

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

COMMUNICATIONS AND LEGISLATION COMMITTEE

October 11, 2011

Chair Ackerman called the meeting to order at 10:06 a.m. in Committee Room 2-456 at Metropolitan's Headquarters.

Members present: Chair Ackerman, Vice Chair Peterson, Directors Abdo, Ballin, Barbre, Brick, Camacho, Fleming, Gray, Griset, Heidel, Lewinger, Morris, K. Murray, and Record.

Members absent: Directors Friedman and Montalvo.

Other Board Members present: Directors Blake, Brown, Dick, Edwards, Evans, Foley, Grandsen, Little, Steiner, Wunderlich, and Wright.

Staff present: Acuna, Bennion, J. Carrillo, Coffey, Cole, Dymally, Escuadro-Dailey, Green, Harris, Hiltcher (via videoconference), Kightlinger, Man, Neal, Patterson, Philp, Scully, Stites, Teitz, Upadhyay, Vanderhorst, Waade, T. Wong, and Zinke.

1. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COMMITTEE ON MATTERS WITHIN THE COMMITTEE'S JURISDICTION

None

2. APPROVAL OF THE MINUTES OF THE LEGISLATION COMMITTEE MEETING HELD ON SEPTEMBER 13, 2011

Approved

Moved: Fleming

Seconded: Record

3. COMMITTEE CHAIR'S REPORT

Chair Ackerman reported that Thursday, September 29, Director Ted Grandsen, Metropolitan staff, and about 300 water leaders attended the Association of Water Agencies of Ventura County's 16th Annual Member and Policyholders Reception at the Ronald Reagan Presidential Library.

Metropolitan was a sponsor of the event which featured Brian Fagan, author and Emeritus Professor of Anthropology at the University of California, Santa Barbara, who discussed water's role in shaping civilization and civilization's impact on water.

Chair Ackerman also reported that on Friday, October 7, Metropolitan hosted the kick-off for the Southern California World Water Forum College Grant Program.

The World Water Forum is sponsored by Metropolitan, the Bureau of Reclamation, the Los Angeles County Sanitation Districts, Water for People and Friends of the United Nations. This is the third cycle of the program which is a competitive grant program that will ultimately award up to 17 grants to college student teams who will research and develop pilot projects for water-use efficiency, technology, policy research and communication strategies that can be implemented at the local, regional and international levels.

Chair Ackerman stated that more than 40 universities, colleges and community colleges from throughout Southern California and Metropolitan's service area were represented at the event.

In addition to providing background on the goals and objectives of the program, the primary purpose of the kick-off event was to distribute the Request for Proposals which the student teams need to submit to Metropolitan by December 9.

Chair Ackerman also stated that Director Brick attended the kick-off and has been involved with the World Water Forum since its inception.

Chair Ackerman also mentioned that Assistant General Manager of Strategic Water Initiatives Roger Patterson gave a report at the Water, Planning and Stewardship Committee meeting, on Monday, October 10. He reported that he was part of a series of Bay Delta Conservation Plan (BDCP) meetings in Washington, D.C., last week.

4. CONSENT CALENDAR ITEMS – ACTION

None

- 8-8** Subject: Express opposition to S. 711 (Lautenberg, D-NJ) – Secure Water Facilities Act
- Presented by: Brad Coffey, Assistant Group Manager
- Motion: Adopt the CEQA determination and express opposition to S. 711.
- Motion Carried Moved: Record Seconded: Griset

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

- a. Subject: Report on activities from Washington, D.C.
- Presented by: Brad Hiltcher, Executive Legislative Representative

Mr. Hiltcher reported on the following activities in Washington, D.C.:

House and Senate

- On Monday, October 3, the House passed the Continuing Resolution which funds the federal government until November 18.
- The Joint House-Senate “Super” Committee of 12 continues to debate the specifics of Congressional plans to reduce the federal debt over the next ten years.

Hoover Power Allocation Act

- On Monday, October 3, the House passed the Hoover Power Allocation Act and the legislation is now on the Senate calendar for action.

Western Area Power Administration Legislation

- On Wednesday, October 5, the House Ways and Means Committee marked up H.R. 2915 (McClintock, R-CA), which repeals the Western Area Power Administration’s (WAPA) loan authority. This legislation reflects the sponsor’s objection to the Administration’s ability to authorize government-guaranteed loans for renewable energy projects. The bill does not impact Metropolitan or our member agencies.

b. Subject: Report on activities from Sacramento

Presented by: Kathy Cole, Executive Legislative Representative

Ms. Cole reported on activities in Sacramento:

Legislative Dates:

October 9: Last day for Governor to sign or veto bills from 2011.

January 1: Statutes take effect.

January 4: Legislature reconvenes.

State Legislation:

- At the closing of the 2011 session, 870 bills reached the Governor's desk, of which 745 became law and 125 bills were vetoed.
- SB 215 (Huff, R-Diamond Bar) – signed by the Governor to extend authorization for the Department of Fish and Game to continue its quagga control/eradication program until 2017. Metropolitan supported this Association of California Water Agencies (ACWA)-sponsored measure.
- SB 224 (Pavley, D-Los Angeles) – signed by the Governor and broadly supported by the State Water Contractors and others. As of January 1, 2012, the Department of Water Resources (DWR) will no longer be subject to the Department of General Services' review and approval for specified contracts entered into for the acquisition, sale or transmission of power or for services to facilitate such activities. DWR is authorized to award contracts for acquisition of specialized equipment for State Water Project (SWP) facilities, under certain conditions.
- SB 834 (Wolk, D-Davis) – related to Integrated Regional Water Management Plans (IRWMP) was vetoed by the Governor.
- SB 618 (Wolk, D-Davis) – as supported by Metropolitan, it provides the Department of Fish and Game limited authority to issue "Incidental Take Permits." SB 618 will address statutory inflexibility of existing law to allow comprehensive restoration plan embedded in BDCP to move forward.
- SB 263 (Pavley, D-Los Angeles) - Original intent of the author was to recognize that wise management and use of groundwater supply requires public disclosure of well logs. The Governor vetoed the bill but directed DWR to work with the author to ensure responsible public access to well logs.

State Budget:

- The Department of Finance (DOF) is statutorily required, under the 2011/12 budget, to review the state's fiscal condition by December 15. DOF was given authority to reduce the expenditures by nearly \$2.5 billion if the revenues fall below June 2011 projections:
 1. If revenues fall \$1 billion short of projections, there will be \$600 million in cuts that will affect the University of CA and California State University systems, in-home health care program, child care programs, Medi-Cal rates, and developmental services.
 2. If revenues fall \$2 billion below projections, then the public school year will be reduced by seven days, home-to-school transportation will be eliminated, and community college budget cuts will occur.
- On Monday, October 10, State Controller Chiang announced September revenues are nearly \$302 million below projections.
- Year-to-date the deficit is about \$705.5 million with a combined current year cash deficit of about \$17.6 billion.

Informational Hearings:

October 6:

- Senate Select Committee on California Job Creation and Retention, chaired by Senator Rod Wright (D-Los Angeles), held an informational hearing in Sacramento on stormwater permits and resulting impacts to business, municipalities and taxpayers.

October 19:

- Joint Legislative Committee on Emergency Management and Assembly Select Committee on Regional Approaches to Addressing the State's Water Crisis, chaired by Assembly Member Bonnie Lowenthal (D-Long Beach) and Assembly Member Jose Solorio (D-Santa Ana), respectively, will convene a hearing to provide an update on the state's water delivery system and susceptibility to a major seismic event. The hearing will take place in Metropolitan's board room.
 - Debra Man was invited to testify on the vulnerabilities to water supplies from the Delta and what Metropolitan has done and what we plan to do to prepare for a major seismic event inside our service area as well as in the Delta.

- In Sacramento the same day, the Assembly Water, Parks and Wildlife Committee, chaired by Assembly Member Jared Huffman (D-San Rafael), will convene an oversight hearing on the Bay Delta Conservation Plan.

October 20:

- There will be a joint hearing of the Senate Natural Resources and Water Committee and Senate Select Committee on the Environment, the Economy and Climate Change – both committees chaired by Senator Fran Pavley (D-Agoura Hills) – to provide an update on climate change science, the current policy and likely impacts to answer question “Are we ready for a changing climate in the Los Angeles coastal zone?” The hearing is scheduled from 10 a.m. to 12 noon in Santa Monica.
- In Sacramento, Debra Man will be testifying to reiterate Metropolitan’s position on proposed Cap-and-Trade program at the California Air Resources Board.

October 26:

- Senator Michael Rubio (D-Fresno) will convene a Senate Committee on Economic Development and State Permitting Process in Fresno. The purpose of the hearing is to explore state permitting process as it relates to BDCP process. David Sunding will be invited to provide an overview of his recent jobs analysis.

Ms. Cole also reported on the newly redrawn districts. She stated that the maps were approved by the commission on August 15, and will serve as the new district maps for the 2012 primary and general elections. However, there have been two challenges filed on the two maps. One on the state senate maps by Senate Republicans, and the other to the Congressional plan by the California Republican Party. In the event a challenger is successful in securing almost 505,000 signatures to trigger a referendum, it would be on the ballot in June 2012. If the maps are voted down by the voters or if they are invalidated through litigation, the law then requires the Secretary of State to petition the California Supreme Court to appoint a special master to adjust the district lines.

8. MANAGEMENT REPORT

Deputy General Manager Linda Waade reported on the process for the 2012 Legislative Strategy. She stated that on October 18, External Affairs will convene the annual Member Agency Legislative Coordinators meeting here at Metropolitan’s headquarters to review the legislative proposals. She also mentioned that those legislative proposals will be reviewed at the Communications and Legislation Committee meeting on the

November 8, and with the member agency managers on November 18. A board letter with staff recommendations will be brought to the Board at the December 13 Board meeting.

Ms. Waade gave a brief update on two bills that Director Barbre had asked about. H.R. 2842 was introduced by Congressman Tipton (R, CO) - Bureau of Reclamations Small Conduit Hydropower Development and Rural Jobs Act of 2011 and H.R. 2538 introduced by Congressman Calvert (R, CA) – Reducing Environmental Barriers to Unify Infrastructure and Land Development or the Rebuild Act of 2011. Metropolitan’s legislative review team is in the process of analyzing both bills and will be back to the Committee with more information.

The Subcommittee on Water and Power will hold a field oversight hearing on October 18 at 10 a.m. in Highland. The address is: 27215 Baseline Street in Highland, CA. The hearing is on Questionable Fish, Science, and Environmental lawsuits: Jobs and Water Supplies at Risk in the Inland Empire.

9. FUTURE AGENDA ITEMS

None

Chair Ackerman reminded the directors that flu shots will be available at 11:00 a.m. in Conference Room 1-101.

Director Record stated that he and Director Evans had a joint State Water Project inspection trip that was excellent and thanked staff for all their work.

Next meeting will be held on November 8, 2011.

Meeting adjourned at 11:08 a.m.

Linda Ackerman
Chair