingsworth (R-Temecula); Assemblyman Russ Bogh (R-Yucaipa); and California State Insurance Commissioner John Garamendi. Discussions involved energy, infrastructure, the state budget and education. Metropolitan provided information about the South Delta Improvement Project to members of several local legislative offices.

Denise Lanning, chief of staff for Riverside County Supervisor Marion Ashley, and the advisory panel for Eastern Municipal Water District were briefed separately about the planned Perris Valley Pipeline project.

Vice President Tim Quinn and Water Resources Group Manager Steve Arakawa participated on two key panels at a recent seminar produced by the Center for Southern California Studies. Arakawa discussed the current water infrastructure system and the role that energy plays in storing, treating and pumping water. Quinn spoke about water supply needs and the water industry's role in addressing environmental needs -- especially Bay Delta issues, SDIP and what is being done to meet environmental challenges in the Delta. Director Tony Fellow and external affairs staff met with Assemblyman Hector De La Torre (D-South Gate) to discuss the importance of CalFed and the need for the release of the draft EIR/EIS South Delta Improvement Program report and to thank the representative for his support on SB 820 and AB 1234. Director Fellow also notified De La Torre about two City Makeover Program grant recipients within his district; the Bellflower Library Gardens Project and the South Gate Hollydale Elementary School Demonstration Garden.

#### *Sacramento*

Key bills that were awaiting the Governor's signature included:

SB 820 by Senate Natural Resources and Water Committee Chair Sheila Kuehl (D-Santa Monica)--a bill that seeks to develop better reporting of water use and improved water planning. The measure passed the Assembly floor by a vote of 49 to 27 and was approved by the Senate by a vote of 21 to 16. Metropolitan and several of its member agencies -- as well as many environmental groups--support the measure. Agricultural interests oppose it primarily over groundwater reporting provisions.

AB 1234 by Assemblyman Simon Salinas (D-Salinas)--the local government "sunshine" measure that would affect cities, counties, special districts and school districts. Given that this measure would provide criteria for compensation and reimbursement practices, but would also allow local governments to adopt their own guidelines as long as the policies are publicly adopted and accessible, it was supported by Metropolitan and

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many of its member agencies—as well as a long list of other cities, counties and special districts. The measure passed the Senate on a vote of 32 to 2 and was approved by the Assembly by a vote of 78 to 0.

SB 1067 by Senator Christine Kehoe (D-San Diego) would require the state's Office of Environmental Health Hazard Assessment (OEHHA) to develop public health goals (PHGs) for Total Trihalomethanes (TTHMs) and Total Haloacetic Acids (HAA5) that take into account the spikes and acute health effects on pregnant women and their fetuses. The bill would also require water providers to include specified notifications in their consumer confidence reports. Metropolitan, along with some of its member agencies, several other water districts, and OEHHA are opposed to the measure because it is inconsistent with the current science-based process used by OEHHA to develop PHGs. Additionally, it would prematurely require notifications to consumers that may be misleading and inaccurate. The measure passed the Assembly by a vote of 46 to 30 and by the Senate by a vote of 26 to 11.

The CALFED program is currently undergoing review by the state's Little Hoover Commission, a state finance team and a private management consultant. Metropolitan staff continues to monitor these review processes and to provide stakeholder feedback. Tim Quinn provided testimony to the Little Hoover Commission regarding Metropolitan's views on CALFED's governance and its appropriate mission.

### *Washington*

Congress returned ahead of schedule to address the necessary supplemental appropriations challenges resulting from the hurricane disasters of the Gulf Coast states. Impacts on the nation's oil refineries caused by recent hurricanes may lead to opening up the Energy Bill. The water industry will be watching that debate very closely with the objective of averting any attempts to legislate objectionable liability waivers for MTBE producers. It is unknown at this time just how the recent national disasters will impact funding requests in fiscal 2006.

It is anticipated that the Bush Administration will nominate Dale Hall as the next Director of the Fish and Wildlife Service as well as outgoing Interior Solicitor Suellen Wooldridge as Assistant Attorney General for Environment and Natural Resources.

Directors Larry Dick and James Edwards met in Washington with a variety of House and Senate leadership officials, including Water and Power Subcommittee Chairman George Radanovich and Asst. Interior Secretary Mark Limbaugh, to discuss and promote the district's federal legislative agenda.

MWD State Legislative Matrix

Bill	Author	Amended Date; Location	Title - Summary	MWD Position	Effect on MWD
AB 342 Baca (D)		ASSEMBLY (TWO-YEAR BILL)	<b>Perchlorate Fee</b> - Declares the intent of the Legislature to enact legislation that would authorize the Department of Toxic Substances Control to assess a fee on products that contain perchlorate and to expand those funds to treat drinking water wells contaminated with perchlorate.	Watch	Position based on Board-adopted policy principle.
AB 371 Goldberg (D)		8/30/2005; Senate Inactive File	<b>Water Recycling</b> - Seeks to: 1) create incentives in the State Water Resources Control Board's annual fee structure for publicly-owned treatment works; 2) require recycled water producers to provide the state Departments of Transportation and General Services with specified information regarding future availability of recycled water for landscaping 3) require the Department of Water Resources to develop building code standards for recycled water systems; and 4) remove "skull and crossbones" symbol for recycled water.	Support 8/15/2005	As initially introduced, this bill included several additional provisions to improve local agencies' abilities to increase delivery of recycled water. The bill has been pared down to include only non-controversial items. However, it has been made a two-year bill and is intended to serve as a vehicle should the WaterReuse Associate reach consensus on additional provisions.
AB 492 Baca (D)		5/26/2005; Senate Inactive File	<b>Hazardous Materials: Perchlorate/Business Plans</b> - Requires a business that handles perchlorate material to include, as part of its business plan and any updates to the plan, information detailing the manner in which perchlorate waste generated onsite is disposed or otherwise handled.	Watch 5/26/2005	Position based on Board-adopted policy principle.
AB 672 Klehs (D)		9/2/2005; Enrolled	<b>Reservoirs with Water Intended for Domestic Use</b> - Clarifies existing law pertaining to the current, general prohibition against body-contact with reservoir water intended for domestic use. Requires each governmental entity that owns a water supply reservoir larger than 3,500 acre feet to prepare and adopt a watershed or recreation master plan, as specified. Provides an exemption from the recreation planning process for reservoirs for which the public agency has determined that, pursuant to findings of any vulnerability assessment, increased public access poses significant risk. Exempts reservoirs that provide treated water directly to consumers. Exempts pumping-facility forebays.	Watch 7/14/05	Metropolitan and several of its member agencies were opposed to the April 28 version of the bill due to the infeasibility of providing recreation at certain facilities for a variety of reasons, including security and water quality. An agreement was struck with the author on amendments that moved the water agencies to a neutral position.

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<p>AB 771 Saldana (D)</p>	<p>7/14/2005; Enrolled</p>	<p><b>Coastal Commission: Ex Parte Communications</b> - Amends provisions regarding disclosure of ex parte communications by a commissioner to require that an electronic report of any such communication be made within three days or at the next public hearing on the record, if within three days. Also provides for development of forms for disclosure report and their posting on the Commission's website and agendas.</p>	<p>Watch 7/14/2005</p>	<p>Position based on historical practice (similar Board action on AB 2725 during the last legislative session.) In its prior form, AB 771 would have severely and unreasonably restricted ex parte communications with members of the California Coastal Commission. The ability to effectively communicate information regarding the complex issues associated with ocean desalination projects is critical. The bill was amended to remove Metropolitan's opposition.</p>
<p>AB 1234 Salinas (D)</p>	<p>8/22/2005; To Governor</p>	<p><b>Local Agencies: Compensation and Ethics</b> - Is intended as a local government "sunshine" measure that would apply equally to cities, counties, special districts and school districts. Rather than limit local governments' compensation and reimbursement rates and practices, this measure requires that each local government establish publicly-adopted policies that outline its practices. Would also require ethics training for members of local governments' governing bodies and designated employees every two years. If agency does not adopt its own reimbursement rates then IRS rates will apply.</p>	<p>Support 8/22/2005</p>	<p>A reasonable, balanced and positive measure that will add transparency to the actions of all local governments, while maintaining local entities' ability to establish compensation and reimbursement policies that are appropriate for their circumstances and needs. The measure is currently on the Senate floor.</p>
<p>AB 1244 Wolk (D)</p>	<p>5/10/2005; Assembly Inactive File (TWO-YEAR BILL)</p>	<p><b>CALFED Bay-Delta Program</b> - Clarifies the relationship of the California Bay-Delta Authority and its implementing agencies with the federal government with regard to the California Bay-Delta Program and to conform the state act to the federal act, requiring state agencies to cooperate with federal agencies to meet the goals of the program. Authorizes the Authority to enter into specified cooperative agreements to carry out the program. Authorizes the lead scientist to seek assistance from experts for scientific programs.</p>	<p>Watch 05/10/2005</p>	<p>In light of pending discussions on a long-term finance plan for the CALFED Bay-Delta Program and the pending fiscal/program review undertaken by the Schwarzenegger Administration, the bill was placed on the inactive file until next year to allow both efforts to proceed.</p>

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<p>AB 1245 Wolk (D)</p>	<p>4/21/2005; Senate Natural Resources and Water Committee</p>	<p><b>CALFED Bay-Delta Program</b> - Relates to the California Bay-Delta Authority. Establishes the Environmental Water Account Fund for the benefit of the California Bay-Delta Environmental Water Account Program. Authorizes the money in the fund to be expended for the protection and recovery of fishery resources, the adjustment of the operations of the State Water Project, or the Central Valley Project, or the acquisition of water to supplement the water made available by regulation. Authorizes the acquiring or selling of water.</p>	<p>Support 04/21/2005</p>	<p>The EWA is critical to Metropolitan's water supply reliability and should continue to be supported and funded. In light of pending discussions on a long-term finance plan for the CALFED Bay-Delta Program and the pending fiscal/program review undertaken by the Schwarzenegger Administration, the author made the bill a two-year bill.</p>
<p>AB 1290 La Malfa (R)</p>	<p>ASSEMBLY (TWO-YEAR BILL)</p>	<p><b>Water Use Fees</b> - Declares that it is the intent of the Legislature to finance programs that were formerly funded by the imposition of fees for a specified application, registration, petition, request, or proof of claim relating to water use, or a notice to extract groundwater by appropriating funds from the fund that remain available for that purpose.</p>	<p>Oppose</p>	<p>This bill seeks to effectively and completely eliminate funding for the SWRCB's Division of Water Rights. It eliminates the SWRCB's ability to carry out its general regulatory responsibilities and would eliminate funds necessary to process water rights filings and to administer existing water rights.</p>
<p>AB 1341 Environmental Safety &amp; Toxic Material Cmte</p>	<p>8/22/05; Senate Appropriations Committee</p>	<p><b>Hazardous Waste: Major Appliance Disposal</b> - Makes a technical, nonsubstantive change to existing law that requires a person who transports, delivers, or sells discarded major appliances to a scrap recycling facility to provide evidence that the person is a certified appliance recycler and that prohibits a scrap recycling facility from accepting a discarded major appliance from any person who is not a certified appliance recycler.</p>	<p>Watch 6/21/2005</p>	<p>Position based on Board-adopted policy principle.</p>
<p>AB 1354 Baca (D)</p>	<p>Assembly Environmental Safety and Toxic Materials Committee (TWO-YEAR BILL)</p>	<p><b>Drinking Water: Perchlorate Levels</b> - Requires the Department of Health Services to establish a maximum drinking water standard contaminant level for perchlorate of 6 parts per billion, to be phased in over a period of two years commencing January 1, 2006.</p>	<p>Oppose</p>	<p>Position based on Board-adopted policy principle. Metropolitan historically opposes legislation that seeks to set MCLs through legislation versus the regulatory process.</p>

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<p>AB 1453 Daucher (R)</p>	<p>3/30/2005; Assembly Judiciary Committee (TWO-YEAR BILL)</p>	<p><b>Superior Courts: Adjudication of Rights to Produce</b> - Establishes nine water divisions in the superior courts of specified counties. Requires the presiding judge of the superior court of each specified county to assign a water judge to the water division to preside over actions that involve the adjudication of rights to produce groundwater. Provides for the transfer of groundwater actions to those court. Requires the presiding judge to consider the experience in groundwater adjudications of each candidate for assignment as a water judge.</p>	<p>Support in Concept 3/30/2005</p>	<p>Judges with a water law background would provide greater efficiency and expertise in adjudicating and improving the administration of groundwater cases.</p>
<p>AB 1466 Laird (D)</p>	<p>8/15/2005; Enrolled</p>	<p><b>Tamarisk Plant Control</b> - Requires the Department of Water Resources to develop a program to control or eradicate tamarisks plants in the Colorado River watershed within California and establishes another program to control or eradicate tamarisk plants in the watershed generally.</p>	<p>Support 8/15/2005</p>	<p>Greater focus on control and eradication of tamarisk would likely benefit users of Colorado River water. Tamarisk removal would also have general environmental benefits given the plant has relatively little habitat value and crowds out native vegetation.</p>
<p>AB 1665 Laird (D)</p>	<p>9/8/2005; Senate Natural Resources and Water Committee</p>	<p><b>Flooding</b> - Renames the Reclamation Board the Central Valley Flood Management Board. Also requires DWR to develop a schedule for mapping flood risk areas in the Sacramento and San Joaquin River drainage areas and directs DWR to prepare a report describing a flood control plan. Further requires each local agency responsible for project flood works O&amp;M to annually submit specified information to the new Board. Counties must identify every parcel of land located in a levee failure inundation zone and provide landowner notice of the flood hazard. Further requires a flood control system status report by 1/1/11 and requires Board to prepare levee failure inundation maps.</p>	<p>Watch 08/15/2005</p>	<p>DWR sponsored bill in response to the Paterno court decision.</p>
<p>ACA 13 Harman (R)</p>	<p>4/21/2005; Assembly Local Government Committee</p>	<p><b>Local Government: Assessments and Fees or Charges</b> - Proposes a Constitutional Amendment that excludes a fee or charge related to flood control, stormwater drainage or surface water drainage from restrictions on the imposition or increase of a property-related fee or charge by a city, county or special district.</p>	<p>Watch 4/21/2005</p>	<p>Would exclude any levy for flood control purposes from the Constitutional requirements of Proposition 218, including any levy imposed to finance capital costs or maintenance and operation expenses for flood control. If the Legislature and the voters approved this change to Proposition 218, it would make it easier for local flood control agencies to adopt assessments for flood control purposes since approvals would only be required from their respective boards.</p>

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<p>SB 31 Florez (D)</p>	<p>Senate Natural Resources and Water Committee (TWO-YEAR BILL)</p>	<p><b>Water Fees</b> - Revises provisions for making water rights filings with the State Water Resources Control Board. Changes the listing of applications subject to the board's schedule of fees. Denominates the fees as transaction fees. Limits the fees to processing costs. Requires adjustments of individual transaction fees. Requires the annual permit or license fees to be imposed based upon the number of acre-feet of water covered by the permit or license.</p>	<p>Oppose Unless Amended</p>	<p>This bill would not provide adequate funding for the SWRCB Division of Water Rights thus severely impacting the Division's ability to address misuse of water or environmental impacts. Also, the federal CVP's share of fees could be shifted to SWP contractors and other water users.</p>
<p>SB 113 Machado (D)</p>	<p>4/14/2005; Assembly Water, Parks and Wildlife Committee (TWO-YEAR BILL)</p>	<p><b>California Bay-Delta Authority Act</b> - Relates to existing law which requires the California Bay-Delta Authority to review, approve, and make recommendations regarding certain annual program plans and project expenditures submitted by the implementing agencies based on prescribed criteria. Requires the Authority, in undertaking that review, approval or modification, to consider the extent to which those plans or expenditures are consistent with the beneficiary pays principle.</p>	<p>Oppose 4/14/2005</p>	<p>Seeks to define the CALFED concept of "beneficiary pays." Metropolitan is concerned that the measure's definitions of public and private benefits and its general descriptions of what types of projects would and would not be eligible for public funding would effectively create a burden of proof for using public funds for such purposes as water use efficiency projects. In light of pending discussions on a long-term finance plan for the CALFED Bay-Delta Program and the pending fiscal/program review undertaken by the Schwarzenegger Administration, the bill was made a two-year bill.</p>
<p>SB 187 Soto (D)</p>	<p>6/22/2005; Assembly Environmental Safety and Toxic Materials Committee</p>	<p><b>Drinking Water: Contaminants</b> - Requires OEHHA to revise the perchlorate PHG if 1) "any risk assessment conducted by any state agency in the United States after April 1, 2005" concludes that perchlorate exposure below 6 ppb is a risk to pregnant women, fetuses, infants or other vulnerable sub-populations; or 2) any state agency in the U.S. establishes an MCL lower than 6 ppb. Also requires DHS to revise the perchlorate MCL if the PHG is revised.</p>	<p>Oppose 6/22/2005</p>	<p>Position based on Board-adopted policy principle. Establishes a dangerous precedent in that it gives deference to regulatory agencies outside California. Undercuts OEHHA's authority, requires OEHHA to revise the PHG independent of the quality of the risk assessment conducted by another agency and fails to recognize that a margin of safety is already built into the current PHG.</p>

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<p>SB 274 Romero (D)</p>	<p>7/12/2005; CHAPTER 254</p>	<p><b>Incompatible Offices: Elected and Appointed Positions -</b> Provides that service on an appointed or elected governmental board, commission, committee, or other body shall be deemed to be inconsistent, incompatible, in conflict with, or inimical to the duties of service on another elected or appointed governmental board, commission, committee, or other body, if the service in the offices satisfies this common law test for incompatibility. Requires an elected or appointed member of one of two local bodies to resign prior to accepting the second position.</p>	<p>Watch 7/12/2005</p>	<p>Excludes specific offices permitted by statute, and is broader than existing common law in that it includes public policy concerns, as well as actual significant clashes of duties, as criteria for finding incompatible offices.</p>
<p>SB 350 Machado (D)</p>	<p>7/5/2005; Assembly Water, Parks and Wildlife Committee</p>	<p><b>San Joaquin River Restoration and Water Management -</b> Sponsored by the Natural Resources Defense Council and the Central/South Delta Water Agencies, this bill would establish the San Joaquin River Fund to provide grants for "restoration of streamflows and native anadromous fish populations" or "acquisition of cost-effective replacement water supplies and related actions." Appropriates \$9.16 million from Proposition 13 (proceeds from a grant previously awarded to but reverted from the Friant Water Users Authority) and directs the Secretary of Resources to expend funds in roughly equal amounts for grants for restoration and water supply projects.</p>	<p>Watch 7/5/2005</p>	<p>Friant and NRDC have been in an intense court conflict over San Joaquin River restoration since 1988. Metropolitan has an interest in actions taken on the San Joaquin River because such actions could improve source water quality and, potentially, improve the regulatory environment for SWP operations by helping to increase fish populations.</p>
<p>SB 376 Soto (D)</p>	<p>5/11/2005; CHAPTER 210</p>	<p><b>Three Valleys Municipal Water District: Standby Charge -</b> Authorizes the Three Valleys Municipal Water District, by resolution, to adopt an assessment with a schedule of annual adjustments, and to adjust the amount of an assessment in a specified manner, if certain conditions are met, including a prescribed maximum assessment amount and prescribed notice and hearing requirements. States that, for the purposes of certain constitutional provisions, the district has not increased an assessment if the district adjusts an assessment in a specified manner.</p>	<p>Support 5/11/2005</p>	<p>A fair and reasonable approach that would allow TVMWD to increase the amount of its property assessment in precisely the same manner that Proposition 218 already permits public agencies to increase their taxes, fees and charges.</p>

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<p>SB 393 Ortiz (D)</p>	<p>5/10/2005; Senate Appropriations Committee (HELD BY COMMITTEE)</p>	<p><b>Special Districts</b> - Requires audits of special purpose districts to be performed in accordance with government auditing standards for financial audits. Requires the governing boards of special districts to conduct legal and ethics orientation sessions that governing board members would be required to attend, if they choose to receive compensation for their activities. Specifies whistle-blower protections for members who make protected disclosures of improper governmental activities.</p>	<p>Oppose 5/10/2005</p>	<p>This bill unfairly singles out special districts and the travel reimbursement restrictions that remain in the measure are too inflexible and may not allow for necessary travel.</p>
<p>SB 429 Florez (D)</p>	<p>7/7/2005; To Enrollment</p>	<p><b>Recreational Bathing: Sanitation</b> - Requires the Department of Health Services to convene a public advisory group to advise the department on the development of minimum standards for sanitation of high-use or priority freshwater bathing areas. Requires the department to purpose to the Legislature minimum sanitation standards for the recreational use of the public freshwater bathing areas.</p>	<p>Watch 5/27/2005</p>	<p>While Metropolitan exercises strict control of it's drinking water reservoirs and is subject to both local and State regulatory authority, water obtained through its State Water Project contract is subject to the conditions and concerns addressed in SB 429. Lake Perris in Riverside County has long-standing water quality concerns from its shoreline bathing beaches and the degraded microbiological quality of State Project Water.</p>
<p>SB 543 Margett (R)</p>	<p>8/15/2005; CHAPTER 263</p>	<p><b>State Water Project</b> - Establishes a permit program for encroachments on State Water Project rights-of-way. Makes any person who makes an alteration, improvement, encroachment, or excavation within the right-of-way acquired for the State Water Resources Development System, without a permit, guilty of a misdemeanor. Provides for civil penalties. Makes it unlawful for any person to drain water or permit water to be drained from a person's lands on to the right-of-way or to obstruct any watercourse or to store or distribute water.</p>	<p>Support 8/15/2005</p>	<p>The measure grants DWR the necessary authority to approve and, where necessary, remove encroachments on SWP lands. The bill formerly included significant problems for Metropolitan and other State Water Contractors (SWC). However, as requested by MWD and the State Water Contractors, the August 15 version of the bill includes the requirement that DWR issue a general permit for routine operations of state water contractors. This will ensure that contractors will not be subject to burdensome permitting processes. Consequently, Metropolitan is now in full support of the bill.</p>

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<p>SB 820 Kuehl (D)</p>	<p>9/2/2005; To Enrollment</p>	<p><b>Water</b> - Amends disclosure requirements for certain information pertaining to water use and planning. Expands the base of information with agricultural and urban water use to improve the state's ability to plan for continued future growth and development. Does not impose any regulation or change to existing groundwater rights law but improves public access to information concerning California's ground and surface water resources.</p>	<p>Support 8/15/2005</p>	<p>This bill promotes better planning by state and local planning agencies and will provide a heightened level of reliability and certainty to existing and future customers of state, regional and local water purveyors. Recent amendments to the bill clarify provisions regarding energy consumption and the public process requirements for the California Water Plan and Urban Water Management Plans.</p>
<p>SB 866 Kehoe (D)</p>	<p>4/19/2005; Senate Natural Resources and Water Committee (TWO-YEAR BILL)</p>	<p><b>Water Use Measurement Information</b> - Requires the Department of Water Resources to prepare and submit to the Legislature a report with regard to various matters concerning water use measurement information. Requires the department to conduct a study to determine the cost-effectiveness of more accurate farm-gate measurement and report to the Legislature. Requires the department to develop and implement jointly with the Department of Health Services the use of a coordinated water use reporting database.</p>	<p>Support</p>	<p>Creates a single point of information for agricultural and urban water uses and would help Metropolitan develop better water supply strategies and help determine the effectiveness of existing water measurement practices in the state. In light of pending discussions on a long-term finance plan for the CALFED Bay-Delta Program and the pending fiscal/program review undertaken by the Schwarzenegger Administration, the bill was made a two-year bill.</p>
<p>SB 977 Ashburn (R)</p>	<p>Senate Environmental Quality Committee (TWO-YEAR BILL)</p>	<p><b>Hazardous Substances: Perchlorate</b> - Contains provisions governing perchlorate contamination prevention, defines ""perchlorate"" to mean all perchlorate-containing compounds, and ""perchlorate material"" to mean perchlorate and all perchlorate-containing waste. Specifies that ""perchlorate"" does not include perchlorate located in unused military munitions.</p>	<p>Watch</p>	<p>Position based on Board-adopted policy principle.</p>
<p>SB 978 Ashburn (R)</p>	<p>Senate Natural Resources and Water Committee (TWO-YEAR BILL)</p>	<p><b>Water Use: Military Land and Housing Areas</b> - Requires an urban water supplier to install water meters on all municipal and industrial water service connections that are located in its service area. Requires an urban water supplier to charge each customer that has a service connection for which a water meter has been installed, based on the actual volume of deliveries, as measured by a water meter.</p>	<p>Oppose Unless Amended</p>	<p>Position based on Board-adopted policy principle. To the extent that Metropolitan's water serves military bases, this bill impedes efforts to implement water-use efficiency across all classes of customers in an equitable manner.</p>

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<p>SB 1067 Kehoe (D)</p>	<p>7/5/2005; To Governor</p>	<p><b>Drinking Water</b> - Requires the Office of Environmental Health Hazard Assessment to adopt a public health goal for total trihalomethanes and total haloacetic acids. Requires the Department of Health Services to adopt regulations to ensure any public water system that has levels of those substances that pose a potential risk to public health to notify its customers of the public health risks, including any risks to pregnant women. Sets forth notices to be included in a consumer confidence report regarding those contaminants.</p>	<p>Oppose Unless Amended 7/5/2005</p>	<p>Position based on Board-adopted policy principle. The bill requires OEHHA to establish PHGs by a specific deadline. Metropolitan generally opposes such deadlines because they may unnecessarily compromise the scientific or regulatory process. This bill preempts a critical part of the scientific process by effectively requiring OEHHA to develop a PHG for TTHMs and HAA5 based on development and reproductive efforts which may prematurely assume that specific levels can be determined based on available science.</p>
<p>SB 1081 Ducheny (D)</p>	<p>8/31/2005; To Enrollment</p>	<p><b>Salton Sea Restoration</b> - States the intent of the Legislature that certain bond moneys appropriated to the Wildlife Conservation Board, be used exclusively for the purpose of restoration of the Salton Sea and related activities. Requires the board to prepare and submit to the Legislature a report regarding a specified land purchase. Requires the Department of Water Resources to seek to enter into a memorandum of understanding with specified entities to establish a coordinated plan for the restoration of the Salton Sea.</p>	<p>Watch 7/05/2005</p>	<p>Recent amendment incorporates text that preserves the integrity of existing Colorado River water entitlements and contracts of California parties, the QSA and Section 2081.7 of the Fish and Game Code.</p>